MR. MOZEE: First, let me say I don't think that two hours -- or an hour, is enough; I told Nancy that before. Can you hear me with this thing? I always hang myself with these -- can you hear me without it?

VOICES: No.

MR. MOZEE: Okay. Then I'll have to fix it so we can talk to it. I'll hold it.

Because of all of the things that you're learning up here, in this particular course, and all the things that you know, the most vital area -- the most vital area in your processing of an officer-related shooting is your rapport and your dealings with the media.

Now, that might sound strange, but it's the truth. People in your communities are going to believe what they read and what they see on TV, what they hear on the radio.

I don't care what type of a job you do, whether it's good, perfect, excellent, outstanding, superior -- whatever you want to call it, the best job of investigation in the world, if the media says you did a lousy job, most of the people are going to believe it. If the media says you're covering up something, most of the people are going to believe it.

If you do a bad job of investigation, but the media says "outstanding," that's the way it's going to turn out.
We may not like it, we may not understand it, but the fact of life is that our relationship with the media is going to be primary.

People determine whether you're right or wrong, people bring pressure; police departments are sensitive to pressure, and the public is more demanding now than ever before, on knowing "why?" "What happened? Why did the shooting occur?"

I recognize that it's a difficult task, because we as police officers want to go right out and tell people that the shooting was justified, that the officer was correct in most instances; but my advice to you -- sound advice to you, is to make no absolute statements, no absolute statements about the legality or justification of the shooting until you are absolutely positive about what occurred.

Let me go back in time -- and all of you remember the Black Panther shooting in 1968, in Chicago. All of you remember the then-State's Attorney Hanrahan getting in front of television -- he was wanting to justify his position, wanting to make everybody know that his people were right, and he displayed a door. He said how the shooting occurred before he had all the facts.

When the true facts came out, they cut the legs from under Hanrahan and he's never been the same since. And that's ten years ago. People still remember that faux pas on television, with the door.

Small departments, medium-sized departments, where the media and the public are almost in one, where you don't have the luxury that big-city departments have, of almost detachment, from media, must give a statement, must tell how the case -- how it occurred.

But when you do, give just the circumstances as you know them at that time, without giving the legality -- "the officer was right," or "the officer was wrong." A neutral statement about what you know at that time, that a shooting did occur, that an officer was involved, that it appears that the man was coming out of a store, or whatever whatever the circumstances were, but a neutral -- a neutral line, until you know what's going on.

You should also, in all cases, make an investigation. I don't care if it's -- if you've got a thousand witnesses that know the officer was right, still conduct an investigation, get statements from these witnesses, get statements from the officer, take pictures -- whatever you have to do, just like any other investigation of a homicide or a shooting that you would conduct. A thorough investigation.

Because it's a police officer, don't shortcut the investigation, because if you shortcut the investigation, you're shortcutting your department and the officer himself.
Who knows what suit is going to come down the pike two years, three years later? Who knows what's going to be raked up on the next shooting? This may not be the only shooting that you have in 20 years.

We ran across a rash of shootings last year, and mainly teenagers, and we were up against it for a long time; had not our press relations been fairly decent, we could have suffered a heck of a lot more than we did.

So don't think that this is going to be your one and only; you can get another one the next day, or the next week, and if you shortcut that investigation, then you're wrong.

Notify the press that it is a routine matter for you to investigate. Notify the press that in all cases you make an in-depth investigation to determine whether the officer was legally correct in what he did, and correct as far as your department is concerned.

Make statements in those cases where the public has shown a sustained interest. A public statement, a television interview, perhaps. In those cases where the public has not shown any sustained interest -- and what I mean by "sustained" is that if the -- you get press coverage two, three, four, five days in a row; you get questions two, three, four, five, six, seven days in a row, that's sustained interest. Then you have to do a little bit more toward answering than you would if it had covered one day on page 5, and no more. That also is a fact of life. Some cases you have to deal with a little more in-depth than others.

Please keep an up-to-date file on news clips of shootings in your own jurisdiction, neighboring jurisdictions, because what affects you is going to affect them, and vice-versa.

We keep an extensive news-clipping file; we go back to 1910 in news clips. I'm sure that most departments don't, but we do. And we analyze the press coverage that we receive in each case; we analyze what we said, we analyze what the press is saying about us, we analyze what civic leaders are saying, and we try to judge, and gauge, the temper of the public.

For any police department not to be sensitive to what the public wants is not being responsive to your entire job.

I've brought several Xerox copies of our bad period from June last year up until February of this year. If you remember, Chicago's problems started with the shooting of a burglary suspect -- a handcuffed burglary suspect by a police officer. Perhaps one of the other speakers or panelists has talked to you about the Onesto case; it's a classic case, in that the police officer was legally right, legally correct. He was incorrect as far as the department policy
was concerned, and we had two camps. Police officers believ-
ing that we should not have taken the man -- or taken any
disciplinary action against the man; citizens believing
that the State's Attorney should have prosecuted, neutrals
and some citizens and newspaper people, believing that we
were wrong in taking steps against Onesto.

For those of you who don't know what happened in
Onesto, let me just briefly set the stage.

There was a young man, a teen, who had sold a motor-
bike to a neighbor. Both boys were known in the neighborhood.
The young man who bought the motorcycle did not pay for it,
completely pay for it, so the young -- the seller, went to
get the motorbike.

He broke into a garage, which in Illinois is burg-
lary. Burglary is a forcible felony in Illinois, and deadly
force can be used to stop an escaping or fleeing felon, a
forcible felon.

He broke into the garage to get the motorbike; some-
one called the police, the police responded, caught him in
the garage. Officer Onesto handcuffed the young man behind
his back. Some other squads responded. While they were
talking and getting witnesses, and things of this nature, the
young man ran -- the handcuffed young man, ran down an alley.

Officer Onesto, at this point, started chasing
behind him; he got to the mouth of the alley, yelled to him

stop, the young man didn't stop, Onesto fired. He fired one
shot that hit the ground, ricocheted, struck the Newman boy
in the back, and he subsequently died from the wound.

Now, that's the facts. The Department's position
was that we have a general order stating -- and I think you
have a copy of it in your book -- that we can not use deadly
force to stop an escapee, escaping forcible felon, until all
other means have been exhausted.

It was the Department's position and feeling that,
with the officers there, they could have at least run after
him and caught him. Failing that, they knew exactly who he
was and where to find him; they could have later arrested
him.

What also made the case ticklish is that just before
it, a month or two before it, a sergeant of police had shot
a man under very similar circumstances. He had a handcuffed,
forcible felon, the man tried to escape, the sergeant shot

The thing that made the sergeant's case a little
different; this man was a known escaper, he was a bond-
jumper, he had no permanent residence, no place or nowhere
to find him later, rapidly.

Alright; that case caused us tremendous pressure,
and the Superintendent of Police was -- who was then Jim
Runchford -- came out with this statement, and this is what I
mean when I say that you sometimes have to go on television and clarify your position, but only after you have all of the facts at your command.

The statement was made some twelve days after the shooting, and after Homicide and after OPS --

"The Office of Professional Standards has completed its investigation of the John J. Newman shooting, and forwarded the file to me."

After reviewing the investigation, it has been determined that Officer Onesto and his partner responded to a call of burglary in process in the vicinity of Sunnyside and LaPorte Avenues on June 11, 1977, at approximately 10:40 PM.

When they arrived, the suspect was found in a garage, and was apprehended and handcuffed. While continuing the on-scene investigation, the suspect, John Newman, bolted and fled in a westerly direction down an alley. Officer Onesto and his partner pursued him for a short distance, ordering him to stop.

At this time, Officer Onesto fired two shots in the direction of Newman, and a portion of one of the bullets entered the -- Newman's back, causing a fatal injury.

It is the clear policy of this Department that although deadly force may be used to prevent the escape of a fleeing forcible felon, such force will not be resorted to until all other reasonable alternatives have been exhausted without success.

In this instance, the reports indicate that other reasonable alternatives could and should have been employed, and therefore, this use of deadly force was in violation of the administrative orders of the Chicago Police Department and contrary to training guidelines.

Therefore I have today suspended Onesto and will file charges with the Chicago Police Board seeking his separation from the Department. At that time Officer Onesto will be afforded a full hearing on the merits of this matter before the Chicago Police Board."

End of statement.

Don't talk too much too long. Short, concise, fact-filed releases are your best, best release. The more you talk on a press release, or the more you talk in front of the camera, the less chance you have of getting your story across, the vital points.

This could be read in 30 seconds, 45 seconds; the average TV coverage of an incident like this is about a minute to a minute, 15 seconds. You've got to allow time for the reporter to tell you what you're going to see, you've got to allow time for him to tell you what you've heard, because
his face and voice have to appear in these things also.

So the least -- the more you say, the more your chances of being misunderstood.

After Onesto, we had a series of young shootings -- young people being shot. Some attracted great attention, some did not. The one that attracted the most attention after Onesto was January 1st, I believe, where an off-duty police officer shot and killed a man in a subway.

In that instance, the young police officer was a recruit, and we did not have to go to Trial Board with him. So he could be summarily fired, which he was. Not for, the shooting entirely, but for other related charges also.

We took fast action to kind of get the Department -- to be perfectly honest -- off of the hook. Two things were wrong in that case. We -- the Assistant Deputy Superintendent, or the man in charge of the Department that night, made a rash statement, too soon, which could cause a mistrial in the case.

This police executive, wanting to show that the Department was doing something, said to the press, and the television cameras, that the officer was guilty and should be sent to the penitentiary. Can you believe it? It happened; it was reported in the press.

Not only that -- not only to the trial later on, but can you see what that would do to the balance of the Department? Even though the man was a recruit, even though there was great evidence to show that he was guilty, that's not for us to say. In no instance -- no instance -- even if you've got evidence backed up to the ceiling against a police officer, should you make a statement that he's guilty.

Nor should you disclose what that evidence is. If you're going to take him to -- if the State's Attorney or the District Attorney is going to file charges, and he's going to face trial, then the Department's position should be that justice will prevail, that you have filed charges against him, and that it is now up to a judge and/or jury to determine his guilt or innocence; that you've investigated the case, like any other shooting or homicide, or whatever it may happen to be, but to come right out and say that the man is guilty is absolutely wrong.

I'm going to leave a lot of these clippings with you, and if you desire any of them, you can see Nancy. I'm looking for this "Suspend Cop in Shooting."

Now, this is what just -- just one little part of what the exempt member said:

"Havercorn said Smith, who was in his first year probationary training period with the Police force, had been in the tavern for more than three hours, deciding to take the CTA to visit his mother in South Side, but changed his mind at the 35th Street Station. Return-
Okay. I have a bunch of things — so many things running through my mind, and one hour — Nancy, I'm going to keep on talking about you, very badly — is just not giving — just enough to get you started.

One person in your department — I don't care who it is, whether it's you, or whether it's an Information Officer, or it's a guy wearing three hats — one person should be responsible for information released, just one, in officer-related shootings. Don't have a bunch of people giving out statements, because you'll be conflicting.

Others may be delegated by that one person to give a part of a release, like if they want to hear from a homicide chief, fine, let the Homicide — or the OPS; fine, or somebody who's in charge of Internal Affairs. But the one person should be the clearing house for the information.

That person should know exactly, or be kept abreast of only fact in the case, every fact in the case, right up to the minute. Right up to the minute. And that person should be smart enough to know what to release and what not to.

This assures accurate information, and it assures information that comes from the same point of view, out of the same mind, that interpolates facts, in the same manner, same point of view.

Now, you can expect very little adverse public
reaction from shootings—where the victim was in the act of committing a crime. Our own State law will determine the
legality of—

(Electronic interruption; ten-minute portion of tape inaudible.)

MR. MOZEE: (Continuing) -- public official giving
information relative to the records of a juvenile; even
though the guy's 18, if he was busted, paroled to "juvy"
status, we can't mention that. We can't mention that.

If you recall maybe a month or so ago, some police
officers up in Area Six Youth Division in Chicago began to
get a little feel of the lash, because some reporter on
television came out and gave a juvy's entire history. The
reporter was a stand-up guy; he said he went out and investig­ated
and found out all these things, but we know different.

We know that somebody slipped it to him, for just this very
reason.

Be careful; don't let your eagerness to protect
the Department lead you into something that's going to get
you into more trouble.

Yes, you're right. We tell them that the guy—
you know, tell them that this kid was 6'9" and was a karate
expert, and champ of the Pacific Fleet, and that sort of
stuff, and the officer was a little guy, 5'3". We're not—we're all supposed to be superhuman, supermen. So very

seldom will you read it. We say it, but very seldom will you
read it, because that doesn't make good copy.

Now, let me add one thing, please. The reporters
are there doing a job. They are not the ogres that they're
painted to be in most instances. Some are real assholes, but
most of them are doing a job, and they're sensitive to your
needs; they're not your enemy. Not your enemy.

Most have a vested interest in the community in
which they reside, and they want to do something right here;
you just give them the ammunition to do it with. Don't—
just because a reporter walks in, let the hackles of your
neck stand on end, and all that sort of thing, and get uptight
and make a mistake.

Establish the rapport, because you're going to need
them. You're going to need them. As bad as we were--as bad
as the shootings were, we really didn't get that much adverse
ink. We got more ink on the good things, and the positive
steps we took, than we did on the negative side of the shoot­
ing.

QUESTION: Have you had any--let me rephrase that.
What new problems have you had with cross-racial or cross­
sexual shootings? In other words, male-female shooting, black-
white shooting.

MR. MOZEE: Thank God for little favors! Most of
our shootings were black on black and white on white, and we
didn't have any females shooting anybody. Nor did we have
any males shooting females -- yeah, we had one. But thank
God for small favors. That kept that to a minimum; that kept
it to a minimum.

All they could do then is talk about cops shoot-
ing civilians, rather than white cops shooting black kids,
and black cops shooting white kids, and vice-versa, Indians
-- cops shooting everybody.

(General laughter)

So we didn't have it, but if we did -- if we did,
we were prepared for it, because when we started into this
rash -- this downhill slide, you know, I prepared for the
worst. I got records and statistics and everything, on the
number of shootings, the number of shootings in every other
major city -- all sorts of statistical information, ready to
do a press release, ready to get out there and -- not defend
ourselves, but to sort of explain why sometimes these things
do occur.

I went into the number of crimes committed by teens
and sub-teens, rather than just giving names, but the numbers
of crimes, percentages of crimes committed by people under
the age of 21, as compared to those over 21, and I found that
it was almost 63 percent of the crimes committed by people
under the age of 21. And if you go in a ratio type thing,
then more young people are going to get shot because they have

more contact with the police in a criminal way.

That type of logic sometimes stands you in good
stead. The press needs something to write about, and they
need something to say from some official; as long as it sounds
good, they'll put it in.

But you've got to do your homework, you've got to
do some research. You just can't come out there and start
spouting without something to back you up. And you should
prepare for it.

But across racial lines -- across racial lines, we
did have it two years ago; we had about two or three. And
the only thing that we could do at that time was to -- and
try to say that our police officers are blue. The chances of
that officer's being in that position at that time was a
matter of fate, that he was assigned to the car, but the normal
guy that worked the car was black.

Then they might come back with:

"Well, the guy that normally works the car is
black; he ain't been shooting nobody. So if you put the
white cop in there one day, and he shoots everybody..."
you know, something's wrong. And then we've got to go back
and say:

"Ah, yes, but; in the month before that we had
four shootings and they were all black officers who did
the shooting, and you can't call them prejudiced."
The only press that you'll have that out of is ethnic press. If there's a number of Latin-Americans being shot, then you're going to have the Latin-American press, who is — who has vested interests in selling the paper and making sure that the community reads things that are important to them.

So the major press, we don't have too much of a problem when we do cross racial lines. But with the black press, we do, to a certain extent. But then, there are so many sensational things occurring, until it's dropped after a bit.

There's one case they've been persisting on, and that's the Wallace Davis case, where a man was shot -- now, my advice on that one was to tell the entire facts, if we had to bring the press in and open the files on it, deleting names -- do it! Because the police were right in that instant.

But we're being raked over the coals, and this man is being made a martyr because he's got everybody so stirred up. Congressmen come in and they display this guy, with drainage bags and all the things on his side; he's been suing for great sums of money, and the city made a fatal error in wanting to settle out of court to keep the thing off their back, and he again became a hero when he turned them down, $75,000, you know.

He's going to die fairly soon; he's terminal, but until he does die, and maybe afterwards, his ghost will haunt us for a long time. We should have opened the file, make an exception, make the press and the public aware that this is not a normal incident, but for the sake of clarity, we're going to tell it exactly — show them exactly what the file says. And then get it off -- but we haven't done that. And we're paying for it; it's not that much -- the white press doesn't play it up too much, but the black press does.

This guy was a restaurant owner, and a — a bad man, and he had some altercation with a couple of other guys who was in the place, and he called police, or they all called police; the police responded, Wallace Davis ran — after he beat the stew out of these guys — he really beat them up badly, he ran out of the joint, got in a car and took off, the police took off behind him after they found out what this guy did.

Somebody in the place said one of the guys was dead; they cornered Wallace Davis in an alley, he jumped out of the car with something in his hand, and they leveled him.

And it turned out that he now said that these guys wore burglarizing his jukebox machine, and he was the one who called police, and when he followed them — or, some kind of vending machine — he beat them up and when the police — he was running to get something else, and the police came up and didn't see the police.

But evidence and statements at the time, from even
his employees, belied the facts. They later changed their testimony in front of the Grand Jury and they all placed
him. And we've got this all -- it's a matter of record, and the file could be opened, and the whole Wallace Davis matter
would be cleared, as far as I'm concerned.

QUESTION: That Davis, as long as it came up -- I was involved in this particular matter of Wallace Davis; it was actually Jim Casey and I, and perhaps it might be noteworthy if I just asked a question and made a point at the same time.

As you will recall, the Alliance to End Repression had a symposium on deadly force and the police in Springfield, two months ago. There were about 75 -- it was sponsored by about 75 other, ultra-right, conservative, liberal black rights organizations.

VOICE: That doesn't make them all bad.

QUESTION: No. They all were involved, and there were many of us there who went for a particular purpose, to see what they had to say.

And Mr. Wallace Davis was one of the speakers presented, and he came in with all of his Federal Court exhibits, the pictures that you referred to, the diagrams and everything else, and presented his version.

Obviously, what he forgot to present was the fact that he lost his case in the Federal Circuit Court, and when
he had presented his side, maligned the Chicago police officers involved, named them by name, the particular officers in the District; okay?

Now we were so well-informed. What they were alleging was a conspiracy on the part of our law enforcement organization to embarass Mr. Davis.

And needless to say —

MR. MOORE: That's difficult to do. I know we have to stop; I see Nan sitting on the edge of her seat, and I see the five-minute sign up here.

If I could just say the one last thing to you --

two last things: one is a display. Be right, but don't hide. Don't hide. Tell the press, the media, about the investigation, but be right when you do, and don't be so eager to get the department's position across that you get a wrong decision across, because once you get out there -- once you get out there, you can not come back. You can not.

You've got to be right when you say it originally. If you've got pressure from inside your department, make them understand that when you say it, you're going to say it for once and all, and you're going to say it correctly. Take your time.

Also, time does another thing; it sort of diminishes

the heat. You take it for a while, and that's part of our business, part of our business; the larger departments more so than smaller departments, but smaller departments definitely have it.

The last thing I just want to show you is this, and this holds true for all of you. I've lived by this quite a bit, since I first saw it.

(General laughter)

Okay? Thank you.

(End of recorded proceedings; Tape-Side #1)