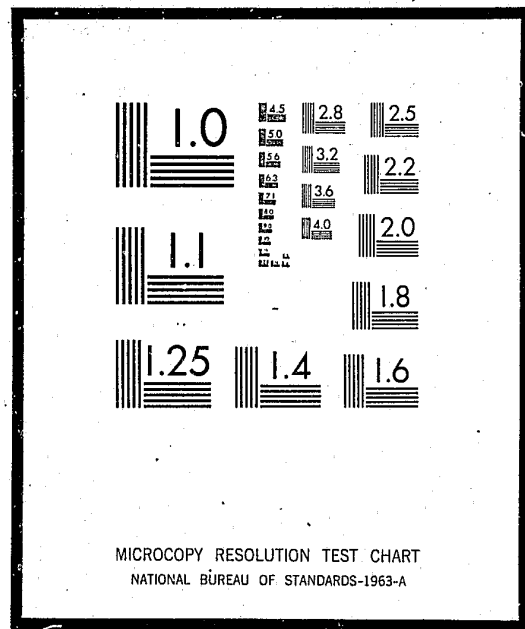


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## THE PROBLEM OF POLICE-COMMUNITY RELATIONS

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A Paper

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"Police-Community Relations is the most important law enforcement problem of today and the years ahead."

Ramsey Clark  
U.S. Attorney General  
February 20, 1968

INTRODUCTION

Foundations for Comments: Magnitude and Scope of the Problem

This paper is presented with the knowledge that it will be deficient in many respects, but most particularly because it will present many concepts and suggestions that deserve a far more lengthy development than the pressures of time and space permit. Observations and recommendations flow from almost two decades of affiliation and participation with the criminal justice system as practitioner, professor, and consultant, and from extensive field and library research, involving coast-to-coast investigation and communication, lecturing and writing, probing and examination.

The magnitude and scope of the problem of police-community relations is immense. The current tensions, revolts, riots and rebellions in American cities are examined and deplored by all thinking citizens of good will. Novelists, sociologists, psychologists, and social psychiatrists have pointed to the alienation, both individual and group, that shatters the unity and stability of our communities. Many citizens, looking ahead, worry over the threatening union between the young radicals--few in number--and the dispossessed and disenfranchised--who number in the millions. Foreign and domestic problems involve continual debate about the morality, rationality and propriety of governmental policy and trigger demonstrations that involve not only odd and immature citizens, but also some of the most honored and respected members of our

communities. The control of police is as hotly debated as is the control of riots. Our core areas seethe, and democratic dialogue is often replaced by street debates that involve bricks and Molotov cocktails vs. billy-clubs and tear gas. The police are seen by some citizens as men who "protect and serve" and by other citizens as men who "coerce and beat."

Vitally necessary changes--available low-cost housing, increased employment opportunity, crash programs in education--have received but token attention and minimum action. Many of the citizenry who will not support open housing, curbs on job discrimination, or money for schools, loudly excoriate communists, criminals, and outside agitators and call for stronger repression and heavier sanctions whenever ill-advised action programs seek to achieve change by use of violence. If all such violence is crushed with violence, and needed changes are delayed, angry citizens lose hope. If the satisfied body of people do not relate to the frustrated body of people of our cities, if the answer to the agonized cry of the deprived lies in patronizing or derogatory speeches, jail, or death, there will surely be more violence, and in some cities the problem of police-community relations will be solved by the fire department. Commenting on the crisis in our cities, the late Senator Robert Kennedy said:

It is right to be against violence. It is easy to be against violence. But those who tell us that the answer to civil strife is simply more police and bigger jails, who blame a few agitators or a handful of criminals--such men betray the future of the American nation. Violence is wrong, but it is also a reminder. It is a reminder that millions of American citizens have been shut out from the blessing of American freedom. It is a reminder of our common failure to ensure opportunity for the black man, and the American Indian, for the Mexican-American and the Puerto Rican--for all of the oppressed in our midst. It is a reminder that the American promise is still unfulfilled.... We must reject absolutely the leadership of fear, the cries of those who find repression more congenial than justice, and anger more popular than compassion.<sup>1</sup>

Many of the recent holocausts have been triggered by some police action. Why? Perhaps many do not look at policing as the enforcement of justice, but experience it as the enforcement of injustice. Perhaps many see the man in blue as the most highly visible representative of the "other" community--the affluent, apathetic, self-satisfied body of people who really do not care. Perhaps many find the police as the most easily available target for the coalescence of anger. The universality of such triggering is a phenomenon that cannot be minimized. The police of these United States, although numbering many professionally motivated men who perform in an effective and edifying fashion, continue to employ, support, and defend far too many inept and bad personnel. The police of these United States, although numbering many who enunciate sensitive and progressive concepts, continue to employ, support, and defend far too many insensitive and brutal attitudes and practices. Nothing less than a dramatic and revolutionary and massive catharsis--of internal generation (doubtful) or external mandate (possible)--will suffice to prepare police to meet the trying days ahead.

The 1931 Wickersham Report, the 1961 United States Commission on Civil Rights Report, the 1967 Report of the President's Commission on Law Enforcement and Administration of Justice, and the 1968 Report of the National Advisory Commission on Civil Disorders, without exception, point to the crude deficiencies that continue within the American police service. Ongoing outrages of inefficient, ineffective, illegal, immoral, noncompassionate, and irrational policing continue to blight the American civic landscape. To some extent, responsibility and guilt must be shared: the police often form an accurate barometer of community values; the police often precisely mirror the attitudes of the majority community; the police often allow themselves to succumb to improper pressures. If the majority community is more interested in

order than in liberty, more interested in property rights than in human rights, more interested in support of police than in control of police, more interested in community security than in personal freedom, more interested in recreations than in injustices, that community invites civil disorder and violent confrontations. Any police agency that foolishly accepts the task of "community bully," even if tacitly agreed to by community silence, and regularly bugs the living hell out of its minority groups, peace groups, hippie groups, youth groups--unpopular groups--will sooner or later have "a lot of chickens coming home to roost" and that is now the case in many American communities.

Certainly, community policing is a matter of shared responsibility and total involvement of all citizens--whether or not they wear badges. Certainly, the police officer is no other person than a citizen who gives his full-time career attention to matters which must be the responsible concern of all citizens.

If the majority community is more willing to supply its police with Mace, armored vehicles, sniper rifles, barbed wire, and hollow-point bullets than it is willing to scrutinize police field operations and eliminate ineffective, illegal, and degrading practices, that community surely deserves the chaos sure to come.

"Policing the police" through court decisions, legislative enactment, and administrative fiat is not likely to effect the dramatic, sweeping, and timely changes necessary--it will take the concerted effort and pressure of the majority community, acting through principle (hopeful) or through fear (possible) if the task is to be done. Many police professionals would welcome the opportunity to join in such effort. Many Neanderthal police would reject, with ferocity, any such effort. But no changes of real and lasting significance will occur until the majority community is willing. God help our nation if it del.

too much longer!

James Q. Wilson, although viewing police from a quite different view, aptly summarizes the current derogation of police:

The criticisms directed at the police are well-known and often sound, but conditions giving rise to these criticisms are frequently not well understood by the critic. For example, police departments are frequently charged with hiring unqualified personnel, suppressing or manipulating crime reports, condoning the use of improper or illegal procedures, using patrol techniques that create tensions and irritation among the citizens, and either over-reacting (using too much force too quickly) or under-reacting (ignoring dangerous situations until it is too late) in the face of incipient disorder. All of these criticisms are true to some extent, though the extent of the deficiencies is often exaggerated. But let us concede for the moment that they are all true. Why are they true?

Explanations vary, but commonly they are some variation on the "bad men" theme. Unqualified, unintelligent, rude, brutal, intolerant, or insensitive men, so this theory goes, find their way (or are selectively recruited into) police work where they express their prejudices and crudeness under color of the law. Though a few of the commanding officers of the department may try to improve matters, on the whole they are ineffective. At best they invent paper palliatives--empty departmental directives, superficial community relations programs, one-sided internal disciplinary units--which do little more than offer a chance for issuing favorable, but misleading, publicity statements about the "new look." And at worst, the theory continues, such administrators exacerbate tensions by encouraging, in the name of efficiency or anticrime strategies, various techniques, such as aggressive preventive patrol, that lead to the harassment of innocent citizens. The solution for these problems is, clearly, to hire "better men"--college graduates, Negroes, men who can pass tests that weed out "authoritarian" personalities, and the like. And those on the force should attend universities, go through sensitivity training, and apply for grants to develop "meaningful" community relations programs.

Some critics go even further. Not only do the police fail to do the right thing, they systematically do the wrong thing. Not only do the police fail to prevent crime, the police actually cause crime. Not only do the police fail to handle riots properly, the police cause riots. Presumably, things might improve if we had no police at all, but since even the strongest critics usually recognize the need for the police under some circumstances, they are willing to permit the police to function provided that they are under "community control"--controlled, that is, by the neighborhoods (especially

Negro neighborhoods) where they operate. If police departments are at best a necessary evil, filled with inept or intolerant men exploiting the fact that they are necessary, then the solution to the problem of abuse is to put the police under the strictest and closest control of those whose activities they are supposed to regulate.<sup>2</sup>

Neither simplistic polemics, nor delineation of criminal justice complexities, will solve current police-community relations problems. Even though the problems persist and fester, affirmative progress is possible.

#### Background of Police-Community Relations: Development

Specialized attention and training in the community relations area, by police, is not new, and spans a quarter-century.<sup>3</sup> A National Center on Police and Community Relations is located at Michigan State University, and for fourteen years that academic institution has sponsored and coordinated national and regional institutes. Over the years the concepts of police and community relations programs developed, and common purposes were delineated:

1. To encourage police-citizen partnership in the cause of crime prevention.
2. To foster and improve communication and mutual understanding between the police and the total community.
3. To promote interprofessional approaches to the solution of community problems, and stress the principle that the administration of justice is a total community responsibility.
4. To enhance cooperation among the police, prosecution, the courts, and corrections.
5. To assist the police and other community leaders to achieve an understanding of the nature and causes of complex problems in people-to-people relations, and especially to improve police-minority group relationships.
6. To strengthen implementation of equal protection under the law for all persons.<sup>4</sup>

As programs began to expand, it became increasingly clear that police and community goals and efforts, to be effective, needed to be mutually supportive, and unified by common values. A definition of Police-Community

Relations was developed:

Police-Community Relations in its generic sense means the variety of ways in which it may be emphasized that the police are indeed an important part of, not apart from the communities they serve. Properly understood, Police-Community Relations is a concept for total police organization, functionally speaking--a total orientation, not merely the preoccupation of a special unit or bureau within the department. It bears upon administrative policy, it bears upon supervision, it bears upon every aspect of personnel practices, it bears upon records and communications, it bears upon complaint procedures, it bears upon all aspects of internal as well as external relations, it bears upon planning and research, and perhaps most significantly, it bears upon line service through the uniformed patrol division. In short, Police-Community Relations, ideally, is an emphasis, an attitude, a way of viewing police responsibilities that ought to permeate the entire organization. Every major issue in American law enforcement today is, in a substantial sense, a challenge and an opportunity in terms of Police-Community Relations. For is is only in an effective partnership of police and community that there is any prospect of dealing constructively with these issues.<sup>5</sup>

As police agencies began to develop interest in this vital area, certain activities came to be associated with that interest: training programs for police officers, supervisors, and administrators; liaison programs linking police with civic, fraternal, religious, professional, minority, and militant groups; processes for resolution of citizen grievances; public relations-press relations; school programs at elementary, secondary, and collegiate levels; coordination with federal, county, state, and municipal officials and agencies; and the development of funding operations in order to increase activities and expand programs.

In 1964, a survey conducted by the International Association of Chiefs of Police and the United States Conference of Mayors indicated that very few of our larger cities had community relations programs or units assigned that function.<sup>6</sup> In 1966, the National Center on Police and Community Relations at Michigan State University prepared a report for the President's Commission

on Law Enforcement and Administration of Justice. This report, "A National Survey of Police and Community Relations," does not indicate that there has been rapid expansion of this function--of 75 locations surveyed by questionnaire or visitation, only 28 had formal police-community relations units.<sup>7</sup> Very few police agencies (considering that there are 168 cities with either population in excess of 100,000, or over 30,000 and five or more percent non-white population) are moving with rapidity to utilize this modern technique--an interesting fact when contrasted to more than 300 police agencies which have adopted the hollow-point or "dum-dum" bullet (outlawed for use in international war by both Hague and Geneva Conventions).<sup>8</sup>

#### Current Police-Community Relations Efforts

The Police and Community Relations Newsletter, Fall-Spring, 1968, published by the National Center on Police and Community Relations, Michigan State University, briefly describes city programs in Baltimore, Boston, Charlotte, Chicago, Denver, Detroit, Houston, Los Angeles, New York, Oakland, Pittsburgh, Providence, San Diego, St. Louis, Washington, D.C., and state programs in Ohio and Wisconsin. Many of these programs are narrow in scope, and are directed to enlisting the citizenry in a crime-fighting effort; others are broad in scope and are directed to improving relationships with the frustrated and deprived citizens by more or less making the police the Ombudsman of the poor.

Of particular note, of the first variety, is the Youth Against Crime program of New York Police Department, now involving some 60 boys and girls in fifteen locations in the 23rd Precinct. Distributing literature and relaying information, these young people "initially unruly, undisciplined and apathetic to assigned tasks. . . became a highly motivated, neat and responsible group,"

The Signal Ten program of the Metropolitan Police Department, D.C., and the People's Anti-Crime Effort (P.A.C.E.) program of Monterey Park, California, Police Department, develop citizen involvement in community policing.

Broad programs, such as the Precinct Receptionist program of New York Police Department, involving 35 women volunteers in the 23rd, 24th, and 28th Precincts, who receive citizens at the station and make referrals to police or community resources, and the Community Services Unit, Winston-Salem, North Carolina, Police Department, which focuses on crime prevention and community service, are most creative. The Winston-Salem program accents "the integrative function as opposed to the control function of police work" and directs itself to three purposes: 1) To find people in need; 2) To direct them to those agencies or community resources where the need can be met; and 3) To search out those things which are conducive to crime and see that they are rooted out of the community."<sup>9</sup>

#### BARRIERS TO SOLUTION

##### Police Role

The word "police" is currently used to identify that institution of social control which, for the community, attempts to prevent crime and disorder and preserve the peace, and for the individual, attempts to protect life, property, and personal liberty. Prior to the 19th Century, protection was afforded through "folk police," as exemplified by the old "hue and cry." "Watch and ward." Full-time governmental policing, as we know it today, is relatively new and dates from the Peelian reforms of 1829.

Unfortunately, many people have a narrow view of the police role and identify it with the limited function of crime repression--the mechanical treadmill of investigation, identification, arrest and prosecution. Certainly, much

more is involved, and many observers have expressed a broader view.

Crime prevention, a function which involves all activity that attempts to keep crime from happening, is not a newly identified function of police. One very early statement was most positive:

It should be understood, at the outset, that the principal object to be attained is the prevention of crime. To this great end, every effort of the police is to be directed. The security of person and property, the preservation of the public tranquility and all other objects of a police establishment would thus be better effected than by the detention and punishment of the offender after he has succeeded in committing the crime.

That statement is from a general order issued to the New Police, London, England, by Commissioner Charles Rowan, September, 1829.

Some American police of limited perspective tend to view their work as that of "catching crooks," and are unable to identify with the community and departmental activities that are of educational, counseling, and service types. Bordua states that "police have come to be identified almost entirely with the coercive function of the state."<sup>10</sup> It would seem that the "order maintenance" and "law enforcement" objectives that are distinguished by James Q. Wilson are both of a coercive nature.<sup>11</sup>

It was not until recently that the social service nature of policing was identified. In 1928 we read:

... most of the work of a patrolman should be done quietly, with the social service point of view always in mind, under circumstances which make mere size and brawn count for little.

Both personnel and police administrators have been at fault in that they have made little attempt to secure as members of the police force men and women with a social attitude and training in social service work; in fact, they have all too often opposed the appointment of police officers with such an attitude and background.<sup>12</sup>

In 1931, August Vollmer, revered mentor of American policing, said: "The policeman is no longer merely the suppressor of crime, but the social worker of the community as well."<sup>13</sup>

It might be well for the nation to consider a change of name for the police as they come to assume a broader role than that of "thief-catcher," and as they change from a law oriented to a people oriented operation. Perhaps the police should be renamed "human affairs officer," or "public welfare officer," "public service officer," "public safety officer," "public protection officer," "human relations officer," "community relations officer," or "social psychiatric field worker." Perhaps a change in uniformed appearance is in order with a lesser emphasis on glitter, helmets, and weaponry. With a broader role, with a different title, and with a less combative and hostile appearance, it is quite possible that public attitudes toward the police might change rapidly and affirmatively. (The German policeman, beltless and bootless, has gun and club hidden from view; the English constable has a special pocket to conceal the wooden truncheon which is his only weapon; the French police will have, soon, a new uniform which conceals weapons; and Covina, California, is now investigating such a change.)

The American policeman has never been considered as a member of a para-military police force, nor as a member of a political secret police. But changes are in the wind.

From coast to coast, police and sheriff's departments have initiated radical changes in program as they arm themselves in preparation for guerilla warfare. The Newark, New Jersey, Ledger, of August 9, 1967, reported some \$331,000 budgeted by the city for riot control equipment including AR-15 rifles, barbed-wire, armored cars, and high-intensity lights to blind snipers. The Los Angeles Times, February 15, 1968, reported a secret police program to put

down riots which included riflemen with telescopic sights, a "general staff" plan similar to the military commands, black cloth covers for "their glistening white helmets," fiber shields "similar in appearance to those carried by Crusaders," and the budgeting of two armored cars.

Dr. Richard A. Myren, Dean of the School of Criminal Justice, State University of New York at Albany, submitted a paper on "The Role of the Police" to the President's Commission on Law Enforcement and Administration of Justice. In that paper, speaking of functions that are regularly assigned to police agencies, he said:

Although they do have an important role to play in civil defense in case of invasion, police do not have authority nor responsibility for maintaining tank, paratroop, and similar military units as do the para-military police organizations of some other countries. Police in the United States are also not lawfully assigned the role of controlling and suppressing political opposition to the party in power, although there have been instances, at particular times and places, when they have seemingly assumed or been assigned this role illicitly.

(This was written before the Democratic National Convention, Chicago, 1968.)

Police-community relations will certainly be affected if American police agencies quietly but rapidly escalate their programs to become full-fledged para-military organizations.

The International Association of Chiefs of Police publishes a journal, The Police Chief, for distribution to its members. In March, 1966, it published a chilling article on "The Role of the Police in Counter Insurgency." It may be well to meditate upon the implications of these excerpts:

The transition from a police organization within a free society to one of a Police State connotation is but a short step.

... it cannot be denied that the thoroughness of the communist police system and that of Nazi Germany in her power period was able to seek out and crush dissidents and revolutionists.

The free world community should not miss the chance to minutely study these systems, despite their repulsiveness, and integrate those deemed necessary into counterinsurgency contingency planning. In this connection, certain police state etiology could be applied within the dynamics of individualism to insure freedom rather than to suppress it. When physical and psychological violence is used to subvert the freedom of world citizens, the counterinsurgent forces may well have to deal in violence and distasteful tactics to assure that civil liberty will continue to exist... The question is how dear is freedom and how far does the free world want to go to assure that the open society is not usurped.<sup>14</sup> (Italics added.)

Police-community relations will certainly be affected if American police agencies quietly but rapidly escalate programs to crush dissent and engage in the tactics of a secret political police.

It would seem that the philosophy of social control must be reconsidered so that American police avoid the narrowly repressive, para-military, and political, and so that they can obtain the confidence of all citizens by a demonstrated preference for protection and service.

#### Police Organization

Police organizational structure is semi-military and rigid, and creates a pattern of superior-subordinate relationships which are often sycophantic, instead of a pattern of professional-professional relationships which are unified by mutual commitment to professional values. "Rank" is so exaggerated as a mark of accomplishment and merit that professional competence is often ignored. In this context, it might be most helpful if our police were to scrap military rank designations and replace them with professional titles. Police-community relations would be rapidly advanced if diversity (rather than uniformity), initiative (rather than acquiescence), and shared responsibility (rather than compliance) become the hallmarks of a mature police department.



### Police Attitudes

Police attitudes are the source of community cohesiveness or divisiveness and should be examined. Some of our police have values and standards more appropriate to the days of public hangings, and a very limited social awareness. Some of our police have much more readily identified with the duty of maintaining order than with the duty of maintaining liberty, and could be expected to enthusiastically agree with H. L. Mencken that "police-men are not given night-sticks for ornament."<sup>15</sup> And some of our police have been identified as the "last puritans" with a predilection toward moralizing.

John A. Webster puts it thus:

The police are more concerned about ghetto riots than they are about the underlying causes. The police are more concerned about student protest than they are about the reasons for the protests. The police are more concerned about Supreme Court decisions than they are about preserving liberty. The police are more concerned about the image created by brutality than they are about brutality itself. The police are more concerned about civilian review boards than they are about why the public wants them. The police are also participating in more than their share of doomsaying.<sup>16</sup>

Louis A. Radelet, Director, National Center on Police and Community Relations, Michigan State University, tells us that police are "extremely sensitive,"<sup>17</sup> and many observers of the police scene have experienced the defensiveness of police which reacts to all questioning or criticism as ignorant, malicious, or subversive. Even legitimate research conducted at the highest levels is suspect. The National Advisory Commission on Civil Disorders, speaking of their attempts to survey American police, state:

The entire sample of fifteen cities has not yet been completed because of official noncooperation in several departments. Milwaukee has been particularly adamant against permitting any access, while Boston and Chicago have been quite difficult. Most other cities gave some measure of cooperation, though often somewhat grudgingly. Few actively encouraged the study.<sup>18</sup>

Such hypersensitivity to scrutiny will impede the necessary social science research to an increasing degree. Professor John M. Pfiffner notes that "There is a wide gap between the police on the one hand and the social scientists on the other and we regard this gap as being very regrettable."<sup>19</sup>

There is evidence to indicate that the policeman has been, traditionally, authoritarian in attitude, with a conservative social philosophy. This mental set makes for automatic conflict with the behavioral scientists, with the civil libertarians, with the legal profession, with nonconformists, and serves to make interaction most uncomfortable and collaboration most difficult for such policemen. The late Chief William H. Parker, Los Angeles, noted that most of the police of America are "conservative, ultra-conservative and very right wing."<sup>20</sup> If all of the surface indications of ultra-conservatism stem from a deep-rooted belief system, any community which is dedicated to the social ethic should be properly frightened by such phenomenon--particularly if it is valid to connect racist views with ultra-conservative and very right wing mental sets.

Any survey of police journals will indicate much about police attitudes. For example:

Chief's Message, The Beat, Los Angeles Police Department: "The recent report of the President's Commission on Civil Disorders... continued a dangerous tactic--the perpetuation of 'alarmist' comments."<sup>21</sup>

President's Message, The Law Officer, International Conference of Police Associations: "... every effort is put forth to protect the rights of the criminal with little or no regard being given to the victims of the crime."<sup>22</sup>

President Sperrier Says, The National Sheriff, "Equality? How about some consideration for quality instead?"<sup>23</sup>

W. Cleon Skousen, Law and Order: "... a hard core of five men on the Supreme Court proclaimed that it was all right for identified Communists to work in U.S. defense plants, teach in American schools, and boss American labor unions."<sup>24</sup>

Conformist attitudes among police personnel are common. The average police department demands conformity and compliance of its people to the point that a man cannot rise to an executive position unless he "sings the party line." The man who wants to exercise critical judgment and make innovations becomes anathema and destroys his chances for advancement. It seems obvious that to expect blind, unquestioning obedience, and to demand absolute loyalty, "right or wrong," is to imitate the dictatorship. One Chief of Police is clear:

Actually, law enforcement does a pretty good job of stifling creativity and encouraging conformity. A strong body of opinion exists that the conformist is the one who gets ahead. And let's not kid ourselves, many men make their way to upper levels by pursuing conventional standard approaches. But a word of warning--where conformity is being accepted, or even encouraged, a lot of good talent goes into hiding and is being wasted. Too often, conformity to established thinking and procedure is considered the keystone of a smooth running organization. And, when you think of it, why not? Under such conditions, decision making is routine. There will be no serious problems. Work performance will be adequate, though conventional. Leaders look good because all seems to be going smoothly. It appears that one would almost be a fool to experiment, encourage creativity, suggest changes and in so doing perhaps risk his reputation. But, as the doctrine of an organization, conformity can spell stagnation and a descent into mediocrity.<sup>25</sup>

The implications for police-community relations are many. The police do not often come into contact with creative stimulation, and therefore do not regularly explore alternative ideas or concepts of criminal justice. The rigid and mechanical policeman finds so much of his work bare and meaningless that it is imperative for him to doggedly hang on to whatever traditions he can

simply to retain his identity--even if sterile traditions have created his present situation. The bright officer is made a captive of the system: he is misled to admit that his intuitive perceptions of police failings are incorrect, and he is misled to subscribe to the constraining fallacy that the present police system will make everything right. But there is no change-- essential change--there is but perpetuation.

There is a crying need for police who can free themselves of conforming pressures to the extent that others with different life styles do not present a threat to the policeman's own security. Such freedom requires a self-awareness that is genuine so that relating to others in the police framework will not lead to the destruction of one's own integrity. The ideal relationship requires a one-to-one basis, not one-upmanship between policeman and supervisor, nor one-upmanship between policeman and citizen.

Police attitudes are often misunderstood, particularly by those citizens who are frustrated by the slowness of change, and who feel that there really is no recourse. The following expression of police attitude is from the underground press, the alternative press, and appeared in the Los Angeles Open City, under the title of "How to be a Good Cop" by "Sgt. Porcine Oink":

O.K. Boys, you've finished this academy and all its horse----. It's now time to fill you in on how to be a real cop, and I'm going to tell it like it is.

Your job is to catch crooks, but don't let this interfere with the time you spend mooching coffee, meals and drinks, flirting with the local skirts, collecting dirty pictures and films, and using your badge for "goodies".

If anybody looks odd, don't hesitate to hassle 'em as much as you want; it'll do 'em good to sweat a bit. If anyone gives you trouble, bust 'em--you'll always be able to think of some reason. If anyone resists you in any way, or is a wise-a--, teach 'em a lesson--a smash

to the face, a punch in the belly (leaves less abrasions), an arm-breaker come-along, a slow strangle--and set those cuffs a dozen notches extra tight. If you want information and it isn't given, put on the pressure--if necessary, bounce 'em off the walls.

If any coon, kike, chongo, peacenik, or hippie so much as looks sideways at you, let 'em know who's boss, fast and emphatic. Don't worry about stopping or searching anybody or anyplace you damn well please--let 'em squawk, but don't worry.

Testimony in court? Say anything that will put the b----- in jail--it's damn hard to prove perjury. Carry around a little grass so you can manufacture probable cause for any searches you want to make, and remember, boys, you can always say "I smelled the characteristic odor of marijuana."--the D.A. and Courts and citizens will always believe you!

If any odd-balls or freaks want to dirty up your beat, bang 'em around or throw 'em in the pokey. Don't worry about pretending to befriend a suspect in order to hang him--it's all part of the game. When you come across the "good" people of the community, be extra nice to 'em, smile, and act, as they say, "professional".

If you think you need more information, don't worry about permission to enter a premises--just burgle your way in, or con your way with ignorant neighbors or clerks, or use a pick. Use all the wiretaps or recording gear you want--the Chief will always claim publicly that "It's against departmental policy," but he will always get you off the hook.

If you see a buddy officer do anything that the do-gooders would object to, and somebody fingers him, back up your buddy all the way. Always back up your fellow officers, whether they're right or wrong--the police have a lot of enemies, so if we don't stick together, we'll hang separately--it's as simple as that. And that applies all the way--from Chief to rookie.

If you run across a sob-sister probation or parole or corrections man, remember that they are just a bunch of bleeding-hearts, really more interested in slimy bums than in the good people of the community like us, and are doing a lot of harm with their babying and molly-coddling of offenders.

Remember that all these kids and hippies and peaceniks with buttons and beads and hair are fair game--all the good people would like to grind 'em up good and are solidly behind us when we let such creeps know how the community really feels about them--no holds barred here, boys!

If you find a law violation involving a fellow officer, or an officer of another agency, or a relative or friend of an officer, or a businessman or politician or socially prominent person who can do us some good someday, go easy on 'em and remember that not everyone has to be hassled--use good judgment and take care of your friends--there are few enough of them, and it is good "police-community relations".

Don't worry about the soft courts and their insistence on legal processes--our Chief has made it crystal clear that we'll do what we want to do, any time, anywhere. Don't worry if crybabies call our Chief arrogant, insensitive, supercilious, ignorant or foolish--he's a real cop and sets an example for all of us to follow, and nobody--but nobody--can tell him what to do or how to do it. And if they can't tell him, they can't tell us!

If you want to know where the sleeping and eating and loving spots are; if you want to know how to kiss off reports; if you want to know how to keep the "new breed" sergeant off your back; if you want to know how to doctor up the daily log; if your production of field interrogations, tickets, or arrests is low and you want to know where the duckponds are for fast action; if you get into a jam because you have goofed off, or because you heavy-fisted some sensitive soul, or because you've been loose with the facts in a report, or because your extra-curricular love-life has snarled, or because some holier-than-thou has been questioning your work--see any old timer--he can always show you the ropes, and you'll come out smelling like a rose! If you ever get to worrying about your job--relax--just think of the Chief, and all the rest of us!

Have fun, boys--remember, being a real cop is a happy and rewarding career!

It sure is, men--like nothing else! Where else could you do your thing and get your kicks any way you want--and be immune??? Play it cool when you are around the "new breed cop" or when you are around any witnesses who might be believed--but the rest of the time (and that's most of the time) have fun--be a real cop!<sup>26</sup>

Open City states that the above was written "from the inside" and claims that the author is a "high-level, widely-known member of the law enforcement fraternity." It would not be too surprising to find, in the coming years, more willingness of police to laugh at themselves, to spoof their techniques, and to parody their failings. (The rather grotesque presentation of "Sgt. Oink" can be utilized by readers who wish to probe police attitudes: the reaction of the police who are willing to respond to such a crude, yet sharp, indictment, will be very indicative of their commitments and sensitivities, defensiveness and openness, mental-sets and motivations.)

#### Police Selection

Selection of personnel, both at entrance level and for promotion, is critical to improvement of police-community relations. The President's Commission on Law Enforcement and Administration of Justice has made many sound recommendations relating to qualifications and screening. And there is some willingness to de-emphasize physical qualifications and upgrade educational qualifications, and recruit more widely for minority group candidates.

Research which emphasizes personality changes after employment is nonexistent; as one commentator puts it, "... no evaluation of the personality of a police officer after several months or years of employment is in existence today. . . it is vital that this topic be scientifically explored."<sup>27</sup> Part of current police-community relations problems may lie in the number of emotionally disturbed policemen, supervisors, and executives who are in a position to make harmful decisions affecting the lives of individual citizens and the peace and tranquility of the community.

If the decisions for selection of candidates at entrance and promotional levels are made solely by police, there is strong possibility that the police will tend to perpetuate their failings by allowing entrance and promotion only to those who are mirror-images of the current leadership. It may be very much in the interest of police development to have outside expertise from clinic and university assist and participate in the decisions to employ and promote police personnel.

Civil service law often restricts rapid advancement of the highly qualified and leads to frustration and high turnover. The use of "lateral entrance" (which would allow personnel outside the agency to enter at various levels and in various capacities, and which would encourage the interchange of personnel between agencies) has been often recommended but seldom implemented. European police agencies are now exploiting this method of introducing new blood into the service. A recent study states that:

. . . most police systems on the continent make at least some provision for lateral entry. Since World War II this feature has become highly developed in France. Half of the candidates for the French equivalent of a lieutenancy are chosen from among nonpolice candidates who hold a baccalaureate degree, while half of the candidates for the commissaire, or inspector grade, are chosen from nonpolice applicants who hold a law degree. . . German police forces recruit ten percent of their detective forces directly from the legal profession, while the Swedish police recruit lawyers to fill some 300 of their top positions.<sup>28</sup>

Quite obviously, the police service must utilize all recruitment and selection processes which will tend to bring into the service a large number of creative, innovative, originating candidates of critical judgment and integrity. In order to do this with some hope of attracting large numbers of such personnel, the current agency environment must change. What very capable young person of high capacity would desire affiliation with an institution that is authoritarian, antiintellectual, bureaucratic, and led by people openly dedicated to the

maintenance of archaic traditions? Such extensive change of environment will be most difficult, and may require much more civilian control of police than is now the case. It is my considered judgment that there must be radical change in the selection procedures for entrance and promotion, and much more civilian, nonpolice, involvement in personnel decisions of American police agencies.

#### Police Education and Training

There are now almost 300 academic programs in our colleges and universities which provide career preparation for criminal justice candidates.<sup>29</sup> Called "police science," "law enforcement," "criminology," "criminal justice," or like titles, they attempt to prepare young men and women with a broad liberal arts education, and with some introduction to the skills and techniques of criminal justice. Such programs are either extensions of local police agencies, or are fiercely independent, jealously guarding the right to seek the truth, even if unpalatable to the local police. As the President of the International Association of Police Professors puts it:

The police instructor who really meets his responsibilities and obligations must be a man who, for at least another decade, will often be in direct conflict with the police practitioner. He must constantly be prepared for challenge from a field which is resisting change so strenuously and is threatened so severely that it becomes outraged by criticism and stifles all dissent.<sup>30</sup>

As far as police academy training is concerned, the strategy is clearly in developing personnel over whom the organization can easily exercise control--not in developing self-directed and autonomous personnel. There is a "boot camp" environment, a "lock-step" tone, and "indoctrination" is the theme, objective and method. As Dean Sheehan sees it, "Because police training academies are almost controlled by the police, there is little hope for much progress through police training for some time to come."<sup>31</sup>

Certainly, we have great need in the American police service for people who understand the basic values of our society as well as they understand how to manipulate the radio squelch knob; for people who understand themselves and their fellow men as well as they understand how to take a burglary report; and for people who understand the alternatives to detention and arrest as well as they understand how to apply the police "strangle."

We must radically alter our police training format. The policeman spends about 90 percent of his time in public service activities and only about 10 percent (or less) of his time in "crook catching" activities. But, our police academies stress crime repression to the point that about 90 percent of the training is in the "crook catching" area and only about 10 percent in the community services-human relations area. No wonder that many police view the public they serve as "the enemy."

It is high time that police training be placed under civilian control, and sociologists, psychologists, anthropologists, social workers, public administrators, and other community oriented people used as instructors and advisors in police academies. One observer is quite clear: "It might be well to have attached to police training institutions staffs of academic people--outside the police chain of command--which have an active part in planning the curricula and doing the teaching."<sup>32</sup>

Looking over the curriculum content of police training academies, we find it to be skills oriented. There is little evidence of practice in problem solving, in learning the wise use of discretion, and in learning the role of police in society. It should be obvious that more important to the policeman than repressive "know how" is the need to understand "the legal issues involved in his everyday work, the nature of the social problems he constantly encounters, and the psychology of those people whose attitudes toward law are

different from his."<sup>33</sup> The President's Commission on Law Enforcement and Administration of Justice tells us that training focuses "almost entirely on the apprehension and prosecution of criminals. What a policeman does, or should do, instead of making an arrest, is rarely discussed. The peacekeeping and service activities which consume the majority of police time, receive too little consideration."<sup>34</sup> The Police Task Force Report is very clear:

Police officers should be given a much more solid foundation in the fundamental principles of democratic government and the society in which we live. They should be provided with sufficient background on the growth of democratic institutions to enable them to understand and appreciate the complexity of the law enforcement task and the challenge in its fulfillment.

Training programs should be designed to elicit a commitment on the part of a police officer to the importance of fairness as well as effectiveness in the exercise of his authority. He must be provided with much more than has traditionally been provided in the way of guidance to assist him in the exercise of his discretion. He should be provided with a basis for understanding the various forms of deviant behavior with which he must deal. And he should be acquainted with the various alternatives and resources that are available to him, in addition to the criminal process, for dealing with the infinite variety of situations which he is likely to confront in his daily work.<sup>35</sup>

Police academy programs should include the following areas:

- (1) individual behavior (perception, motivation, attitudes, views and values of man and society, deviant behavior and mental illness);
- (2) interpersonal behavior (management of conflict, interaction processes, communications);
- (3) group behavior (group dynamics, influence, cohesion, leadership, problem solving);
- (4) intergroup relations (prejudice, discrimination, social, religious, economic and political values);
- (5) community issues (collective responsibilities, detection and analysis of tensions, environmental influences, community services, unpopular or extremist groups);
- (6) criminal justice administration (the role of police in a democratic society; police policy and discretionary

alternatives; relationships with prosecution, defense, courts, probation, corrections and parole).

Such programs should be evaluated, by nonpolice expertise, by means of before and after measurements. Training programs should concentrate on attitudes and values as much as on skills and techniques. Training programs should utilize the latest research of the behavioral sciences. All training programs should be audited in relation to agency operations in order to reduce the gap between what is taught and what is done.

#### Police Supervision and Leadership

The police supervisor must be as opposed to abuses of police authority as he is now opposed to abuses of police equipment; he must be as opposed to the harrassment of unpopular citizens as he is now opposed to sleeping on duty; he must be as opposed to the "roust" arrest as he is now opposed to drinking on duty; and he must be as opposed to the excessive use of force as he is now opposed to the acceptance of bribes. He must soon come to be as interested in "fair play" and "due process" as he is now interested in "production" and "results." He must soon come to be as interested in protecting the liberties of citizens as he is now interested in meeting antisocial offenses through repression. He must soon come to be as interested in friendly communication with the black, brown, red, hippie, peacenik, and youngster as he is now interested in friendly communication with the suburban resident, merchant, and professional representatives of middle-class society.

Many police agencies are in trouble today because they lack imaginative and creative leadership at the top level. There is ample evidence to indicate that many American police administrators are narrow-minded,

parochial, tunnel-visioned individuals who are frightened at innovation and who perpetuate ineffective and archaic law enforcement. Two-thirds of our police administrators have never attended college. Less than 10 percent have a college degree,<sup>36</sup> In other words, there are many deadheads and not-too-bright people in police management positions, and any substantial change will come only over the dead bodies of some current Neanderthal incumbents. Police agencies must be led by articulate, well-educated, up-to-date professional administrators who are informed as to new management theory, sophisticated in the law, conscious of behavioral science applications, and solicitous of the well-being of every citizen in the community. No man should be appointed as Chief of Police, at any time, who does not have, at the least, a baccalaureate degree.

Current American police leadership, individually and collectively, seems unwilling to discuss or to admit police failings, and that one tendency continually undermines the very confidence that leadership seeks to gain and hold. This syndrome exists, in large part, because they have become captives of the system and are "handcuffed" to it. In referring to the professional police within the New York Police Department, Arthur Niederhoffer states:

Having mastered the bureaucracy's promotional system, the professionals were gradually accepted into the outgoing establishment they were destined to replace. But as they became a part of it, they were conquered by it. They found it expedient to continue many of the policies of the former power structure, to temper idealism with a more conservative policy that would not rock the boat.<sup>37</sup>

The community-relations implications of supervision and leadership cannot be minimized. If the supervisors and executives of the police establishment are insensitive to the needs of the moment, if they fail to see every problem, every confrontation, as a creative opportunity to demonstrate that professional, fair, effective law enforcement is possible, they must be replaced with more motivated men.

### Police Field Practices

The President's Commission on Law Enforcement and Administration of Justice indicated that "police practices exist which cannot be justified."<sup>38</sup> The National Advisory Commission on Civil Disorders notes that "some activities of even the most professional police department may heighten tension and enhance the potential for civil disorder."<sup>39</sup> The policeman on the street stops, detains, questions, searches, and arrests citizens, with or without reasonable suspicion or probable cause, and with or without the use of psychological or physical force. The policeman may be careful and courteous and scrupulously fair and proper during such contacts--or he may be abrasive, crude, vicious, brutal and arrogantly indifferent. It is on the street that police-community relations is developed or destroyed. The Chief of Police can smoothly woo the Chamber of Commerce, the Captains can explain to the P.T.A., the Community Relations Unit can communicate widely and present an unending series of seminars and conferences, but if the man on the beat is successfully alienating and systematically enraging every minority and unpopular group in the community, and creating an entire generation of antipolice citizens, no one should be surprised at the chaos to come.

Field practices which are casually regarded by the policeman as just another method of controlling crime, are sensitively evaluated by the judiciary in terms of due process and dignified treatment;<sup>40</sup> thus:

There is some suggestion in the use of such terms as "stop" and "frisk" that such police conduct is outside the purview of the Fourth Amendment because neither action rises to the level of a "search" or "seizure" within the meaning of the Constitution. We emphatically reject this notion. It is quite plain that the Fourth Amendment governs "seizures" of the person which do not eventuate in a trip to the station house and prosecution for crime--"arrests" in traditional terminology. It must be recognized that whenever a police officer accosts an individual and restrains his freedom to walk away, he has "seized" that person.

And it is nothing less than sheer torture of the English language to suggest that a careful exploration of the outer surfaces of a person's clothing all over his or her body in an attempt to find weapons is not a "search." Moreover, it is simply fantastic to urge that such a procedure performed in public by a policeman while the citizen stands helpless, perhaps facing a wall with his hands raised, is a "petty indignity." It is a serious intrusion upon the sanctity of the person, which may inflict great indignity and arouse strong resentment, and it is not to be undertaken lightly.<sup>41</sup> (Terry v. Ohio, U.S. Supreme Court)

It is good that police methods are now being examined by legal, managerial, and academic researchers. Many outmoded field procedures have survived the test of time and are just as ineffective, and just as abrasive, as they were 50 years ago. To phase them out of existence will be difficult, for they are embedded deeply in the accepted and unquestioned police mythology, defended by the vocation as sacred dogma, and will be wrenched from the police armamentarium only with great trauma.

#### Police Complaint Procedures

Every study of police-community relations points to the great lack of public confidence in the adequacy and fairness of police complaint procedures--and with very good reason. For the most part, and with few exceptions, the police expect and welcome information concerning public wrongdoing, but reject and derogate information concerning abuses of police authority. Such attitude may stem from the fact that to find an officer at fault might be to find the department at fault, particularly if his actions are commonplace, and a matter of long-accepted departmental routine. Police spokesmen often point with alarm and repugnance to civil disobedience, assaults on police, and disrespect for authority--but are strangely silent relative to questionable police conduct. For the most part, and with few exceptions, the police reaction to charges of police

failure consists of (1) almost total avoidance of discussion of the issue, or a short reply that "an investigation will be made and appropriate action will be taken"; (2) statements of how "bad" people treat the police through verbal and physical assault; (3) statements of how "good" police are servicing the community in a professional fashion; and (4) inferences that the critic must be ignorant, subversive, or malicious.

Dean Robert Sheehan, in May of 1968, told the International Association of Police Professors that:

... there needs to be a frank acknowledgment by all concerned that past allegations of police inefficiency, corruption, and brutality are not simply unfounded charges made by uninformed and misguided liberals, a position that many overly-defensive police officials, sadly even police educators, would have us believe even to this day.<sup>42</sup>

The Chief of Police must be prepared to demonstrate that not only will excellent service be rewarded by commendation and award, but that inept, illegal, and unethical service will be publicly excoriated, personnel disciplined, and policies amended to prevent repetition. The Chief of Police who decries the permissiveness of modern society and simultaneously overlooks abrasive improprieties on the part of his personnel is to be pitied, if ignorant, or scorned, if frightened.

#### Community Role

Our communities very often seem to want their police "to make people good," a commendable goal, but not the proper function of police. Our communities often seem to want their police to protect the community from "the questioner of the status quo," the nonconformist, and such a desire, in these days of social protest, is unrealistic. Our extremists are questioning moderation; our peace demonstrators are questioning militarism, our minorities are questioning



racism, our hippies are questioning materialism, and our youth are questioning the hypocrisy of their elders, and no police agency of integrity can allow itself to be misused as an instrument for the harassment of unpopular ideas.

In some communities there is now an emotional swell to repress unpopular groups and movements by restrictive legislation, and our national congress regularly considers repressive legislative proposals. Over one hundred years ago Alexis de Tocqueville gave an apt warning:

If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority, which may at some future time urge the minorities to desperation and oblige them to have recourse to physical force. Anarchy will then be the result but it will have been brought about by despotism.<sup>43</sup>

The modern creative community must see further than restrictive legislation or police repression as answers to the disquiet of social protest.

To whatever extent a police department is perverted into a political tool--to suppress and discredit dissent--that police department loses the respect of the community. In a democratic society there can be no place for political action by the police to enforce or suppress attitudes, opinions, values, or ideas. Such action can only bring about further dangerous polarization of people by stifling communication between groups.

Certainly, in the creative community, the police reflect the finest of community values, and enlist the widest possible public support. Certainly, in the creative community, the police and the community act as an organic unity, a mutually supportive partnership.

The creative community must become involved in criminal justice operations. As Banton says:

The police have a special responsibility for the maintenance of public order but this mode of administration has, I submit, fostered among some policemen and some

laymen the idea that public order is the responsibility of the police alone. . . . the problem of how to develop civic responsibility in an increasingly acquisitive society will long remain. . . . The citizen should not be encouraged to regard the apprehension, trial, punishment, and treatment of offenders as something to be left to the police, the courts, the prison service, and the probation officers.<sup>44</sup>

But the creative community must expect the professional police will balk at any attempt to misuse their expertise or compromise their integrity.

Dr. Oscar Handlin puts it succinctly:

. . . there may well be times in which the largest interest of the community would demand that the police force stand up against the community itself when it acts in ways that run counter to the law and that infringe upon the ultimate obligation of the police as a professional group.<sup>45</sup>

The community role is to understand police, control police, and support police. Both community and police leadership have a responsibility to instruct and involve all citizens in the quest for ordered liberty.

#### Community Organization

Mayors and City Managers must come to understand that policing is far too important a function to be left solely in the hands of policemen; community resources must be coordinated to deal with crime and delinquency, and cohesive programs formulated which will unify all concerned community institutions. The Associated Agency plan of Oakland, California, which deals with social pathology by coordinating all public and private community agencies, is most creative.<sup>46</sup> The Mayor or City Manager who abdicates responsibility in the police-community relations area, particularly if the community's Chief of Police is insensitive, indeed pursues a dangerous course in these troubled days.

### Community Attitudes

The late Dean Joseph Lohman, School of Criminology, University of California, said that the "police function (is) to support and enforce the interests of the dominant political, social, and economic interests of the town, and only incidentally to enforce the law."<sup>47</sup> Yet, police professionalization infers that police will become increasingly loyal to universal principles, rather than to local pressures, local loyalties. One commentator, looking to the future, opines:

. . . the policemen will organize and find mutual support in each other to stand for fairness, honesty, firmness and sympathetic treatment of all. They will not be the handmaidens of the power arrangement of the community used as an instrumentality of coercion, but rather as impartial arbiters of justice, without regard to social status of those served. . . . the police must stand for the equities of the community which represent fairness and justice to all people. It must be able to keep itself from being used by any group to bludgeon others. It must come to realize that the poor are taking power too, and that policing will have to revalidate its methodologies against this new power arrangement of the community. It will have to have enough muscle to say to the erstwhile power arrangement that it has to respect the rights and prerogatives of the least of these who are citizens. It will stand as a bulwark against tyranny and injustice of whatever sort.<sup>48</sup>

Polarization of community attitudes can be dangerous for police-community relations. In the Los Angeles Riot Study (LARS), one report ends with the statement. "A significant number of Negroes, successful or unsuccessful, are emotionally prepared for violence as a strategy or solution to end the problems of segregation, exploitation, and subordination."<sup>49</sup> A subsequent report states, "In regard to the handling of the riot, 64% of the population in the curfew area thought it was handled badly. . . . In the white community 66% saw it as handled well."<sup>50</sup> And the same report, referring to the Negro community, states:

If . . . they discern a regressive climate which stresses increased police power as the answer--similar to the back-to-the-woodshed theory in delinquency--rather than the view expressed by former Attorney General Nicholas Katzenbach, namely, that the most dangerous agitators in the ghettos are disease and desperation, joblessness and hopelessness, then the program of the extreme "militants" will of necessity find favor.<sup>51</sup>

Polarization of community attitudes are to be discerned in commentary reacting to the disturbances at the Democratic Convention, Chicago, 1968:

For many watching on TV and from hotel rooms above Michigan Ave., it was a taste of fascism, reminiscent of Stalin, Hitler, Prague, and a warning that it can happen here. For too many others it was a vindication of law and order, in which "those kids got what they deserved."<sup>52</sup>

The worst thing about the police actions in Chicago is not that they happened (we all expected them). It was that, despite the fact of the entire Establishment press telling it the way it happened, despite wholesale denunciations by public figures, despite the eye of TV itself, 71% of the Great American Public approved of the way the police handled themselves.<sup>53</sup>

. . . it is clear that the police are doing what a hell of a lot of people in America think they should be doing and doing it in a way that a great many Americans don't find too objectionable. . . for many people the phrase "law and order" means keeping the niggers in their place and lambasting the crap out of those dirty hippies and antiwar creeps.<sup>54</sup>

Herman Goldstein comments on the general problem in this way:

In the polarization of community attitudes that has taken place, the dominant pressure being exerted on the police demands that they engage only in those activities that contribute directly to maintaining "law and order." In the gross over-simplifications that accompany such reactions, all police efforts that do not conform to the stereotyped concept of the police role tend to be lumped together and characterized as "mollycoddling" or simple waste. Given this atmosphere, police chiefs are understandably reluctant to alter the traditional factors emphasized in recruitment

and training, let alone inaugurating new programs and expanding those previously launched. Indeed, given current feelings, there is serious question whether some of the better established programs can survive.<sup>55</sup>

#### Community Scrutiny and Control

Even though we pay lip-service to the ideal of citizen control of police, most police departments now exist without the scrutiny and control necessary for the achievement of full public confidence.

The survey conducted by the International Association of Chiefs of Police and U.S. Conference of Mayors succinctly stated the problem: "...the means of securing public confidence in complaint review procedures remains to be found."<sup>56</sup>

The F.B.I. monograph, Prevention and Control of Mobs and Riots, states:

Too frequently... the police have strained the credibility of the public by failure to admit that a policeman has erred--even if the department has taken disciplinary action.

This lack of credibility in the police might be overcome by two courses of action. One would be to provide public assurance in every instance that charges of brutality are scrupulously investigated, and those which are validated result in adequate disciplinary measures. The second would be to establish within the department a complaint procedure which respectfully receives a citizen complaint, investigates it thoroughly through a formally established and conscientiously administered mechanism, leads to appropriate action where indicated, and ultimately advises the complainant of the disposition of the matter.<sup>57</sup>

The pages of the underground (alternative) press are filled with allegations of police impropriety, comments indicating utter frustration with current mechanisms for examining police failings, and the general conclusion that "there is no recourse." Journals and newsletters of civil rights- civil

liberty organizations are likewise consistently sprinkled with references to police malpractice, and the tone is also of frustration and despair. More and more, the respectable journals of thought and opinion are cataloguing the dismal reports of police excesses--and the momentum of this universal exposure has led a large number of citizens to regard all police as suspect. Police response to criticism, unfortunately, exacerbates the situation, for instead of open dialogue there is a retreat to the fortress, and the drawbridge is retracted, even though angry people still mill about the castle walls.

#### Police-Community Relations Programs: Current Deficiencies

Some police agencies have inaugurated community relations units. There are dangers here, as well as advantages, for such a unit can become a meaningless superstructure, an empty gesture, a placebo, if the police out on the beat are barging around the community like misguided engines of destruction at the same time that community relations personnel are attempting to initiate productive dialogue and seeking meaningful resolution of grievances. The hard fact is that every single member of the police agency must be a community relations officer if any real or lasting progress is to be made.

The President's Commission on Law Enforcement and Administration of Justice is clear:

A really meaningful police and community relations program in a police agency saturates the entire organization at every level. Ideally, it is a total orientation, permeating every facet of police operations: policy, supervision, personnel practices, training and education, planning and research, complaint machinery, and of course, the community relations unit itself, whatever it may be called. A police administrator does not establish a community relations program merely by activating a special unit, or by adding a few hours of special instruction in police training courses. Community relations must permeate the entire fabric of the organization and in a meaningful manner, not merely as "the current kick" in the department or as a matter of "window dressing."<sup>58</sup>

In looking over San Diego, California, which has had a Community Liaison Unit since 1963, the Commission stated that "The hard-core, the 'unreachables,' the truly marginal persons in the minority group communities are simply unaware that a community relations program even exists."<sup>59</sup> In reference to Philadelphia, which has had a Police-Community Relations Unit since 1956, the Commission noted that:

... sub-cultural enclaves which should be most directly engaged by the unit do not even know of its existence. For a variety of reasons, it appears, the Police-Community Relations Unit has been unwilling or unable to establish even the beginnings of a relationship with these enclaves.<sup>60</sup>

The Report of the National Advisory Commission on Civil Disorders makes several pertinent comments relative to community relations programs:

Although of great potential benefit, the results thus far have been disappointing.

... too often these are not community relations programs but public relations programs, designed to improve the department's image in the community.

... it is clear that these programs have little support among rank and file officers.<sup>61</sup>

Jame Q. Wilson states:

New ways, and not simply the exchange of publicity releases, must be found to bring police officers and neighborhood groups together for nonbureaucratic and meaningful communication.

The task of sustaining police morale cannot be left to the police themselves; it requires community effort. The alternative may be a police force which, however competent, functions as an army of occupation.<sup>62</sup>

And William W. Turner puts his finger on the nub of the problem:

Current community-relations programs... have most often developed into honeymoons with "respectable" groups already sympathetic to the police side rather than magnanimous attempts to communicate with the more hostile elements.<sup>63</sup>

The American policeman, be he Chief or patrolman, finds it easier to identify with and relate to "the nice people in the community," and tends to develop extensive contacts with the businessmen, middle-class residents, and craftsmen of the community. He is wary, suspicious, and frightened in the presence of nonconforming unpopular citizens. Even in his community relations work he tends to develop advisory committees of selected, docile, friendly citizens, and to shy away from contacts with militants, delinquents, prostitutes, homosexuals, and addicts. Consequently, while he has good liaison and rapport with the "power structure," he remains adamantly aloof from the benefits to be gained from communication and dialogue with the "bomb-throwers" and more troublesome elements of the community.

A recruit policeman often questions departmental policies and individual acts that seem improper; eventually he is asked the question: "Whose side are you on?" and is expected to conclude that to question the status quo is really disloyal and the mark of a turncoat. This identical confrontation occurs with respect to many men who enter into community relations work on a police department. The agency selects a bright, competent, articulate officer to move about the community and communicate with a variety of blacks, browns, reds, hippies, peaceniks, and youngsters. As he does this, he soon sees these people, not as categories of citizens, but as real live human beings and begins to relate to them on a first-name, face-to-face basis. As he grows in information and sensitivity, he begins to identify with some of the problems of police-community relations, particularly as relate to street field practices. Soon he is making quiet suggestions for changes in training content, in the processing of suspects, and in the more abrasive field actions. It is soon put to him: "Whose side are you on?" Very often he becomes so frustrated that he leaves the department, or asks for a transfer out of the unit, or very often he

becomes so popular with the people "out on the street" that his supervisors conclude that he is not a "real policeman" and summarily terminate his assignment. The "street people" who have just begun to change their anti-police stance and realize that there may be an officer who does care, who sees them as fellow human beings, are angry and humiliated and embarrassed to see the ignominious deflation of their "champion" and become even more incensed at the insensitivity of the police establishment--and the program, designed to gain cooperation and understanding, moves two paces rearward, even as the Chief of Police is boasting to the Exchange Club about his progressive community relations program. Such is the case throughout these United States. Such will continue to be the case until enlightenment and sensitivity comes to permeate the ranks of American police leadership.

## RECOMMENDATIONS FOR ACTION

### Establishment of Experimental/Laboratory Police Department: A New Police

There is desperately needed a medium-sized police agency (300-600 employees) which can be utilized as a laboratory for the wide-scale research and experimentation called for by every commission and study-group of the past half-century. Such a department could be funded by the federal government as an inducement to the community. The most creative and progressive and imaginative expertise should be corralled from both the police field and from academia. Psychologists, Criminologists, Anthropologists, Public Administrators, Sociologists, Political Scientists, Criminalists, and Police Administrators should be given carte blanche to create, organize and reorganize, structure and destructure, make and remake policy, procedure, rules, regulations, and design and redesign processes involving facilities, equipment, and personnel.

If such an agency wanted to operate with but one class, or with forty classes, of personnel; with one uniform, no uniform, or many uniforms; with one weapon, many weapons, no weapons; on foot, bicycle, roller-skates, scooter, auto, helicopter; with attention to all criminal statutes or to a few high-priority offenses; with precinct stations or without; with records or without; with high educational qualifications and little training; with low educational qualifications and four years of training; with civil service or without; with wide-scale conspicuous community surveillance; with occult surveillance; with no surveillance; with community advisory committees or without, etc., etc. Today, such experimentation is constrained by limitations of facilities, equipment and personnel, but most of all, by the unwillingness of traditional agencies to make mistakes, and by the fear, the intense fear, that the current practices will be shown to be unnecessary, or worse, inane.

Such a "New Police" could inject adrenalin into the veins of a sick vocation and bring new life and hope to our communities, and a proof that effective and edifying policing is not a contradiction in terms. Such a "New Police" could set the pace and mold the standards for social control in the space age--and form a base so that all progressive souls, practitioners or academicians, could feel a part of a new movement, and a responsibility to contribute their skills.

In a certain sense, the Vera Institute of Justice does a limited amount of such experimentation. One observer is impressed with its mode of operation:

...What is needed in the police field--and in the criminal justice field more generally--is a number of small, semiautonomous organizations which can act as change-agents, experimenting with proposed improvements on a pilot-project basis, carefully assessing the gains and losses which would result if each change is put into effect more widely, and assuming substantial responsibility for ensuring that the proposals which test out favorably are actually institutionalized throughout the operating agencies. There is at least one such organization (and perhaps the only one) operating in the criminal justice field now, the Vera Institute of Justice in New York City. 64

The major drawback of the Vera type project is that it is dependent on the existing police agency for experimentation and thus somewhat restricted by whatever limitations exist in the structure of that agency, or in the scope allowed to an outside group. To create a "New Police" with carte blanche would have greater potential for dramatic and revolutionary breakthroughs, with far less time-lag. And time is of the essence if American police are to be rescued from the label of "Hessian."

There is some reason to think that the "New Police" will operate much like the modern general hospital--with a wide variety of professional, subprofessional, technical, maintenance, clerical, volunteer, student, resident,

intern and research personnel working loosely under the same roof, and with a wide variety of clinical approaches. Such enterprise would combine the purposes of service, training, and research, and, in all probability, work closely with both academia and industry.

The planning, direction, and control of such "New Police" should not be placed in the hands of the International Association of Chiefs of Police, nor in the hands of the Federal Bureau of Investigation, nor in the hands of current police practitioners from the larger cities, for it then might become bogged down in a morass of traditional approaches, conditioned by archaic shibboleths, weighted by sacred red-herrings, slowed by Neanderthal mental sets, and compromised by slavish devotion to the perpetuation of ineffective and abrasive methods. This is not to say that the American police service is without imaginative, creative, and innovative expertise, for there are many such persons who would welcome the opportunity for affiliation with such a cause, free from the bonds and inertia of current institutions and organizations.

#### Internal and External Scrutiny and Control Processes

Immediate steps need to be taken, initiated from within or outside of existing police agencies, which will carefully audit all existing policies, procedures, and practices in order to expose and reject those which are unfair or ineffective, and in order to insure that every police policy and action is effective, efficient, legal, moral, compassionate and rational.

The problem is old: quis ipsos custodes custodiet? Who will watch the watchers? Internal attention has remained focused on efficiency and technology; external attention has long called for emphasis on fairness and due process, but police administration and operations continue to stress crime

control at the expense of liberty and dignity to the point that some urban enclaves continue existence as small police states.

Internally, attention should be focused on legality and methods to control illegal stops, searches, seizures, interrogations, and violence. As Bordua puts it, "Substantive and procedural legality is one of the best defenses of the police, and one of the best defenses from the police. Legality is the best overall normative base for the police in time of conflict."<sup>65</sup>

In order to identify those officers who do not now give scrupulous attention to the propriety of their words and deeds, and who now act under the anonymity of the police uniform, all officers who are in contact with the general public should be conspicuously and distinctively identifiable at all times they exercise their authority. This may mean much larger name tags on all officers, on all forms of clothing, shirts, jackets, overcoats, and raincoats; this may mean much larger numbers on the badge which should be never hidden or removed when the officer is assigned to uniformed duty; this may mean that large numbers will be placed on helmets whenever officers are assigned to control demonstrations; in other words, no longer should any officer be allowed to perform in public while shielded by a penguin-like group camouflage.

Complaint policies should be clarified, and broadly disseminated to all segments of the public. Forward looking statements can be found:

I wish to assure you that your Police Department welcomes constructive criticism of Department procedures or valid complaints against police officers. Each criticism and complaint received will be investigated thoroughly and appropriate corrective action taken when warranted by the facts obtained. You will be informed of the results of the investigation when it is completed.... If you wish to make a complaint, you may come to my office....or call....You will be treated courteously and thorough consideration will be given to the problem you present. If you do not wish to come to the Police Department or telephone, you may register your complaint in writing to me.... Any information you give will be kept confidential if you so request....<sup>66</sup>

When a mistake is made three things must be done: 1) It must be freely admitted, without fear or attempt to shift the blame. 2) Steps must be taken to correct the procedures or attitudes that made such a mistake possible. 3) The mistake must be rectified. An apology may suffice; if injury or damage is involved, appropriate measures for compensation must be found.<sup>67</sup>

Externally, attention should be focused on methods for obtaining genuine citizen control of police. As one study group commented, "The preservation of the peace and the security of the community is too important a matter to leave exclusively to the police."<sup>68</sup>

We might look to Europe for guidance; as one observer noted:

Civilians do not just oversee, but actually run most European police departments.... This substantial degree of civilian control and influence in the police forces has probably assisted them in responding to present-day challenges. It appears, for example, to be one of the factors that has encouraged the increased emphasis on nonpolice subjects in the police school curricula, and that has stimulated the greater stress on social-service tasks.<sup>69</sup>

No longer can we afford to have the Mayor, City Council, City Manager, or Police Commission act as a rubber stamp for the whims and predilections of the police chief. The problems of crime and disorder and social dislocation are so immense that no police agency can hope to be effective without total community involvement. Total community involvement means that citizens must have more voice in development of policy, must scrutinize police activities with greater care, and must come to feel--in all sections of the community--that "this is our police department." A most delicate balance is necessary, for no police agency of integrity can allow itself to be misused, or to pander to community prejudices, and must engage in a continuing dialogue in order to be both responsive to community and responsible in terms of professional values.

### Articulation of Position by Police Leadership

Much more clarification must come from American police leadership, be it individual Chief of Police, or national, state or local police organization. Because confidence is now strained to a high degree, the spokesman for the police must clearly enunciate their commitment to democratic values, their commitment to the well-being of all citizens, and their guarantee that no policeman, for whatever reason, will be allowed to treat any citizen with indignity, and that swift and certain discipline will accompany any police impropriety. Stated in an affirmative manner:

... the most significant changes will be in organization and leadership in order to increase the officer's familiarity with and sensitivity to the neighborhood he patrols and rewarding him for doing what is judged (necessarily after the fact) to be the right thing rather than simply the "efficient" thing.<sup>70</sup>

### Sensitivity Training

Sensitivity training is now being inaugurated by progressive police agencies in order to assist policemen to better understand themselves, and their own motivations, and to better understand and relate to other people who have different value systems and life styles. A very controversial issue in many communities, sensitivity training has been described by some police spokesmen as subversive in objective:

... what American soldiers went through in the Communist Chinese prisoners-of-war camps, American citizens are now being asked to go through in sensitivity T-Group training. ... At the base of this sensitivity training technique lies an ideological war against the entire warp and woof of the American Culture. ... It deserves to be recognized for what it is.<sup>71</sup>

Nonetheless, sensitivity training has been undertaken in several departments with outstanding success. The program in Houston, Texas, has

been given extensive national TV coverage. The program in Sausalito, California, involves the entire police department which works with a psychiatrist in group therapy sessions. These sessions involve tensions, hippies, homosexuals, Negroes, peaceniks, and "anything else likely to bring the police up-tight." There have been no reports lodged against a Sausalito policeman in two years, and Time reports that "their hostilities under control, the men are freer to focus on serious crimes--residential burglaries and auto thefts have been cut in half."<sup>72</sup>

Probably the most advanced sensitivity training in the United States for police occurs in the Covina, California police department. Chief of Police Fred Ferguson has developed a wide variety of training for his officers, including classroom role-playing sessions, and his "Operation Empathy" makes it possible to say that all Covina policemen are former hippies, jailbirds, demonstrators, or bums for skid row--courtesy of the department. The young officers are arrested and jailed in a nearby County jail, sent out to carry picket signs at demonstrations in the metropolitan area, mingle with flower children at love-ins, and pose as bums--unknown as police officers--and not acting as undercover operatives to gain information or acting as decoys--but simply to gain understanding. Chief Ferguson says, "I've done everything with my men but turn them black and I wish to hell I could do that."<sup>73</sup> This writer met a young Covina officer at a Vice Control Institute, Spring, 1968, who told of his experiences while poorly dressed and wandering about skid row. In answer to the question "Did you run into any police?" he said "I sure did; I thought they were going to kill me!" Such personal experience surely is worthwhile in developing sensitivity to public reactions to police field procedures, and could well be emulated by all progressive police agencies.



### Legislation

Certainly, the current Civil Service Statutes could be audited and revised to provide for more rapid advancement of qualified personnel, for lateral entrance into all levels and positions, and for greater ease in eliminating the inept and immoral policeman.

Illegal violence against police by antisocial citizens should be the subject of federal and state statutes, but only if illegal violence against citizens by antisocial police is also, and equally, identified and prosecuted. The Army minces no words on such a subject: "The reckless or malicious use of force may subject military personnel to civil or criminal liability, or both."<sup>74</sup>

Legislation should be proposed to give a recourse for those citizens who have been improperly handled by the police. One suggested form is as follows:

Whenever a person is stopped by police or sheriff for field interview or field interrogation, or in any other way deprived of freedom of action to any significant degree, and such police or sheriff action results in (1) an injury to person; (2) damage to property; or (3) detention longer than twenty minutes, and no arrest is made; or

Whenever a person is arrested by police or sheriff, but discharged from custody without the filing of a criminal complaint, or discharged after filing but before trial, or had charges dismissed at preliminary hearing or arraignment, or whenever a person is found not guilty at trial, or whenever a person is convicted of a criminal offense and has such conviction reversed on appeal, and no successful prosecution for the same offense occurs within 180 days,

#### The jurisdiction involved shall:

1. Expunge all notations of detention, arrest, prosecution, and/or conviction from the agency record system, and notify all other agencies which have been sent information on the matter, requesting like expungement;
2. Reimburse such detained person, on the basis of regular take-home pay, for any time held in custody longer than twenty minutes, or, if arrested, for any time held in custody from time of arrest;
3. Pay all costs of medical care if personal injury occurs;

4. Pay all costs of replacing or repairing damaged property;
5. Pay all costs incurred by such person in securing his release, including reasonable attorney's fees; and
6. Vacate any stipulations as to probable cause, which were made as a condition of release.

### Community Relations Service, U.S. Department of Justice

The Community Relations Service, U.S. Department of Justice should rapidly expand operations to become a clearing house for community relations program information, and should disseminate such information throughout the nation. It should develop model police-community relations education and training programs, materials, and aids. It should increase the number of consultants available to assist local agencies. It should sponsor a program of reimbursement of funds to departments offering special sensitivity training programs. For example, a police agency may offer to subsidize the rent for police personnel who volunteered to live in deprived neighborhoods for purposes of better understanding and identification with its population. (Such programs would aid the deprived communities to identify with the policeman as a member of the community.)

### Police-Community Relations Units

The sharp citizen should not take advantage of the ignorant policeman; and sharp policeman should not take advantage of the ignorant citizen. Police-Community Relations Units can do much to assist the citizenry in their dealings with the criminal justice system, but such units must first become much more independent of agency mores. Skolnick says:

To be useful, a police-community relations program should serve as a means of democratizing the police service; for permitting the citizens to come into the most frequent contact with the police to criticize that service.

The personnel of such units will be faced with the enormously difficult problem of reshaping the police role. Thus, they will have to bear not only the initial mistrust and hostility of minority groups in their role as representatives of the police; more seriously, as they begin to understand and communicate the perspective of minority groups to their fellow policemen, they will be regarded by many as turncoats, and worse.<sup>75</sup>

One of the most useful tasks for a police-community relations unit is to explain the ground rules of police-public field contacts--what, exactly, can the policeman do or not do, and what, exactly, can the public do or not do, when they confront each other in the criminal justice context. The unit may wish to work with the civil liberties groups and the city and district attorney's offices in the preparation of jointly prepared informational guides. As long as it appears that the policeman wishes to keep the public ignorant of his legal limitations, the true extent of his authority, that public will regard the police with apprehension, with fear, and with limited confidence. But, public confidence in police protestations of professional motives will be truly vindicated when the policeman is very precise in dealing with the public, and highly conscious of the limits of his authority. And only then. And not until then.

The Police-Community Relations Units must be open to dealing with all segments of the community. The police agency that takes the position that "there are some groups and individuals that we will not talk to" is myopic, and a holdover from the era wherein police could, with impunity, ignore entire enclaves within the community. When the blacks, browns, reds, hippies, peaceniks, and youth of the community talk about the police as "our" police (not "their" police) the road to community peace and tranquility has opened. Community Relations Officers must speak the cold unvarnished truth to such enclaves, for the pious referral to "departmental policy" is laughable when field practices are notoriously divergent. When distraught members of such

enclaves wish to speak of odious police practices, that must be the subject of discussion, not the number of fine police, nor the excellent training, nor the careful selection of candidates, nor the number of delinquents in the neighborhood, nor the fact of false complaints, nor the tactics of the militants. If recourse is possible, through internal departmental processes, the Community Relations Officer must spell them out in detail; if recourse is really not possible through internal departmental processes, the Community Relations Officer must suggest alternative outside channels for grievance resolution. Police-Community Relations Units that operate as a one-way publicity program for the agency are foredoomed to failure--even if they have been installed in some of the largest and most technically advanced police agencies in the nation!

#### Revision of Criminal Statutes

One way to create respect for law is to eliminate any questionable laws which are so sweeping in scope and heavy in penalty that they do not receive wide public support. Our criminal codes must be revised so that they prohibit specific, carefully delineated, serious offenses, so that they can be enforced with simplicity and clarity, and so that they are of an essence to encourage public support.

If we have unreasonable legalities--in the areas of private behavior related to marriage, sex conduct, abortion, birth control, liquor, drugs, gambling--we may, and should, work to repeal them. Failure to repeal foolish laws--which make moral individuals legal offenders (such as happened during the days of prohibition)--has played a large part in generating indifference toward observance of the reasonable laws, and in complicating the problems of police-community relations.

Professor Packer suggests that until criminal law revision occurs, the police must be controlled:

In the end, our salvation may lie in our willingness to see, and to act on the perception, that the tensions inherent in the police situation are exacerbated by the undue demands that we make on the criminal law. So long as we use that most coercive of legal weapons to cope with everything that we, or some of us, find disagreeable in our environment--with narcotics addiction, with gambling, with prostitution, with homosexuality, and now with the flight into the psychedelic universe--so long will we be condemned to endure the nastiness that is, in a large measure, the gist of "efficient" police work.... One need not wait... for the elimination of these offenses to question whether, even if they are to remain on the books, their prosecution justifies resort to measures as repulsive as those they evoke. The police are not to blame. They are only doing their job. The blame lies with those who have the responsibility to tell them what their job is and what tools they may use in doing it.<sup>76</sup>

Regular Assessment of Police by Federal or State Evaluation Teams

Implementation of recommendations of reports of Wickersham, U.S.

Commission on Civil Rights, President's Commission on Law Enforcement and Administration of Justice, and the National Advisory Commission on Civil Disorders, is far too slow and must be energized.

It would be helpful to develop, at federal and state levels, a set of evaluation teams to continuously survey the extent of compliance with recommendations, and to publish regular reports by state and major city. Such reports would allow citizens to assess the progress of their federal, state, and local criminal justice agencies, and build public support for change. The very sound recommendations of these commissions will, if implemented, do much to improve police-community relations. Some police agencies are conscientiously evaluating the recommendations and attempting to implement them, such as Pasadena, California. Some police agencies have almost totally and contemptuously ignored the recommendations of these commissions. It would be helpful

for the nation to know which police agencies are making the most significant improvements--particularly if they are successful in maintaining the peace in the trying years to come, for they should be given all due credit and praise, and as much reward as the community is capable of bestowing upon them.

CONCLUSION

The problem of police-community relations is at a crisis point. Part of the problem is police oriented, for "The police forces of this country are essentially 19th century organizations on which society has loaded 20th century problems."<sup>77</sup> Part of the problem is community oriented, for the enclaves of blacks, browns, reds, hippies, peaceniks, and youth will no longer allow themselves to be brutalized, patronized, and ostracized; and part of the problem is value oriented. Every country probably has had its fascist moments--but when it glorifies them, takes pride in them--a poison has entered the system. The current excitement about "law and order" may portend danger for our Country.

The remarks contained in this paper are not at all intended to suggest that American policing is all bad. They are intended to suggest avenues by which poor American policing can become good, and by which good policing can be perfected.

The problem of police-community relations can only be solved if the police demonstrate, by attitude, pronouncement, and deed, that the goal "to protect and to serve" applies to every individual and group within the community--young and old, liberal and conservative, rich and poor, black and white, popular and unpopular, believer and nonbeliever--and that crime prevention has as high a priority as crime repression--and that human rights are as highly regarded as property rights--and that all policies and procedures are implemented with essential fairness always and everywhere.

The problem of police-community relations can only be solved if the citizenry demonstrate, by attitude, interest, and action, their commitment to ordered liberty, their understanding of criminal justice, their support of, cooperation with, and control of police, and their involvement always and everywhere, so that community policing is the pride of every citizen.

The ideals of a democratic police in a free society demand no less.

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