

tions for all departments could be devised. Joint programs could easily be administered by State commissions police standards, which are described in a later section of this chapter. Recommended joint recruiting programs are extensively described in chapter 4, and will not be repeated here.

Incentive Programs. Because of the immediacy of the recruitment problem and of the urgent need for college graduates in law enforcement, special financial incentives should be offered to persons who desire to complete their education and pursue careers in the police service. For example, under the National Defense Education Act of 1965, the Federal Government is currently providing loans to college students.¹⁴⁵ Under this act, 50 percent of a student's loan is forgiven if a student becomes a full-time teacher in an elementary or secondary school or in an institution of higher education.¹⁴⁶ This act should be amended to apply also to students entering the police service. As a supplement to this act, State or local governments could provide student loans which would be partially or fully forgiven over a period of years if students enter police departments within that jurisdiction.

Another method of stimulating interest in law enforcement would be for police departments to provide part-time employment to college students as civilians, thereby enabling them to finance their college educations. If, upon graduation, the student enters the department in either a civilian or sworn capacity, he could receive retirement and pay credit for the time employed while attending college. Retirement and pay credits are given to graduates of the military academies who pursue careers in the military service. Such a program is also now being used by the Arlington County Police Department.¹⁴⁷ It was earlier recommended that police departments establish programs for the purpose of attracting qualified high school graduates into police service before they select other career opportunities. At the present time, cadets are primarily used to perform clerical tasks, and are admitted into police departments as sworn officers upon reaching the age of 21. To derive greater benefits from a cadet or police intern program, participants should be required to attend an accredited college or university on a full-time basis. While attending a college or university, an intern could perform clerical tasks, field work, or staff functions for the police department on a part-time basis during the school year, and full-time during summer vacations. For example, the intern could assist police officers and police agents, or could serve as community police officers. The police department, with Federal, State or local financial assistance, could defray the college expenses of the intern as well as pay him a salary. These expenses would have to be repaid only if he does not enter the police department and serve a specific length of time upon his graduation from college.

At least 19 police departments now require their cadets to take college courses.¹⁴⁸ However, in many of these programs, the cadet is required to pay for his own education and his academic courses are frequently restricted to technical police science courses. For example, cadets

in the Chicago Police Department are required to enroll in at least two units of college study each year "along police career lines."¹⁴⁹ A majority of the other departments which do pay the college tuition for cadets also restrict college study to police science subjects.¹⁵⁰ As was earlier observed, police science programs, as presently constituted, do not fulfill the educational need of police personnel.

For this reason, cadets and interns should be required to enroll in the broader college offerings at accredited institutions. If cadet programs are utilized in this way, their attractiveness will be enhanced and they could serve as a valuable method of recruiting qualified persons into the police service.

CAREER DEVELOPMENT

TRAINING

Recruit Training. No person, regardless of his individual qualifications, is prepared to perform police work on native ability alone. Aside from individual intelligence, prior education, judgment, and emotional fitness, an officer must receive extensive vocational training before he can understand the police task and learn how to fulfill it:¹⁵¹

When recruits are properly selected they bring to the job considerable native ability but little knowledge or experience in police work. In a short time, they must be prepared to operate alone on the streets under a variety of conditions that call for knowledge of laws and ordinances, legal procedures, police practices, and human relations. As they progress, they must not only acquire more of the same kind of knowledge but also should develop some specialized understanding of investigative techniques and scientific crime detection. This will enable them to conduct initial or preliminary investigations and to preserve vital evidence for the specialists who will assist them on difficult cases.

Training "is one of the most important means of upgrading the services of a police department."¹⁵² The need for such training, however, was not fully recognized until the decade prior to World War II.¹⁵³

In years gone by, it was an opinion among both police and public that any man of general ability could learn to "police" by doing it. Consequently, the then prevailing "training" philosophy was one of providing the recruit with a uniform and badge; arming him with a baton, revolver, and handcuffs; assuring his geographical orientation by issuing him a local street map; and instructing him to "hit the street" and enforce the Ten Commandments. This philosophy conforms conveniently with that which proclaims "there is more justice and law in the end of a night stick than is to be found in all law books."

Although the Wickersham Commission reported in 1931 that formalized recruit training was no longer controversial, its survey of 383 cities in that year showed that only 20 percent of these cities conducted such training.¹⁵⁴ In the majority of the cities surveyed, particularly the smaller cities, there was not even a pretext of training.¹⁵⁵

¹⁴⁵ United States Senate, Subcommittee on Education of the Committee on Labor and Public Welfare, "National Defense Education Act of 1958, as amended by the 88th Congress." (Washington: U.S. Government Printing Office, November 1964), p. 22.

¹⁴⁶ *Id.* at p. 22.

¹⁴⁷ FBI National Academy, "Police Cadet System: Research Paper." (Washington: Department of Justice, June 3, 1964), p. 34.

¹⁴⁸ *Supra*, note 95.

¹⁴⁹ Chicago Police Department, "Personnel Division—Cadet Program." (Chicago: Police Department, 1966.)

¹⁵⁰ See e.g., Report of President's Commission on Crime in D.C. *Supra*, note 17 at p. 28.

¹⁵¹ Winters, "Recruit and In-Service Training: A Must" Speech delivered to the First Annual Southern Institute for Law Enforcement, the Florida Institute for Continuing University Studies, Tallahassee, Fla., Nov. 7-8, 1963.

¹⁵² *Supra*, note 17 at p. 32.

¹⁵³ *Supra*, note 32 at p. 110.

¹⁵⁴ *Supra*, note 4 at p. 71.

¹⁵⁵ *Id.* at pp. 70-71.

Briefly, then, in the counties, towns, and hamlets of this class, it must be stated that assumption of badge, revolver, and the authority of law, has as a prerequisite no training or police experience, in fact, nothing.

Spurred by the Federal Bureau of Investigation, which dramatized the need, set standards, and provided curricula and instructors for police training, the police have made great strides in the past 30 years in widespread institution of formal recruit training programs. In 1965, a survey of 1,352 cities conducted by the International City Managers Association found that 1,135 of these cities conducted some type of recruit training for their police officers.¹⁵⁶ A recent survey of 269 law enforcement agencies by the National League of Cities, conducted in 1966, reported that 97 percent of the agencies surveyed had formal training.¹⁵⁷ But another survey of 4,000 police agencies conducted in 1965 by the International Association of Chiefs of Police revealed that 85 percent of the officers appointed were placed in the field prior to their recruit training.¹⁵⁸

Even though a substantial number of today's police departments require their recruits to undergo some initial training, an examination of many of these programs reveals that the vocational training needs of recruits are inadequately met in most departments.

Content of Training Programs. In 1934 a survey of one police department indicated that the primary courses offered in its recruit training program were:¹⁵⁹

- Criminal law of the State and common law.
- Ordinances and bylaws of the city.
- Rules and regulations of the police department.
- Traffic signals with hand and arm.
- First aid to sick and injured, and Schaeffer prone pressure method of resuscitation for cases of suffocation by drowning, gas, hanging, electric shock, smoke, and ammonia fumes.
- Military drill (U.S. Army Drill Regulations) in the school of the soldier—squad, platoon, and company.
- U.S. Army calisthenics.
- Use and care of the revolver; dry practice and practice with fixed ammunition.
- Use of gas masks, gas bombs, bulletproof vests, and Winchester (riot) shotgun.
- Jiu jitsu holds and breaks.

While it is obvious that such a training program is totally inadequate to prepare recruits for police work, few of our smaller police departments today provide even this amount of training. For example, the city of Meridan, Conn., had almost no regular training aside from firing range instruction until 1961.¹⁶⁰ This is not true of our Nation's larger departments, however. Metropolitan police departments, particularly those in cities of over 500,000 population, have greatly expanded the scope of their training programs. These now include instruction in such subjects as investigation, field procedures, crowd control, basic sociology and race relations, administration of justice, criminal evidence, and juvenile procedures.

While a few of these programs are highly commendable, it remains doubtful whether even a majority of them provide recruits with an ample understanding of the police task. For example, very few of the training pro-

grams reviewed by the Commission provide course material on the history of law enforcement, the role of the police in modern society, or the need for discretion in law enforcement. The fact that appropriate consideration is not given to police discretion was also noted by the President's Commission on Crime in the District of Columbia:¹⁶¹

Throughout the training program there must be a frank recognition of the fact that policemen exercise broad discretionary powers in enforcing the law. The maxim that policemen exercise no discretion but only enforce the law must give way before the blunt realities of the law enforcement process. One important test of a good recruit training program, therefore, is the extent to which it equips the recruit to exercise his discretion wisely when confronted with actual enforcement problems. In the past the department has neglected this important ingredient of recruit training; we urge that the curriculum be extensively reshaped to reflect more fully the actual dimensions and difficulties of police work in the District of Columbia.

Current training programs, for the most part, prepare an officer to perform police work mechanically, but do not prepare him to understand his community, the police role, or the imperfections of the criminal justice system.

Some police departments are just beginning to recognize the significance of improving the relationship of the police with the community, and particularly with the minority community. Although several departments have incorporated courses on police-community relations, these units are limited, both in time and substance. For example, two of the largest police departments devote under 10 hours of their over 400 hours of training exclusively to police-minority group relations. Thus, an earlier observation on police training in the United States is still applicable today:¹⁶²

It can be said of police training schools that the recruit is taught everything except the essential requirements of his calling, which is how to secure and maintain the approval and respect of the public whom he encounters daily in the course of his duties.

Length of Training Programs. In those departments that provide recruit training, programs vary in length from less than 1 week in many of the smaller departments to as many as 20 weeks.¹⁶³ The recruit training program of the Los Angeles County Sheriff's Department in 1966 consisted of 820 hours. While a majority of the departments in cities above 250,000 population provide 8 weeks or more of training, the average department in the remaining communities provides not more, and typically less, than 3 weeks of training.¹⁶⁴ Cost factors are undoubtedly the primary reason for this disparity. Very few small departments can afford to establish extensive programs.¹⁶⁵

It is economically feasible to provide recruit training to a class of 20 men whereas it is not feasible to do so with a group of 2 or 3 men. Thus, the smaller cities are confronted with the problem of either going so far under strength, awaiting a recruit group of adequate size, or of hiring men in small numbers without providing training.

¹⁵⁶ *Supra*, note 3 at p. 435.

¹⁵⁷ *Supra*, note 59 at p. 20.

¹⁵⁸ I.A.C.P., "Police Training," report submitted to the President's Commission on Law Enforcement and Administration of Justice. (Washington: I.A.C.P., 1966).

¹⁵⁹ *Supra*, note 23 at p. 70.

¹⁶⁰ *Supra*, note 32 at p. 110.

¹⁶¹ *Supra*, note 17 at p. 35.

¹⁶² Charles Reith, "The Blind Eye of History: A Study of the Origins of the Present Police Era." (London: Faber and Faber limited, 1952), p. 115-116.

¹⁶³ *Supra*, note 158.

¹⁶⁴ *Ibid*.

¹⁶⁵ *Supra*, note 28.

The latter course has been taken far too often. Some small departments, however, do send their recruits to training academies in nearby departments, community colleges, or state academies.¹⁶⁶ But most of the smaller agencies cannot spare an officer for any prolonged period and local governments are often unwilling to pay salary and expenses necessarily incurred in sending a recruit to another part of the State for extensive training.

The choice then is typically between sending a recruit for a limited time or not sending him at all. When the hands on the police are considered, it is doubtful that a department can fulfill training needs in less than the hours utilized by the majority of the departments in the cities over 500,000 population.

Relatively few departments provide supervised field training as an adjunct of classroom instruction. A 1966 survey by the National Council on Crime and Delinquency reported that only 23 of 109 departments, for example, provided field observation of street problems. Classroom instruction will not suffice in and of itself. Ideally, a recruit should initially receive classroom orientation on the nature of the police task and law enforcement responsibility. The remainder of the training program should be balanced between closely supervised field training experience and classroom sessions devoted to problem solving situations which closely parallel actual street problems. Under such a training program, classroom instruction and field experience could be interspersed over a period not exceeding 6 months.

At least two police departments now combine recruit training with supervised field experience. In the Tucson, Ariz., Police Department, recruits devote 1 week of field work to each of the three principal departmental divisions as part of their formal training. The San Diego Police Department has 2 weeks of classroom and range instruction and devotes the remaining 12 weeks to a blending of classroom instruction and field experience. After the first 2 weeks, the recruit normally spends 4 hours of each day in the classroom and 5 hours obtaining field experience under the supervision of carefully selected police officers. The sixth hour of the daily field training portion is spent in a critique session reviewing experiences and problems. The benefit of these programs is that a recruit can better assimilate classroom instruction that is related to actual incidents in the field. Through exposure to actual field problems, investigations and crime incidents the need and value of classroom training becomes vividly apparent to the trainee. In summary, formal training programs for recruits in all departments, large and small, should consist of an absolute minimum of 400 hours of classroom work spread over a 4- to 6-month period so that it can be combined with carefully selected and supervised field training.

Methods of Instructions. Consideration must also be given to present methods of instruction. In nearly all training programs, the administrative and teaching staff are comprised totally of sworn officers who have been assigned to the academy on a full- or part-time basis.¹⁶⁷

The need for use of experienced officers to train recruits in performance of police work is an obvious one. Certain courses, however, could more appropriately be taught by or with the assistance of civilian specialists. For example, talented instructors from other disciplines should be used for instruction of such specialized subjects as law, psychology, race relations, and teaching techniques. The FBI National Academy has long had civilian instructors as part of its visiting faculty. For example, in 1966, the following civilian instructors taught at the National Academy: a professor of psychology, a sociologist, a chief clinical psychiatrist, four judges from various levels of the court system, a professor of history, a physicist and a chemist to cover the field of criminalistics, a superintendent of schools, and a representative from the news media. This is done on only a limited basis in most police departments today, although FBI instructors do teach subjects in many training programs. In 1965 alone, FBI personnel provided 42,224 hours of instruction to over 149,000 persons.

Most training courses are taught almost exclusively by lecture method, even though the limitations of such instruction have long been recognized by professional training directors and educators. The extent to which training academies utilize methods of instruction other than the lecture method was reported in a 1966 survey of the National Council on Crime and Delinquency:¹⁶⁸

TEACHING TECHNIQUES
(Survey of 109 police departments—1965)

<i>Technique</i>	<i>Number and percent using</i>
1. Lecture and discussion-----	105 (96.33)
2. TV-films and recordings-----	68 (62.38)
3. Simulation of practice-----	45 (41.28)
4. Actual practice-----	37 (33.94)
5. Practice in use of work devices-----	30 (27.52)
6. Field observation of communication facilities and conditions.	23 (21.10)
7. Discussion of assigned readings-----	19 (17.43)

This survey indicates that many police departments are either unaware of newer educative techniques or do not recognize the need for them. In order to insure that department instructors are qualified to teach in a training academy, all regular instructors should be required to complete a teacher training course of no less than 80 classroom hours taught by professional educators. This is the number of hours that the Federal Bureau of Investigation requires its special agents to complete before they are assigned to teach police subjects.

Continuing Training Programs. Deficiencies in current police training are not limited to recruit programs. New laws are enacted and old ones amended; the enforcement needs of a community change, and new concepts of police technology and department policy emerge. These facts dictate that training be a continuing process.

In a recent survey of the 54 police agencies within the metropolitan area of Detroit, only one-third of these departments provide refresher training for its personnel.¹⁶⁹

The Nation's departments that do provide continuing training are typically large departments that also conduct

¹⁶⁶ Ibid.

¹⁶⁷ Department of Health, Education, and Welfare, National Council on Crime and Delinquency and Office of Juvenile Delinquency and Youth Development, "Pilot Study of Correctional Training and Manpower," 1966.

¹⁶⁸ Ibid.

¹⁶⁹ Survey of the International Association of Chief of Police, Washington, D.C., (1966).

extensive recruit training programs. But even in these departments, intensive inservice training is normally limited. There are some notable exceptions, however. For example, after police officers in the Los Angeles Police Department complete their basic training, they return to school after 1 year on the job for an intermediate course that ranges from 40-80 hours. This course marks the end of their 1-year probationary period. Between the 3rd and 5th year each officer in the department returns for another training course of the same length. Between their 7th and 14th year all officers must again return for a formal training period of 40-80 hours. The Federal Bureau of Investigation sends each of its special agents back to its training academy for a comprehensive 2-week refresher course after approximately 2 years of service, and thereafter such training is given every 5 years.

Much of the existing inservice training is given in brief, daily form. For example, many departments conduct rollcall training for from 5 to 20 minutes at the beginning of each tour of duty, and utilize excellent training aids such as "Training Key" or Sight/Sound films provided by the International Association of Chiefs of Police. While the short, daily training sessions for police officers have great value, these programs should be supplemented by an annual period of intensive inservice training. The necessary length of such training will vary among departments. It is doubtful, however, that yearly training needs can be fulfilled in less than 1 week.¹⁷⁰

THE DEVELOPMENT OF CAREER OPPORTUNITIES

Of equal concern is the fact that little consideration is given to preparing personnel for supervisory and administrative positions. As was indicated earlier in this report, an officer is not qualified to administer the complex affairs of a large department or to supervise the performance of others simply on the strength of police experience acquired in subordinate positions.

Supervisory and middle-management personnel perform functions and have responsibilities largely unrelated to their early experiences within the agency. Additional skills needed by prospective administrators and supervisors must be acquired through advanced education and specialized training.

Inservice Education. The future elevation of educational requirements will not alter the fact that a majority of today's police officers have not advanced beyond high school. In line with the critical need to upgrade the educative achievement of police personnel, it is essential that departments undertake massive programs to provide the opportunity for interested personnel to continue their educations.

One State, Virginia, has enacted legislation to enhance this opportunity. By a statute adopted in 1966, the Virginia Department of Education was authorized to pay 50 percent of all tuition costs to any officer who attends college. The department of education was further authorized to pay the remaining tuition costs when it received evidence that the officer continued to serve with

the same department for 1 year following the completion of such courses.¹⁷¹ Several cities, such as Tucson, provide financial assistance to their officers to enable them to take college courses. Such programs are commendable, and local, State, and Federal funds should be provided to assist police personnel to continue their educations.

Since it is extremely difficult for any person to acquire a meaningful education on a part-time basis, it would be preferable if a department could allow personnel to devote a complete year, for example, to college work. Many programs permit personnel to return to college for 1 academic year to complete requirements toward an advanced degree. They also permit those who have completed baccalaureate degree requirements to return for up to 1 academic year while on a leave status, as recommended in chapter 13 of the General Report. Federal and State Governments should provide assistance to local governments so that similar programs can be instituted for the police service.

Most personnel, however, will undoubtedly have to acquire college education on a gradual basis by enrolling in one or two courses each semester. This gradual approach to education unfortunately poses many hardships for police personnel. Duty rotation and court appearances often present conflicts with off-duty education, and many officers are not within commuting distance of a college or university. It is essential, therefore, that meaningful correspondence courses be available for interested officers. State and Federal Governments should finance the development of university extension level courses for police personnel.

Few departments today provide sufficient encouragement for personnel to return to school. For example, the fact that an officer has an advanced degree does not, in most cases, qualify the officer for a pay increment. A department should provide these additional incentives to encourage officers to advance their education.

As was recommended earlier in this chapter, no officer should be eligible to qualify for promotion to police sergeant, supervisor, or administrator until he has acquired a baccalaureate degree. Based upon the current level of educational achievement, however, it is obvious that such a requirement would be unattainable at the present time. Until such a goal is attainable, however, departments should progressively increase educational standards for these positions at the earliest opportunity. Such a concept is not new to the police field. For example, in 1962 a consultant to the St. Paul, Minn., department made the following recommendation:¹⁷²

Patrolmen should not be appointed to the rank of sergeant until they have had 1 year of college work; 2 years should be required for promotion to lieutenant; 3 to captain; and 4 years to positions above this rank. . . .

In addition to requiring higher educational standards for such advanced positions, all departments should provide pay incentives for college education. For example, a pay increase could be provided for each year of college

¹⁷⁰ *Supra*, note 31 at p. 113-114.

¹⁷¹ Va. Code Ann., tit. 23, sec. 23-9 (1966 Cum. Supp.).

¹⁷² "Survey of the Bureau of Police: St. Paul, Minnesota." (East Lansing: Eastmans, 1962), p. 128.

education completed, with a substantial increase for personnel completing the work required for a degree. The California Commission on Peace Officers Standards and Training has suggested an education incentive program which certifies officers who attain specified levels of education and experience, and thereby qualifies such officers for pay increase:

SUGGESTED EDUCATION INCENTIVE PROGRAM, CALIFORNIA COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING

1. Must possess the P.O.S.T. Basic Certificate to qualify for the final step in the pay scale for police officer, deputy sheriff or higher ranks.
2. Possession of P.O.S.T. Intermediate Certificates shall qualify the officer for a 5 percent pay increase.
3. Possession of P.O.S.T. Advanced Certificates shall qualify for a 10 percent increase.
4. To remain eligible to receive the incentive program pay increase, the applicant must requalify each year by completing no less than 50 hours of education or training which would be recognized by P.O.S.T. as courses credited toward intermediate or advanced certificate or by completing a project approved by the department head. All education, training or projects approved under this section (annual qualification) shall be completed on the officer's own time unless otherwise approved by the department head.

For the purpose of annual qualification, the department head may specify and approve credit courses other than those recognized by P.O.S.T. when in his judgment the course has added to the professional development of the training or education specified.

Career Development Training. While a liberal education provides the foundation for enlightened leadership, it cannot totally provide the required specialized knowledge for police administration.

The demands on administrators, supervisors, or specialists also require advanced skills not developed by basic police training.¹⁷³ And yet, only a few large metropolitan departments provide even a limited amount of executive training.¹⁷⁴ To require vocational training for entry level officers, but not for specialists, supervisors, or administrators within a department, is incongruous. In the Los Angeles Police Department, each newly appointed sergeant, lieutenant, and captain must complete an advanced training course in preparation for his newly assigned duties. The sergeant's course is 160 hours, the lieutenant's and captain's courses vary from 40-80 hours. A command officer's school is also held periodically for ranks above captain whenever the need for training at this level is apparent. Such advanced training for supervisory and administrative positions is essential. Each State, therefore, should establish mandatory statewide standards which require that all personnel, prior to assuming supervisory or administrative responsibilities, complete advanced training offered either by the department or by college or university institutes. Such training could include subjects in leadership, fiscal management, supervisory decisionmaking, and psychological aspects of supervision. Further, specialized training should be provided to personnel assuming responsibility for staff

functions such as planning and research and police-community relations.

Colleges and universities should cooperate with individual departments in order to provide model career development programs. Several universities and colleges already provide specialized training for law enforcement in traffic, police-community relations, criminal investigation, criminalistics, and police administration. Such offerings are currently provided by the Northwestern University Traffic Institute, the Southern Police Institute, Indiana University, Michigan State University, and numerous colleges and universities in California.

During the past 32 years, the Federal Bureau of Investigation has also conducted inservice training at its National Academy for over 5,000 officers. In 1966, the Department of Justice provided a grant to the Harvard Business School to conduct an institute for improving management skills of the chiefs of police of 40 large cities.

The concept of management institutes should be encouraged, and State and Federal funds should be allocated for the purpose of greatly expanding the role of college and universities in providing middle and upper management training.

PROMOTION

In most cities today, police departments provide promotions on the basis of a merit system. In the early years of this century, police promotions were the subject of political abuse.¹⁷⁵ To preclude such abuses, civil service procedures were adopted which required that promotions be based upon written examination, length of service, and existing rank.¹⁷⁶ While these criteria lessened the opportunity for political influence and favoritism, they did not insure the selection of the most highly qualified personnel for positions of greater responsibility. The current promotion system is based largely upon the premise that experience and knowledge of police fieldwork are the prime requisites for serving as administrator or supervisor.

The qualities needed for serving in such capacities, however, cannot be measured by seniority and experience alone:¹⁷⁷

Seniority may be taken into account but should not govern promotion, and promotion by competitive examination would be quite unsuited to the police system because of the importance of initiative, tact, judgment, and other personal qualifications which cannot be gauged by means of an examination paper.

There is an assumption in the police service that fairness dictates that personnel with the longest term of service receive a preference for promotions. The effect of such preference, however, is to delay the advancement of more qualified personnel:¹⁷⁸

An omnipresent management problem is how to overcome a feeling deeply ingrained in most cultures that the most competent and accomplished younger person should wait out his time in deference to a mediocre individual with longer service.

¹⁷³ Samuel C. Chapman, "Developing Personnel Leadership," "The Police Chief," (Washington: I.A.C.P., March 1966), p. 24.

¹⁷⁴ *Supra*, note 31 at pp. 28, 29.

¹⁷⁵ *Supra*, note 8 at p. 132.

¹⁷⁶ *Supra*, note 16 at p. 133.

¹⁷⁷ The British Home Office Committee on the Police Service in England, Scotland, and Wales quoted in Harrison, *supra*, note 23 at p. 92.

¹⁷⁸ John Pfiffner, "The Supervision of Personnel." (New York, Prentice-Hall, 1951), p. 408.

Under existing procedures, an officer, regardless of his qualifications, must normally wait several years before he can be considered for promotion to the rank immediately above his own. For example, in Baltimore, a patrolman must serve in that capacity for 5 years before being eligible for sergeant, and all other officers must wait 2 years before being eligible to apply for the next higher rank.¹⁷⁹ If a person has the necessary leadership qualities, no reason exists to restrict his opportunity for advancement as long as he meets other qualitative standards. The seniority factor should be reduced to a bare minimum. In reviewing the police system throughout the Nation today, it is believed this admonition would apply to all but a few departments.

It is equally inappropriate to rely heavily upon high achievement in written examinations:¹⁸⁰

Written promotional examinations, on the other hand, do not test those qualities of leadership or administrative capacity which are presumably a major consideration in promotion to higher ranks. Such qualities are, therefore, largely ignored before the more familiar techniques of personnel management which do not attempt any such evaluation of human personality.

Current promotion procedures should be altered in most departments. As stated previously, the period of seniority should be reexamined and in most departments greatly reduced. While there may be merit in requiring all candidates to take a competitive written examination, the results of such an examination should be only one of the many factors to be considered. Other factors should include: (1) An officer's prior performance and reputation in previous jobs as well as within the department and in the community; (2) an officer's educational achievement; and (3) an officer's demonstrated leadership potential and ability to assume greater responsibility. In order to ascertain prior performance and personal qualities, each department should adopt a system of rating personnel. For example, prior performance could be rated by having immediate supervisors, other officers and special units submit reports on the proficiency and conduct of the candidate. Personal qualities could be evaluated by background investigation and oral interviews.

LATERAL ENTRY

Under existing police structures, nearly all local enforcement agencies restrict advanced appointments to personnel within the department. The only exception to this restriction is that some departments exempt the position of chief administrator from Civil Service, and it is possible for persons who are not in the department to compete for this position. A consequence is that America's police personnel are virtually frozen into the departments in which they started. An officer whose special skills are in oversupply in his own department cannot move to a department where those skills are in demand. An officer who seeks to improve his situation by moving from a small department where opportunities for advancement are few to a large department where they are numerous cannot do it, nor can a city officer who would like to work in a small community follow his inclina-

tions. A department that cannot fill important jobs adequately from its own ranks is precluded from seeking experienced officers elsewhere.

To improve police service, competition for all advanced positions should be opened to qualified persons from both within and outside of the department. This would enable a department to obtain the best available talent for positions of leadership.¹⁸¹

To limit promotional appointment to those within any agency is to repress initiative, creativity, and critical judgment. . . . All promotional processes must be geared to the objective of getting the finest leadership possible.

If candidates from within an agency are unable to meet the competition from other applicants, it should be recognized that the influx of more highly qualified personnel would greatly improve the quality of the service.

Before it will be feasible to encourage interchange of personnel among police departments, however, current civil service rules, retirement systems, department hiring restrictions and statutes will require revisions in several sections of this country:¹⁸²

The rules and statutes, indeed, usually attach penalties to or prohibitions against circulation—such as local residence requirements, promotion barriers, cumbersome transfer procedures, the loss of pension and retirement benefits. The rules are set heavily against circulation, a fact which is emphasized not only by the presence of these barriers but also by the absence of personnel procedures to overcome them. To these conditions, adverse to mobility among bureaucracies, must be added a stronger version of the seemingly universal habit of organized groups to prefer promotion from within rather than the recruitment of "new blood" at the intermediate and higher levels.

Many of these longstanding tight personnel restrictions are stifling the professional development of the police service, and should, therefore, be removed. In addition, to encourage lateral movement of police personnel, a nationwide retirement system should be devised which permits the transferring of retirement credits.

Without question, the police service desperately needs an influx of highly qualified college graduates. It is doubtful whether suitable graduates will be attracted to police service if they are required in all cases to initiate their career at the lowest level of a department, and it is further doubted that this would be an appropriate method of utilizing such personnel. For this reason, college graduates should, after an adequate internship, be eligible to serve as police agents. Persons who have adequate education and experience should be allowed to enter directly into staff and administrative positions.

MINIMUM STATEWIDE STANDARDS FOR SELECTION, SCREENING AND TRAINING

A study of police personnel problems indicates that, while all departments are in need of extensive upgrading of recruiting efforts, minimum standards, selection procedures and training, the needs are more pronounced for the smaller police departments. Many of these departments provide little or no training, use ineffectual selec-

¹⁷⁹ *Supra*, note 139 at p. 197.

¹⁸⁰ *Supra*, note 16 at p. 134.

¹⁸¹ A. C. Germann, "Recruitment, Selection, Promotion, and Civil Service," report submitted to the President's Commission on Law Enforcement and the Administration of Justice (Washington: 1966), p. 110.

¹⁸² Wallace S. Sayre, "The Recruitment and Training of Bureaucrats in the United States," "The Annals of the American Academy of Political and Social Science," (Philadelphia: Academy of Political and Social Science, March 1954), p. 39.

tion and screening techniques, and have no organized recruiting programs. This results in substantial variation in the quality of police service, not only in different areas of the country, but within the same State.

The apparent reason for this disparity is that many of our Nation's police departments and local governments either do not have sufficient funds to correct current deficiencies or do not have the expertise to recognize them. The general level of police service will not significantly improve unless each State assumes greater responsibility for upgrading all local law enforcement agencies.

Each State, therefore, should establish a commission on police standards or expand an existing commission on police training and empower such commission to:

- establish minimum statewide selection standards;
- establish minimum standards for training; determine and approve curricula; identify required preparation for instructors; and approve facilities acceptable for police training;
- certify sworn police personnel;
- conduct and stimulate research by private and public agencies designed to improve police service;
- make inspections to determine whether Commission standards are being adhered to; and
- provide such financial aid as may be authorized by the legislature to participating governmental units.

The proposed role of a State commission is fully described in chapter 8.

The Police and the Community

THE SCOPE OF THE PROBLEM

THE IMPORTANCE OF POLICE-COMMUNITY RELATIONS

The need for strengthening police relationships with the communities they serve is critical today in the Nation's large cities and in many small cities and towns as well. The Negro, Puerto Rican, Mexican-American, and other minority groups are taking action to acquire rights and services which have been historically denied them. As the most visible representative of the society from which these groups are demanding fair treatment and equal opportunity, law enforcement agencies are faced with unprecedented situations on the street which require that they develop policies and practices governing their actions when dealing with minority groups and other citizens.

Even if fairer treatment of minority groups were the sole consideration, police departments would have an obligation to attempt to achieve and maintain good police-community relations. In fact, however, much more is at stake. Police-community relationships have a direct bearing on the character of life in our cities, and on the community's ability to maintain stability and to solve its problems. At the same time, the police department's capacity to deal with crime depends to a large extent upon its relationship with the citizenry. Indeed, no lasting improvement in law enforcement is likely in this country unless police-community relations are substantially improved.

Effect on the Police Department as an Organization

Hostility, or even lack of confidence of a significant portion of the public, has extremely serious implications for the police. These attitudes interfere with recruiting, since able young men generally seek occupations which are not inordinately dangerous and which have the respect and support of their relatives and friends.

Public hostility affects morale and makes police officers less enthusiastic about doing their job well. It may lead some officers to leave the force, to accept more prestigious or less demanding employment.

Many police officers now view their relations with the public as poor. This attitude is reflected in surveys of

patrolmen as well as in frequent statements by police officials.

Recently a survey of policemen in a western municipal department disclosed that 70 percent thought that the prestige of police work was fair or poor while only 29 percent said good and 2 percent excellent. Twenty-six percent of the officers believed that "relations with public" was the principal problem faced by police.¹ Another survey of officers in a big-city department found that over 70 percent had an acute sense of citizen hostility or contempt.² A Commission survey of police officers conducted in eight precincts in three large cities found that the officers considered "prestige and respect one gets from a job" next to last among the factors they liked about police work; when asked what was least liked about police work when they entered the force, 22 percent cited public lack of respect; only the hours worked were rated lower.³

A dissatisfied public will not support the police enthusiastically when such issues as police salaries, sufficient numbers of officers, and adequate equipment and buildings are pending before State legislatures, city councils, or civilian executives. Perhaps most significant of all, when the police and the public are at odds, the police tend to become isolated from the public and become less capable of understanding and adapting to the community and its changing needs.

Direct Effect on Police Operations

Poor police-community relations adversely affect the ability of the police to prevent crime and apprehend criminals. People hostile to the police are not so likely to report violations of law, even when they are the victims. They are even less likely to report suspicious persons or incidents, to testify as witnesses voluntarily, or to come forward and provide information. For example, a study in St. Louis found that 43 percent of Negroes and 36 percent of whites believed that "most of the city residents seem to be afraid to contact their police."⁴ Yet citizen assistance is crucial to law enforcement agencies if the police are to solve an appreciable portion of the crimes that are committed.⁵

To most Negroes, policemen constitute an outgroup whose members are antagonistic toward them. Consequently, they will do nothing to help the police * * * They are afraid they will be treated as roughly as the criminal.

¹ Jerome H. Skolnick, "Justice Without Trial: Law Enforcement in Democratic Society" (New York: John Wiley & Sons, Inc., 1966), p. 50.

² James O. Wilson, "Police Attitudes and Citizen Hostility," quoted in supra, note 1 at p. 62.

³ Albert J. Reiss, Jr., "Police Officer Attitudes Toward Their Work and Job" (Ann Arbor: University of Michigan, 1966), table 7, report prepared for President's Commission on Law Enforcement and Administration of Justice. This report is a preliminary draft which is being included with the Commission's records in the National Archives. It is presently being revised and supplemented by the Uni-

versity of Michigan and will be embodied in research studies to be published by the Commission.

⁴ Edmund Joseph Casey, "Citizen Attitudes Toward the Police and Law Enforcement" (unpublished Ph. D. thesis, St. Louis University, 1966), p. 100.

⁵ Mayor's Law Enforcement Committee, "Report" (Houston: Office of the Mayor), pp. 82, 84. As cited in address by Arthur B. Caldwell, "The Police Image—Civil Rights and Law Enforcement" (Berkeley, University of California, Sept. 27, 1962).

Public hostility can and does influence police field operations. For example, it may make officers reluctant to act; it may also induce the use of unnecessary force, verbal abuse, or other improper practices. The danger under which the policeman must work may make him "less judicious, indeed less discreet, in the exercise of his authority."⁶ When unfriendly crowds begin to gather, officers will necessarily have to call for reinforcements and use greater force to secure the offender and control the onlookers. Even if not excessive, such force will often lead to increased police-public tensions. On the other hand, "the cooperation of the public * * * diminishes, proportionately, the necessity of the use of physical force and compulsion for achieving police objectives."⁷ Hostility by racial minorities or others may also provoke police officers and therefore increase the likelihood that they will discriminate in exercising their discretion. Consequently, poor police-community relations tend to perpetuate themselves.

Effect on Individual Police Officers

Statistics compiled by the FBI reveal that 20,523 officers were assaulted, 6,836 injured, and 53 killed during 1965.⁸ Many of the serious injuries and deaths were inflicted by felons or other persons attempting to escape and therefore had little, if anything, to do with problems of police-community relations. However, many of the minor assaults (and some of the more serious ones as well) resulted, at least partially, from general hostility toward the police. Consequently, poor community relations can increase the danger of police work.

Perhaps even more important, poor police-community relations place a serious personal burden upon a police officer. Though the number of incidents which result in police injury is a small proportion of total police contacts with the public, the prospect of facing danger in hostile neighborhoods is constantly present. Like any other person, the officer resents having to work day in and day out, frequently for low pay and in danger, for people who often verbally abuse him or silently dislike him.

Effect on Community Stability

Any interference with proper police operations reduces the ability of the police to handle crime and maintain law and order. In addition, poor police-community relations has contributed to the disturbances and riots which have increasingly afflicted our cities for the last 3 years. Between January 1964 and June 1966, 32 disturbances or riots occurred in which 2 or more persons were injured or there had been substantial property damage.⁹ Poor police-community relations, together with poor housing, unemployment, and oppressive commercial practices, were basic underlying factors in these riots. In addition, more often than not, riots were set off by some quite ordinary and proper action by a policeman. Some riots, however, started after improper or at least unwise police conduct.

It is the purpose of this chapter to determine the reasons for, and the extent of, the difficulties of police-community relations and to examine ways to improve these relations. Although the extent of the problem varies from jurisdiction to jurisdiction, the programs which will be suggested in the following pages should be particularly applicable to all communities that have a substantial minority population.

PUBLIC ATTITUDES TOWARD THE POLICE

The General Public

Contrary to the belief of many policemen, the overwhelming majority of the public has a high opinion of the work of the police. A national survey conducted by the National Opinion Research Center (NORC) for the Commission produced these answers to the following questions:¹⁰

Do you think that the police here do an excellent, good, fair, or a poor job of enforcing the laws?

	Percent
Excellent -----	22
Good -----	45
Fair -----	24
Poor -----	8

How good a job do the police do on giving protection to people in the neighborhood?

	Percent
Very good -----	42
Pretty good -----	35
Not so good -----	9
No opinion -----	14

The results of other surveys are substantially consistent with this one. A Louis Harris poll in 1966 found that 76 percent of the public rated Federal agents as good or excellent in law enforcement and the comparable figures for State and local agencies were 70 and 65 percent respectively.¹¹

Similarly, a Gallup poll in 1965 showed that 70 percent of the public had a "great deal" of respect for the police, 22 had "some" respect, and only 4 percent had "hardly any."¹² Surveys by NORC in 1947 and 1963 showed that 41 and 54 percent, respectively, thought that the police had an "excellent" or "good" standing in the community. This improvement was one of the most noteworthy for any occupation during the 16-year period. Moreover, a NORC study in 1964 concluded that about 40 percent of the population believed that the social standing of policemen was too low and only 10 percent thought it was too high.¹³ The survey of three precincts in Washington, D.C., made by the Bureau of Social Science Research (BSSR) for the Commission found that 60 percent thought that the police had a high reputation in their neighborhood; 85 percent thought that the police deserve more thanks than they get; 68 percent thought that the police should get more pay; and 78 percent thought that "just a few policemen * * * are responsible

⁶ Supra, note 1 at p. 68.

⁷ Charles Reith, "A Short History of the British Police" (London: Oxford University Press, 1948), p. 64.

⁸ U.S. Department of Justice, Federal Bureau of Investigation, "Uniform Crime Reports—1965" (Washington: U.S. Government Printing Office, 1966), pp. 33, 152-153.

⁹ Technical Information Center, "Locations of Riots Involving Minority Group Members Chronologically from January 1, 1964, through June 1966 as Reported by the New York Times" (Washington: U.S. Commission on Civil Rights, 1966), pp. 1-4.

¹⁰ National Opinion Research Center, "A National Sample Survey Approach to

the Study of the Victims of Crimes and Attitudes Toward Law Enforcement and Justice" (Chicago: unpublished, 1966) ch. 8, p. 1.

¹¹ Louis Harris, "Eye-for-an-Eye Rule Rejected," The Washington Post, July 3, 1966, sec. E, p. E-3, col. 4.

¹² Gallup poll, "Tabulation Request Survey AIPO No. 709" (prepared for the President's Commission on Law Enforcement and Administration of Justice, 1966), p. 1.

¹³ Robert W. Hodge, "The Public, The Police, and The Administration of Justice" (Chicago: National Opinion Research Center of The University of Chicago, 1965), pp. 4, 7.

for the bad publicity.”¹⁴ It is interesting that a recent survey in England showed that 83 percent of the public expressed great respect for the police, 16 percent mixed feelings, and only 1 percent little or no respect.¹⁵

The public generally believes that the police do not engage in serious misconduct. A Gallup poll in 1965 showed that only 9 percent of the public believed that “there is any police brutality in this area.”¹⁶ The 1966 NORC survey found, in answer to the question, “How good a job do the police do on being respectful to people like yourself?”, that the public answered:¹⁷

	Percent
Very good.....	59
Pretty good.....	26
Not so good.....	4
No opinion.....	10

The BSSR survey of Washington, D.C., disclosed that 78 percent of those who reported having contact with the police considered that the officer acted properly during the last contact.¹⁸ Almost none believed that the officer used unnecessary force; 4 percent thought that he acted unethically, unfairly, or illegally; 4 percent thought that he was rude; and 11 percent that he was indifferent, ineffective or otherwise did poor work.¹⁹ The Harris poll in 1966, found that only 4 percent of the public believed that many law enforcement officers in their community take bribes.²⁰

The University of California surveys for the Commission in San Diego and Philadelphia found that the large majority of white community leaders thought that police-community relations were good, although there was some dissent.²¹ The general findings of the Michigan State University survey of 16 jurisdictions were similar.²²

These studies might seem to suggest that there is no widespread police-community relations problem. And, if the persons showing greatest skepticism toward the police were evenly distributed through all kinds of communities and neighborhoods, this would be true. In fact, however, this is not so.

The Negro Community

Police Effectiveness. The NORC survey shows that nonwhites, particularly Negroes, are significantly more negative than whites in evaluating police effectiveness in law enforcement. In describing whether police give protection to citizens, nonwhites give a rating of “very good” only half as often as whites and give a “not so good” rating twice as often. These differences are not merely a function of greater poverty among nonwhites; they exist at all income levels and for both men and women.²³

Other surveys indicate a similar disparity in views. The Louis Harris poll, for example, shows that 16 percent fewer Negroes than whites—a bare majority of 51 percent—believe that local law enforcement agencies do a good or excellent job on law enforcement.²⁴ A survey in Watts found that 47 percent of the Negroes believed that the police did an “excellent or pretty good” job while 41 percent thought they were “not so good” or “poor.”²⁵

In Washington, D.C., the BSSR survey found that Washington Negroes have decidedly different attitudes than whites as to how the police carry out their duties, and the responses to the following statement indicate:

You would have to replace at least half the police force to get a really good police.

	Nonwhite males	Nonwhite females	White males	White females
	Percent	Percent	Percent	Percent
Agree.....	40	28	18	60
Disagree.....	40	52	60	22
Don't know, etc.....	20	20	22	22

About half the Negroes, in contrast to two-thirds of the whites, believed that the police deserve more respect than people in the neighborhood give them. However, almost as many Negroes as whites believed that the police had high reputation in the neighborhood (almost 60 percent deserved more thanks than they got (over 85 percent), and thought that the police should get more pay (68 percent).²⁶ A poll in Detroit in 1965 found that 68 percent of Negroes did not believe that law enforcement was fair, and an earlier poll in 1951 found that 42 percent of Negroes believed that it was “not good” or “definitely bad.”²⁷

Police Discourtesy and Misconduct. Negroes show even greater attitude differences from whites with regard to police discourtesy. The NORC national survey found, as to respectfulness to “people like yourselves,” the following differences between the attitudes of Negroes and whites:²⁸

	White annual income		Nonwhite annual income	
	\$0 to \$2,999	\$6,000 to \$9,000	\$0 to \$2,999	\$6,000 to \$9,000
	Percent	Percent	Percent	Percent
Males:				
Police very good.....	56	67	34	22
Police not so good.....	4	4	22	12
Females:				
Police very good.....	62	66	28	12
Police not so good.....	3	1	12	12

¹⁴ Bureau of Social Science Research, “Salient Findings On Crime and Attitudes Toward Law Enforcement in the District of Columbia” (a preliminary technical report submitted to the U.S. Department of Justice, Office of Law Enforcement Assistance, 1966), pp. 13A, 13B.

¹⁵ Royal Commission on Police, “Royal Commission on the Police; 1962 Final Report” (London: Her Majesty’s Stationary Office, 1962), p. 103.

¹⁶ Supra, note 12 at p. 2.

¹⁷ Supra, note 10 at ch. 8, p. 1.

¹⁸ Supra, note 14 at p. 16.

¹⁹ Ibid.

²⁰ Supra, note 11 at col. 5.

²¹ Joseph D. Lohman and Gordon E. Misner, “The Police and the Community” (Berkeley: University of California School of Criminology, 1966), vol. 1, p. 50; vol. II, p. 78. Report prepared for the President’s Commission on Law Enforcement and Administration of Justice by the School of Criminology at the University of California. The study consisted of intensive analysis of police-community relations problems and programs in San Diego and Philadelphia, with six-man teams visiting the two cities for 6 weeks each. During this time, they accompanied the police in their daily work and interviewed hundreds of police officials and officers, judges, lawyers, minority group leaders, civic leaders, juveniles, and average citizens.

²² Raymond Galvin and Louis Radelet, “A National Survey of Police and Com-

munity Relations” (East Lansing: Michigan State University, 1967), p. 12. Report prepared for the President’s Commission on Law Enforcement and Administration of Justice by the National Center on Police and Community Relations at the School of Police Administration and Public Safety of Michigan State University. Questionnaires were sent to the police departments in all cities with populations of 100,000; a 10-percent sample of cities between 25,000 and 100,000 population; the most populous counties; and all State police agencies. Separate questionnaires were sent to approximately a half-dozen civic and minority group leaders in each city, 2 rural counties, and 2 State agencies. In addition, there was an extensive view of the police-community relations literature and a reliance on the Institute’s extensive experience concerning other localities throughout the country.

²³ Supra, note 10 at table 8-2.

²⁴ Supra, note 11 at col. 5.

²⁵ John F. Kraft, Inc., “Attitudes of Negroes in Various Cities” (New York: John F. Kraft, Inc., 1966), p. 25. Report prepared for the Senate Subcommittee on Executive Reorganization.

²⁶ Supra, note 14 at 13A.

²⁷ Richard W. Ouderlugs, “How Citizens Rate Police Department on Fairness” Detroit News, Feb. 3, 1965, sec. A, p. 1, col. 3.

²⁸ Supra, note 10 at table 8-3.

1965 Gallup poll showed that only 7 percent of white males but 35 percent of Negro males believed that there was police brutality in their area; 53 percent of Negro males thought that there was none.²⁹ A survey of the Watts area of Los Angeles concerning opinions on the existence of "brutality" found:³⁰

Existence of police brutality	Total	Age		
		15 to 29	30 to 34	45 and over
	Percent	Percent	Percent	Percent
at all.....	22.2	24.4	25.0	17.1
at all.....	24.6	35.6	22.7	14.3
at all.....	15.1	17.8	11.4	14.3

us, nearly 47 percent of all respondents and 60 percent of those from 15 to 29 years of age believed that there was at least some police brutality. Of those who had answered "a lot" and "a little," approximately half believed that they had witnessed it.³¹

Another survey of Negroes in the general area of Watts by the University of California at Los Angeles found that a high percentage of those surveyed believed the police engaged in misconduct, said they had observed acts of misconduct, or indicated that such an act had happened to someone they knew or to themselves:³²

Police	Happened in area	Saw it happen	Happened to someone you know	Happened to you
	Percent	Percent	Percent	Percent
Expect or use insulting language.....	85	49	52	28
Frisk, or search people without reason.....	85	52	48	25
Search cars for no good reason.....	83	51	49	25
Enter homes for no good reason.....	63	22	30	7
Use unnecessary force in making arrests.....	86	47	43	9
Put people in custody.....	85	27	46	5

This study also shows that males below the age of 35 are most critical of the police. For example, 53 percent of young males reported they had been subjected to insulting language; 44 percent to a roust, frisk, or search without good reason; 22 percent to unnecessary force in making arrests; and 10 percent to being beaten up while in custody. Well over 90 percent of young males believed each of these kinds of incidents occurred in the area. 45 to 63 percent claimed to have seen at least one of them. There were no substantial differences based on economic levels. Negroes with higher education reported more insults, searches without cause, and stopping cars without cause.³³

The BSSR survey of Washington, D.C., found that only 25 percent of the Negroes and only a quarter of whites thought "many police enjoy giving people a hard time." Ten percent of Negro men and 6 percent of Negro women claimed to have seen unjustified police use of violence in contrast to no white men and 3 percent of white women. The BSSR study also showed a clear difference between Negroes and whites in their beliefs concerning police discrimination between whites and Negroes. Sixty percent of Negro males, as compared to 29 percent of white males,

said the police did discriminate. Of those who believed that Negroes were treated worse, the following differences existed as to the kind of discrimination:

	Rudeness	Picked on more	Brutality
	Percent	Percent	Percent
Negro males.....	53	60	48
White males.....	25	38	

Yet, as many Negroes as whites (almost 80 percent) said that "there are just a few policemen who are responsible for the bad publicity."³⁴

A survey in Harlem in 1964 concerning police brutality showed that of the 63 percent of the respondents with an opinion, 12 percent thought that there was a lot of brutality, 31 percent a little, and only 20 percent none at all.³⁵

A survey of junior high school students in Cincinnati found that only 41 percent of the Negro boys and 58 percent of the Negro girls disagreed with the statement that "the police are mean." The following figures show the difference between white and Negro teenagers:³⁶

	Police accuse you of things you didn't do	Police try to act big shot	Police try to get smart with you if you ask a question
	Percent	Percent	Percent
White girls.....	40	33	34
White boys.....	56	46	46
Negro girls.....	60	51	56
Negro boys.....	65	69	70

A study of teenagers in Kalamazoo, Mich., in 1957 similarly found that "only 41 percent of the Negroes (teenagers) gave favorable answers when questioned on the fairness of the police, while 79 percent of the whites responded favorably."³⁷

Surveys may not accurately reflect the full extent of minority group dissatisfaction with the police. In-depth interviews with members of minority groups frequently lead to strong statements of hostility, replacing the neutral or even favorable statements which began the interview. For example, a study of 50 boys from the slums of Washington concluded that, as a result of real or perceived excessive force, humiliation, and other police practices, they regarded the police as "the enemy."³⁸ Attacks on police officers, interference with arrests, disturbances and riots starting with police incidents, and verbal abuse by citizens offer abundant testimony to the strong hostility. The way in which such hostility can become an important factor in a riot is illustrated by the following statement of a resident of Watts to an interviewer:³⁹

Two white policemen was beating a pregnant colored lady like a damn dog. They need their heads knocked off. I agree 100 percent for the Negroes going crazy—they should have killed those freaks. Yes, treating niggers like dirty dogs.

This incident, which was thought by many people in Watts to have been the cause of the 1965 Los Angeles riot,

²⁹ Supra, note 12 at p. 21.

³⁰ Supra, note 25 at p. 13.

³¹ Ibid.

³² Walter J. Raine, "Los Angeles Riot Study: The Perception of Police Brutality in South Central Los Angeles Following the Revolt of August 1965" (Los Angeles: University of California, 1966), at fig. 1.

³³ Ibid. at figs. 6, 7, 8.

³⁴ Supra, note 14 at 13B.

³⁵ Supra, note 25. New York Times Survey, July 27, 1964, quoted in tables of Watts survey.

³⁶ Robert G. Portune, "Attitudes of Junior High School Pupils Toward Police Officers" (University of Cincinnati, 1966), p. 2.

³⁷ Peter Feddema, "Negro and White Student Attitudes Toward the Police" (unpublished paper quoted in Burton Levy, "Law Enforcement and Civil Rights" (Lansing: Michigan Civil Rights Commission, 1966)), p. 3.

³⁸ Paul A. Fine, "Neighbors of the President" (New Brunswick: Paul A. Fine Associates, 1963), p. 126. Report prepared for the President's Committee on Juvenile Delinquency and Youth Crime.

³⁹ Supra, note 25 at p. 2.

never occurred.⁴⁰ But many Negroes apparently were prepared to believe that police officers act in such an improper manner.

A survey of Watts' residents by the University of California at Los Angeles showed that 21 percent thought that police mistreatment was the cause of the riot.⁴¹ In contrast, only 2 percent of whites considered police brutality as the cause. The study further found that those Negroes who believed that the police abused people (used excessive force, beat up persons in custody, were insulting, and engaged in other misconduct) or who claimed to have seen such abuse or to have been subjected to it, were more likely to have been active participants in the riots.⁴²

The Commission's studies of police-community relations in 11 localities throughout the country showed serious problems of Negro hostility to the police in virtually all medium and large cities. In short, as the Philadelphia Urban League's 1965 report states, "many Negroes see the police as their enemies; and they see them as protectors of white people, not as protectors of Negroes, as well."⁴³

Police Honesty. The NORC survey disclosed that sharp differences exist as to how citizens view police honesty. About two-thirds of whites, but only one-third of Negroes thought the police to be "almost all honest;" less than 2 percent of whites thought that they were "almost all corrupt" in comparison to 10 percent of nonwhites.⁴⁴ A Louis Harris poll in 1966 found that approximately 15 percent of Negroes (almost four times as many as whites) believed that many police officers in their communities took bribes.⁴⁵ A survey in St. Louis found that 46 percent of Negroes in contrast to 24 percent of whites believed that "dishonesty is one of the characteristics of many of our city police."⁴⁶

Need for Police Protection. Although surveys disclose that Negroes are substantially more hostile to the police than whites, Negroes also feel strongly about the need for police protection. This is not surprising since a much greater proportion of Negroes than whites are the victims, as well as perpetrators, of crime. For example, in Watts, of the 41 percent of Negroes who believed that the police are doing a "not so good" or "poor" job (47 percent thought that the police were doing an "excellent or pretty good job"), many cited lack of adequate protection as the basis of their opinion rather than brutality, discourtesy, or discrimination.⁴⁷ The Cincinnati survey of junior high school students showed that 83 percent of the Negro boys agreed that "without police there would be crime everywhere."⁴⁸

A survey of Harlem in 1964 showed that 39 percent of the respondents considered "crime and criminals" as the biggest problem for Negroes in the area. This was the third highest category, following economic complaints and housing. Complaints about police misconduct were

not one of the nine most frequently mentioned categories.⁴⁹ A subsequent survey in Harlem found that 21 percent of those interviewed believed that dope addiction was the area's biggest problem and 11 percent thought crime and juvenile delinquency were the biggest problems; these were the first and third most frequently mentioned problems. As to problems in their block, those interviewed ranked them in the following order:⁵⁰

	Percent
1. Crime in the streets-----	28
2. Dope addiction-----	20
3. Need for better police protection-----	15
4. Murders-----	3
5. Drunks in the hallways of buildings-----	3

A 1966 Louis Harris poll in Washington found that Negroes as well as whites considered crime and law enforcement the greatest community problem.⁵¹ The staff report of the U.S. Civil Rights Commission on "Police-Community Relations, Cleveland, Ohio" concluded that the "most frequent complaint [of Negroes] is that of permissive law enforcement and that policemen fail to provide adequate protection and services in areas occupied by Negroes."⁵² Neighborhood groups in the Bedford-Stuyvesant area of New York came to the same conclusion. And the Michigan State survey found that this was one of the two most frequent criticisms of the police by minority groups throughout the country.⁵³

Most Negroes, regardless of their feelings, do not physically or verbally react with hostility in routine situations. A Commission study which viewed thousands of police-citizen interactions in several cities found that 11 percent of the citizens reacted deferentially, 76 percent civilly, and only 6 percent antagonistically. The differences between Negroes and whites were negligible.⁵⁴ Negroes talk frequently about the "good cop" who, while fully enforcing the law, treats them as fellow human beings. And, as has been shown, Negroes greatly desire better police protection. Consequently, there is every reason to believe that relations between the police and Negroes can be substantially improved.

However, the problem may be aggravated unless immediate steps are being taken to improve police-community relations while America's cities are becoming more heavily populated by minority groups. For example, in Washington, D.C., Negroes now constitute a majority of the population; in 9 other cities, they constitute over 40 percent of the population and in 17 more, over 30 percent. By 1970, it is projected that Negroes will constitute half the population in 4 cities of over 100,000 population; 40 percent or more in 10 additional cities including Baltimore, Detroit, Newark, St. Louis, New Orleans, and Nashville; and 30 percent or more in 23 more cities including Atlanta, Memphis, Chicago, Cleveland, Philadelphia, and Cincinnati.⁵⁵ The problems inherent in policing such cities by police forces comprised largely of white officers may become even worse if effective action is not taken.

⁴⁰ Governor's Commission on the Los Angeles Riots, "Violence in the City—An End or a Beginning?" (Los Angeles: Office of the Governor, 1965), p. 12.

⁴¹ T. M. Tomlinson, "Los Angeles Riot Study Methods Negro Reaction Survey" (Los Angeles: University of California, 1966), table 25.

⁴² *Supra*, note 32 at fig. 22-25.

⁴³ Philadelphia Urban League, "Year End Report; 1965." Cited in *supra*, note 22 at p. 16.

⁴⁴ *Supra*, note 10 at table 8-4.

⁴⁵ *Supra*, note 11 at col. 5.

⁴⁶ *Supra*, note 4 at p. 101.

⁴⁷ *Supra*, note 25 at pp. 25-26.

⁴⁸ *Supra*, note 36 at p. 2.

⁴⁹ *Supra*, note 25. New York Times survey, July 27, 1964, quoted in tables from Watts survey.

⁵⁰ Robert B. Semple, Jr., "Negroes in Poll Ask More Police," New York Times,

Sept. 4, 1966, sec. 1, p. 1, col. 4.

⁵¹ Louis Harris, "Crime Is Top Problem in District, Area's Negroes and Whites Agree," the Washington Post, Oct. 2, 1966, sec. A, p. 1, col. 1.

⁵² *Supra*, note 22 at p. 14.

⁵³ *Supra*, note 22 at pp. 14-15.

⁵⁴ Donald J. Black and Albert L. Reiss, Jr., "Police and Citizen Behavior in Routine Field Encounters: Some Comparisons According to the Race and Social Class Status of Citizens" (Ann Arbor: University of Michigan, 1966), table 3, Class Status of Citizens" (Ann Arbor: Commission on Law Enforcement and Administration of Justice. This report is a preliminary draft which is being included with the Commission's records in the National Archives. It is presently being revised and supplemented by the University of Michigan and will be embodied in research studies to be published by the Commission.

⁵⁵ "Negroes Nearing Majority in Major Northern Cities," Congressional Quarterly, XXIV: 1860-1863, Aug. 26, 1966.

Minority Groups

American Negro is not the only minority group expresses hostility toward the police. The Michigan State University survey found that Latin Americans and to "look upon the police as enemies who protect the white power structure."⁵⁶ The University of California survey in Philadelphia found that some Puerto Rican leaders felt even more alienated from the police than did Negroes.⁵⁷ Such findings are consistent with the evidence provided by the 1966 riots among Mexicans in Chicago and Perth Amboy, N.J., disturbances which were started by conflicts with the police were followed by expression of community problems going to the police.

The University of California and Michigan State University surveys revealed that relations between Mexican-Americans and the police in San Diego and other cities could be improved.⁵⁸ A survey in Los Angeles found that Mexican-Americans were generally more negative toward the police than Negroes but considerably more so than whites, as the following figures

	One of the very best police departments in the country	Definitely below standard in comparison with other police departments
	Percent	Percent
Americans.....	30	8.5
	22.8	14.5
	14.4	20.3
	Police always respect constitutional rights of suspected criminals	Police often conscienceless and brutal in performing duties
	Percent	Percent
Americans.....	34.8	11.1
	21.2	44.4
	12.1	38.2

There is also a significant difference between the police and youth generation. For example, responses to the following question from a 1965 Gallup poll showed significant differences based

How much respect do you have for the police in your area—A great deal, some, or hardly any?

Age	A great deal	Some	Hardly any	Don't know
	Percent	Percent	Percent	Percent
.....	57	31	8	4
	76	19	2	3

A recent survey among junior high school students in Cincinnati showed that only 44 percent of white boys disagreed with the statement that the "police accuse you of things you didn't do," only 54 percent disagreed that the police try to act big shot" and that the "police try to get

smart with you when you ask a question." The favorable answers by white girls were approximately 12 to 16 percent greater.⁶¹

The Poor

Two recent polls show that the poor have generally less favorable attitudes toward the police than more affluent citizens. The NORC survey showed, as to the effectiveness of the police in enforcing the laws, the following attitudes of white males broken down by income levels:⁶²

Annual income	\$0 to \$2,999	\$3,000 to \$5,999	\$6,000 to \$9,999	Above \$10,000
	Percent	Percent	Percent	Percent
Excellent.....	17	25	24	32
Good.....	49	43	47	41
Fair.....	24	25	22	23
Poor.....	10	7	7	4

A 1965 Gallup poll obtained the following responses to this question:⁶³

How much respect do you have for the police in your area—A great deal, some, or hardly any?

	A great deal	Hardly any
	Percent	Percent
Under \$3,000 a year.....	65	6
Above \$10,000 a year.....	75	2

Sixteen percent of those earning under \$3,000 thought that there was police brutality in their area while only 8 percent of those earning more than \$10,000 believed so.⁶⁴

POLICE PROGRAMS DIRECTLY RELATED TO COMMUNITY RELATIONS

The purpose of this section is to analyze particular police policies and procedures as they bear on community relations. Of course, all of the observations made do not apply to any one force. Particular police departments are doing many different kinds of things relating to police-community relations, some good and some bad. Moreover, the inability of the police to remedy their problems with minority groups and the poor is little different from the similar failure of welfare, education, housing, and other government agencies.

Unless, however, the legitimate grievances relating to the police are confronted frankly and effectively, improvement of police-community relations will be impossible. Modification of police procedures on the street, stronger internal discipline over officers, greatly enlarged and strengthened police-community relations units, improved procedures for handling citizen complaints, better screening to eliminate candidates for the police force who are biased, and many other measures deeply affecting police agencies and police work will be necessary.

⁵⁶ note 22 at p. 30.
⁵⁷ note 21 at vol. II, p. 106.
⁵⁸ note 21 at vol. I, p. 92; and supra, note 22 at pp. 12, 30.
 Douglas Gourley, "Public Relations and the Police" (Springfield: Charles C. Thomas, 1953), pp. 75-76.

⁶⁰ Supra, note 12 at p. 13.
⁶¹ Supra, note 36 at p. 2.
⁶² Supra, note 10 at table 8-1.
⁶³ Supra, note 12 at p. 15.
⁶⁴ Id. at p. 22.

Of course, the entire burden cannot and should not be placed on the police. Local governments must be willing to pay for the higher salaries which will attract better police officers and for the training which is urgently necessary. The community must be willing also to have a genuinely integrated police force and to have its laws enforced without discrimination. The public, moreover, must recognize that it cannot demand that the police stamp out crime regardless of how the methods used may affect community relations. Minority leaders must be willing to distinguish their grievances against other groups from those against the police, to criticize the police responsibly, to withhold allegations until the facts are known, and to attempt to prevent criticism from descending into violence. Community organizations must be willing to criticize the police when criticism is needed, yet to rally support for the police so that they can carry out their essential functions.

To a considerable extent, the police are the victims of community problems which are not of their making. For generations, minority groups and the poor have not received a fair opportunity to share the benefits of American life. They suffer from bad housing, inferior education, unemployment, underemployment, or low wages. They have been discriminated against and abused by welfare and public housing officials, private landlords, and businessmen. Their frustrations and bitterness are taken out, at least in part, on the policeman as the most visible symbol of a society and its law which have often treated them so unjustly.

The police are sometimes blamed for the evils of the rest of the criminal justice system. When a suspect is held for long periods in jail prior to trial because he cannot make bail, when he is given inadequate counsel or none at all, when he is assigned counsel that attempts to extract money from him or his family even though he is indigent, when he is paraded through the courtroom in a group or is tried in a few minutes, when he is sent to jail because he has no money to pay a fine, when the jail or prison is physically dilapidated or its personnel brutal or incompetent, or when the probation or parole officer has little time to give him, the offender will probably blame, at least in part, the police officers who arrested him and started the process.

Still, the primary responsibility for improving police-community relations must rest with the police. As a responsible and organized public service agency, they must take the initiative in making good police-community relations a reality.

Police-community relations have two essentially different aspects. First, the substantial majority of Americans respects its police force, supports its actions, and looks to it for protection. Second, a significant number of people, largely the poor or members of minority groups, fears and distrusts the police. Ironically, this latter group often has the greatest need for police protection because it usually inhabits the most crime-ridden sections of our cities.

The task of building strong police-community relations is different with each population group. In one case, it

may be a matter of translating a general endorsement into concrete assistance to the police in preventing crime, training adequate salaries, and the like. In minority communities, the effort must begin at a more basic level with a frank exploration of the attitudes and practices which cause hostility on both sides.

In this section three main techniques presently employed by police departments to work with the community are analyzed: (1) police-community relations units; (2) citizen advisory committees; and (3) special programs which bring the police into continuing contact with the community.

POLICE-COMMUNITY RELATIONS UNITS

Although the Commission's surveys clearly indicate that most police departments are keenly aware of serious community relations problems, they have been slow to institute programs to confront them. A 1964 survey conducted by the International Association of Chiefs of Police and the United States Conference of Mayors found that only 46 of 165 cities either with populations under 100,000, or with more than 30,000 population and 50 percent non-white population, had extensive community relations programs; of these only 37 had a community relations unit within the department.⁶⁵ Only 6 of 145 cities with between 30,000 and 100,000 population and less than 5 percent nonwhite residents, had a formal community relations program of any kind.⁶⁶

In the last few years there has been some progress. Several major departments community relations units recently have been established.⁶⁷ The need for such a unit or its expansion has often been recognized after a major disorder, as in Watts, or after an inflammatory racial incident, as in Seattle.⁶⁸ Nevertheless, the Michigan State University survey showed that only 10 percent of the cities over 100,000 population had a community relations unit.⁶⁹ In short, most of the surveyed departments still have no unit or program; and in large cities, community relations are handled without a central organization because of lack of sufficient personnel, initiative, or other reasons.⁷⁰

The belief is prevalent in many departments that it is enough if "every policeman is a community relations officer" and if the chief's "door is always open" to citizens' complaints, suggestions, and problems. Yet the Michigan State study found that departments without units tend to concentrate their community activities on improvement of their public image.⁷¹ This conclusion is consistent with that of the International Association of Chiefs of Police and United States Conference of Mayors which found that only a handful of departments without community relations units had any formal community relations program.⁷²

Although, ideally, every man on the force should be a community relations officer, he also has a full-time job of patrol or investigation. What is in effect a community officer's business can end up being no one's business. Even if, as in some departments, community relations officers are appointed in each precinct, this is not

⁶⁵ International Association of Chiefs of Police and United States Conference of Mayors, "Police-Community Relations Policies and Practices" (Washington: IACP, 1965), p. 9.

⁶⁶ *Id.* at p. 11.

⁶⁷ *Supra*, note 22 at p. 6.

⁶⁸ Los Angeles Police Department, Memorandum No. 27, Sept. 28, 1965; *New York Times*, July 24, 1966, p. 45, col. 6.

⁶⁹ *Supra*, note 22 at p. 60.

⁷⁰ *Id.* at p. 66.

⁷¹ *Id.* at p. 126.

⁷² *Supra*, note 65 at p. 11.

solution. Without a central unit to plan overall programs, conduct training, represent the force with citywide citizen groups, and supervise precinct-community relations efforts, the job will either not get done or will lack the expertise, coordination, and leadership which are needed.

While a police-community relations unit is essential, the mere existence of a unit does not, of course, guarantee its effectiveness. Too often such units have been regarded by the rest of the department as the sole repository of the responsibility for good community relations. The activities of the units are not well known in other parts of the department and have rarely affected the activities of individual officers or substantially influenced departmental policy in such police activities as field interrogation, recruitment, assignment of personnel, and integrated patrols.⁷³

Conversely, both the Michigan State University and University of California studies found that community relations units have not generally won the confidence of minority groups. Individual community relations officers have often been liked and respected by minority leaders. But the units have usually been known only to a small proportion of the minority community and then generally only to the middle class. Those who respect the officers of the unit have generally seen them as distinct from the department and as having little support from it. This belief is often confirmed by the unit's lack of influence and prestige within the department itself.⁷⁴

Several factors, discussed below, vitally affect the success of a community relations unit.

Responsibility

Community relations programs cannot be effective if responsibility is split between various police units. In one large city, for instance, a public information division handles press relations, speeches, tours, and citizen crime prevention programs; a human relations section working out of the field services division investigates incidents with religious, racial, or ethnic overtones and gives advice concerning high-tension situations; and, a community relations coordinator, in the office of the chief of patrol, coordinates neighborhood police-community workshops. On the other hand, in St. Louis one division handles all community relations.⁷⁵ Similarly, San Francisco's community relations unit has been given full responsibility for formulating and executing a community relations program.⁷⁶

Relationship to Headquarters

In the administrative hierarchy, community relations units too often appear as an afterthought. In 1966 the community relations unit in Washington, D.C., functioned as part of a special services division which also has responsibilities relating to civil defense, court liaison, communications and records, and the police reserve corps.⁷⁷ The head of the five-unit division reported to the executive officer to the chief. In Philadelphia the community relations unit was one of five units responsible to the special

investigations chief, who reported to the deputy commissioner for investigations, who in turn reported to the chief. The rank of the commander of the unit depended upon the man assigned to the job, which carried no particular rank of its own.⁷⁸ The Michigan State survey showed that of 18 departments whose community relations units it studied, 1 was commanded by the chief himself, 1 by a civilian director, 2 by deputy chiefs, 1 by a deputy inspector, 1 by an inspector, 2 by captains, 5 by lieutenants, and 5 by sergeants.⁷⁹

If community relations units are to be successful, they must clearly have prestige and authority. Consequently, responsibility for community relations must be placed at the highest possible level. In large departments, the units should be commanded by officers who are one, or at most two, ranks below the chief, and who report directly to him. In smaller departments this may mean that the chief himself, or a close assistant, should assume charge of community relations. In any event, community relations should not be treated on an organizational par with maintenance or records as is now so often the case.

The unit's status within a department may also be affected by its physical location. In Washington, D.C., the community relations unit was formerly located in an obscure office on the second floor of the fourth precinct nine blocks from central headquarters.⁸⁰ In another city, the unit was located three blocks from headquarters because of lack of room in the central building.⁸¹ Although space is usually at a premium in expanding police departments, a vital community relations program demands both the symbol of status and the physical proximity to the center of authority which comes from being located in headquarters.

Relationship to Precincts

Community relations officers should be assigned to each precinct and to special squads. Most police-community relations units now have inadequate personnel for such assignments. In Philadelphia, Chicago, and Nassau County, however, officers have been assigned to each precinct. In St. Louis, community relations officers have been assigned to three high-crime districts (they are responsible both to the unit and the precinct commanders), and the Los Angeles department has assigned a lieutenant as a community relations officer in each precinct with serious police-community relations problems. New York City is in the process of establishing precinct-community relations councils at which a lieutenant, appointed by the precinct commander, will be present and run community relations programs within the precinct. In San Francisco, two men in each district station are assigned to work on community relations in coordination with the central police-community relations unit.⁸²

The prime value of a full-time precinct-community relations officer is that he can ensure that community relations does not become merely a job for the headquarters unit and can see that community relations permeates every aspect of police activity. The actions that most critically

⁷³ *Supra*, note 22 at pp. 67-68, 72; *supra*, note 21 at vol. I, p. 46, and vol. II, p. 65.

⁷⁴ *Supra*, note 22 at pp. 62-63, 67-68; *supra*, note 21 at vol. I, pp. 56-59, and vol. II, pp. 65, 286.

⁷⁵ *Supra*, note 22 at pp. 33-35.

⁷⁶ *Id.* at pp. 44-48.

⁷⁷ President's Commission on Crime in the District of Columbia, "Report on the Metropolitan Police Department" (Washington: U.S. Government Printing Office, 1966), pp. 6-7. The report of this Commission resulted in a reorganization of the department.

⁷⁸ *Supra*, note 22 at pp. 74-77.

⁷⁹ *Id.* at exhibit I.

⁸⁰ Inter-Religious Committee on Race Relations, "Police-Community Relations Unit" (Washington: Inter-Religious Committee on Race Relations, 1966), p. 2.

⁸¹ *Supra*, note 22 at p. 62.

⁸² *Supra*, note 22 at p. 69; *supra*, note 21 at vol. II, p. 273; "3 Policemen Get Community Relations Jobs," *St. Louis Post Dispatch*, Mar. 19, 1966, sec. A, p. 3, col. 8; *New York Times*, July 24, 1966, p. 45, col. 6; Los Angeles Police Department Memorandum No. 1, Jan. 6, 1966.

affect police-citizen relations emanate from the officer on the beat. The community relations officer can assist by advising the commander on policy needs and on specific incidents which affect community relations. He can also help individual officers, conduct rollcall training, maintain close communication with neighborhood groups whether formally organized or not, ascertain community tensions and develop programs to deal with them, and provide information for the central unit concerning conditions and programs of the precinct. These duties may require more than one officer in particularly large precincts or ones with especially difficult community relations problems.

Assignment of a community relations officer in a precinct or special unit, however, requires a delicate balance. It is no coincidence that in most of the successful programs a strong effort has been made to make community relations activities the responsibility of the district commanders.⁸³ The precinct community relations officer must insure that the precinct commander, the commanders of the canine, traffic, and other special squads, the supervising sergeants and lieutenants, and the patrolmen assume more, not less, responsibility because he is there. His is an educative and advisory function; they should retain the responsibility for community relations within their areas. Otherwise, the officers may ignore him, as they now often ignore community relations officers, and afford little or no consideration to the long-run improvement of community relations in the neighborhood in carrying out their activities.

Preferably, precinct-community relations officers should have staff responsibility to the central community relations unit and line responsibility to the precinct commander. The central unit must maintain close contact with the precinct officers and have staff supervision over them so that it can provide expert and coordinated leadership to the entire community relations program.

Support of the Department

In every police department visited, the Michigan State survey found problems relating to the support of community relations units by police chiefs, supervisors, or ordinary police officers, and often by all three. On close examination, this was found to be true even of departments where community relations programs have earned national respect.⁸⁴

In one city, where the unit suffered from a lack of strong unambiguous support from the chief, a law enforcement survey found that the chief's directives:⁸⁵

... are insufficient to properly direct, guide, and encourage community relations activities. The language of the order, for example, merely states that "the Police-Community Relations Unit shall cooperate with all precincts and units in their problems pertaining to police-community relations" but it does not establish any real relationships between the operating units and the Police-Community Relations Unit. The role of the operational units is not defined at all. Line operations are without direction in community relation activities because formal policy has not been established in directives.

The Inter-Religious Committee on Race Relations has stated that the Washington unit "enjoys very little prestige within the Department" and "is practically a stepchild."⁸⁶

In one city, where the unit had been formed as a result of outside community pressures, the chief of police refused to make an announcement concerning the formation of the unit and did not invite its commander to a key departmental meeting concerning community relations. In another city, one district commander expressed resentment at being drafted into community discussion groups at the precinct level.⁸⁷ The result was that these programs were ineffective.⁸⁸

A former Negro commander of a community relations unit said that few police top administrators "personally and honestly believe in [police-community relations]. It has been forced on them so they have to go along with it—just giving a lot of lip service and speeches and no meaningful action that will develop trust of the police in the Negro community."⁸⁹

There is a natural tendency for line officers to compare their jobs of keeping order and catching criminals with those of community relation officers, who are sometimes seen as dabbling in social work and negotiating with persons hostile to the police.⁹⁰ Unless this attitude is met forcefully by the top leadership in the department, the unit cannot attract capable personnel, cannot feel free to question police policies and practices affecting community relations, cannot have sufficient influence on ordinary officers, and cannot gain the real confidence of minority groups. Line officers should be shown how necessary, difficult, and challenging the role of a community relations officer is and how capable and skillful an officer fulfilling that role must be.

The community relations unit must have the full support of the entire department, and such a commitment must be reflected in specific directives from the chief concerning the unit's function and responsibilities. The directives in turn must be effectively communicated through recruit and inservice training. It is even more effective if the chief or his deputies exhibit personal interest in the unit through attendance at community meetings or programs designed by the unit.

Authority and Jurisdiction

The problems of police-community relations differ markedly in quality and degree among cities, and the functions of community relations units and programs will reflect those differences. At the outset, it is well to distinguish community relations from related matters with which this subject is often confused.

The primary function of many community relations units is seen as explaining and justifying police policies and practices to the general public. Hence, the Michigan State survey found that over 70 percent of the units reporting handled the department's public relations; indeed, in many cities, the very title of the office indicates that it has largely a public relations or information responsibility.⁹¹ In two large cities, police administrators

⁸³ *Supra*, note 22 at p. 68.

⁸⁴ *Id.* at pp. 60-68.

⁸⁵ International Association of Chiefs of Police, "A Survey of Metropolitan Police Department of Washington, D.C." (Washington: IACP, 1966), p. 418; *supra*, note 77 at p. 72.

⁸⁶ *Supra*, note 80.

⁸⁷ *Supra*, note 22 at p. 85.

⁸⁸ *Id.* at pp. 60-68.

⁸⁹ *Supra*, note 21 at vol. II, p. 66.

⁹⁰ *Supra*, note 22, at table II.

⁹¹ Springfield, Mass., Daily News, Apr. 19, 1966, p. 4, cols. 1-2.

felt that their community relations problems would be resolved if they could hire professional public relations firms.⁹² Both the University of California and Michigan State studies found that most departments believed the primary purpose of community relations was to sell the police image to the public.⁹³

Public relations and community relations have different objectives. The latter requires that the police and public candidly and openly face the issues concerning their problems. Public relations programs, in contrast, are designed to create a better image and this often requires attempting to have the department accepted as it is. Consequently, emphasis on public relations will often lead departments to mistake the nature of the problem as merely a failure to communicate the correct police image to the public. Needed community relations personnel are then used for purposes of preparing press releases and giving speeches to community groups. As a result, minority groups and others will become convinced that the department is not willing to face up to the serious community relations problem. As the University of California study found, the entire community relations program will be seen as a "public relations puff," a "snow job," or "con game."⁹⁴

This of course does not mean that police departments should have no public relations unit or program. Police departments are obligated like other organizations to give the public a fair picture of police activities and policies, including those affecting community relations. In doing so, it is important that police departments be less secretive and work with the mass media to disclose as much information as possible to the public. But the different functions and methods of public and community relations suggest that they be handled by different personnel and units. Otherwise, the credibility of the community relations program in openly facing police-community problems is likely to be seriously impaired.

In addition, it is important that police-community relations units not design their activities to gain intelligence information. If police-community relations are improved, citizens will as a matter of course be more willing to volunteer information to the police. However, if a community relations unit deliberately engages in intelligence activities, many citizens—and particularly those already suspicious of the police—will refuse to participate in its activities.

Citizen Contacts. A commonly accepted function of community relations units is working with citizen groups—sending speakers to such groups, participating in their programs, and listening to their grievances. Over 95 percent of the units responding to the Michigan State survey were involved in such efforts. In addition, in more than 62 percent of the units, the community relations staff ran school programs in order to develop friendly relationships and a positive police image with the children in the community.⁹⁵ Units also run or conduct a variety of other programs including neighborhood advisory com-

mittees, police-community relations institutes, and tours of police stations.

These programs are discussed below. There can be no doubt that a primary purpose of community relations units is to plan and run programs for the purpose of maintaining communication and dialogue with as many civic organizations and individuals as possible. And particular emphasis should be placed on those groups and individuals likely to be most hostile to the police.

Policy Formulation. In most police departments the problems of community relations are rarely translated into policies except under public pressure. It is essential that police-community relations units have a formal role in formulating policies affecting community relations, such as by membership on the high-level policymaking board, which the Commission recommended in chapter 4 of the General Report. The community relations unit should be heard on such decisions as deployment of saturation patrols, assignment of minority members of the force, integration of patrol teams, use of the canine corps, and enforcement of policies relating to minor crimes like disorderly conduct.

The community relations unit must also observe how such policies are actually carried out from the standpoint of community relations and how the community reacts to them. This is consistent with the way other units or divisions in police departments are ordinarily run:⁹⁶

The division that develops an operational plan is responsible for its objective, is interested in its purpose, and is qualified to direct it; consequently, it is the logical division to inspect the operation of the plan. For example, to ensure the successful operation of a traffic-control plan, the traffic division should inspect the work done by other divisions insofar as that work is a part of the plan. * * *

The indirect control thus provided is vital to the success of special operations.

Personnel Decisions. The most promising way to avert future police-community tensions is to recruit, train, and promote only those men with a sound respect for people. Community relations specialists should participate in the planning of the series of psychological interviews, written tests, and background investigation given to applicants for police employment. They should attempt to ensure that greater numbers of minority group members seek careers in police work by improving recruitment programs and by preventing discrimination, whether conscious or not, against such applicants. This will require participation in the selection process itself.

The same considerations apply to promotion. The precinct community relations officers should regularly evaluate officers from the standpoint of community relations, on the basis of knowledge concerning the officer's work and the opinion of the community. Such an evaluation should constitute an important factor in rating or promotion decisions. Promotion criteria should be

⁹² Supra, note 22 at p. 85.

⁹³ Supra, note 22 at pp. 49-50. Some departments do, however, assign to the unit the job of handling civilian complaints against the police. Over 24 percent of the units in the Michigan State survey did so, including Philadelphia, which actually investigates the complaints. See supra, note 22 at pp. 60, 90b.

⁹⁴ Supra, note 21 at vol. I, p. 58, quotations from citizen interviews. See also id. at vol. II, pp. 82-83.

⁹⁵ Supra, note 22 at p. 90b.

⁹⁶ O. W. Wilson, "Police Administration" (2d ed., New York: McGraw-Hill Book Co., 1963), p. 115.

scrutinized to insure that minority officers are treated fairly.

Training. The Michigan State survey found that 67 percent of community relations units now participate in training. Personnel from the community relations unit should have considerable responsibility for providing that portion of a force's recruit and inservice training directly affecting community relations, including such topics as civil rights and the purpose of good community relations. In addition, they should be consulted routinely on training concerning other subjects which affect community relations, such as procedures for making arrests and field investigations, the use of weapons, and riot control.

Handling of High-Tension Situations. One of the fundamental purposes of a community relations unit is to prevent, if possible, situations of high tension between the police and community residents, and to help deal with such situations when they occur. Accordingly, the preventive aspects of the unit's work directly relate to its awareness of when and why tensions exist. This kind of knowledge can only come from having staff regularly in the field, contacting both residents and precinct personnel, analyzing citizen complaints, and making occasional special attitude surveys. When tensions are diagnosed, the unit has the responsibility of bringing them to the prompt attention of line command officers and participating in staff decisions as to how they can be alleviated, for example by changing personnel policy, issuing public statements, initiating a series of community meetings, planning joint programs with citizen groups, or making specific suggestions to other municipal agencies whose actions may be contributing to the problem.

One example reported in the Michigan State survey in San Francisco illustrates imaginative work in easing tension:⁹⁷

After a series of rock throwing incidents in a neighborhood heavily populated by minority groups, tension in the community was running high. [A]s a result of efforts on the part of the community relations unit and minority group leaders, a rock cleanup campaign sponsored by a local newspaper resulted in a sharp reduction of community tensions. Labor organizations, trucking companies, and other firms offered their time and equipment to work with the youths, many of whom had criminal records. This action resulted in praise from previously hostile community residents.

When antipolice feeling is generated by an isolated incident of police misconduct, the community relations unit can help ease the feelings of community residents. While it probably should not be directly responsible for the investigation of incidents likely to lead to official action against the policeman involved, it can work in other ways to reduce resentments. It can, when appropriate, suggest an official investigation,⁹⁸ keep the investigative unit informed of the nature and level of community tensions, and, if requested, assist in gathering information. Of course, the unit should ensure that the investigation and hearing procedures are fair and adequate, and should be prepared to explain to citizens the actions being taken by

the department. Such a role may include holding one or more community meetings, open to the whole neighborhood.

The community relations unit should participate in the planning that precedes demonstrations and in making preparations for handling any incidents that may arise in their course. Close and continuing relationships with the civil rights and other groups involved often means that advance steps can be taken jointly to prevent incidents, and to deal with them promptly and firmly when they do arise. Such preplanning has worked successfully in San Francisco.⁹⁹

The unit's preventive work also extends to the area of planning and participating in police responses to disturbances or riots. The unit must be involved in every aspect of preparing the department's riot or civil disturbance plan and the training of carefully selected line personnel for facing such an eventuality. The unit should know, through its contacts with residents throughout the community, of high-tension situations, and should be able to mobilize citizen support to prevent disturbances or flare-ups from spreading. It should know who the likely leaders of such disturbances are, what voices in the community they respond to, and who has the best chance of interceding successfully.¹⁰⁰

Evaluation and Research. A community relations unit must constantly evaluate its own programs. New ideas are frequently tried, but the programs have rarely received sufficient professional evaluation. Too often, the level of attendance at community meetings or the number of resolutions passed by civic organizations is the criteria for success or failure.

One means of evaluation is through attitude surveys conducted among residents. Such surveys can indicate how residents view the police, where community relations programs have succeeded and where they have failed, and what areas need concentrated effort. Similar evaluation should be conducted of the attitudes of recruits and line officers before and after departmental training sessions. Such evaluations may require outside organizations, staffed with persons having competence in statistics, sociology, and psychology. The importance of such periodic research to confirm or repudiate the basis and direction of any police-community relations program, and to suggest when police policies should be changed or new programs initiated, cannot be overemphasized.

In summary, the job of a community relations unit transcends public relations and friendly contacts with community residents. It includes continuing involvement in aspects of policymaking, personnel decisions, and training which have a community relations impact. This means playing a key role in police planning for demonstrations and civil disturbances and in preventing minor incidents that can trigger a major outburst. In a few cities, as will be discussed later, the units have gone even further and begun to take a part in actively helping residents with nonpolice problems such as job placement and referrals for help.

⁹⁷ *Supra*, note 22 at pp. 49-50.

⁹⁸ This is authorized in San Diego, according to the San Diego Police Department Manual of Rules and Regulations, as cited in *supra*, note 21 at vol. I, p. 41.

⁹⁹ Thomas J. Cahill, "Seminar: Police Training for Inter-Racial Problems," *The Police Chief*, December 1963, pp. 34-37; 35-37.

¹⁰⁰ This was done successfully by a New York police-community relations officer in Brooklyn during the summer of 1966. Paul L. Montgomery, "East New York Peaceful, But Police Stay on Alert," *New York Times*, July 25, 1966, p. 1, col. 2.

Personnel

Numerical Strength. The strength of existing community relations units often varies substantially between cities without any logical relationship to the population of the city or the size of the police department. In a survey of 165 cities over 100,000 population, or with a population of between 30,000 and 100,000 population and more than 5 percent nonwhite population, units ranged from 1 to 10 men, with an average of 3.¹⁰¹ Washington, D.C.'s unit has a deputy chief, an inspector, and 3 lieutenants; San Francisco has 12 officers including a lieutenant, assistant inspector, and sergeant; Denver has a deputy chief, lieutenant, and 2 patrolmen. Philadelphia's unit is the largest, with 46 officers headed by a captain, 3 lieutenants, and 5 sergeants. In contrast, Buffalo assigns line officers part time to a "community relations committee" to deal with community crises as they arise.¹⁰²

Police departments have generally assigned an insufficient number of personnel to community relations work. The appropriate number is properly related to a city's population, its economic, social, racial, and ethnic characteristics, the amount and kind of tension or hostility which is directed against the police, and the gross number of men on the force. However, in view of serious police-community relations problems in most cities and the broad responsibilities which should be assumed by community relations officers, considerably more personnel must be assigned to perform this work. It is doubtful that departments can adequately fulfill their responsibilities unless they assign at least one percent of their sworn membership to community relations work.

Caliber. The Michigan State survey found that community relations officers are generally not picked on the basis of the best man for community relations; instead, they often are chosen on the same criteria as line officers, or they are next on the appropriate list, or they are physically limited to light duty.¹⁰³ Applicants for such positions are few and transfer requests out of the units have been frequent, probably due in large part to the fact that the units are not accepted as an integral and important part of the department. One unit reported a 50 percent turnover in personnel during its first 10 months of operation.¹⁰⁴ When this happens, the unit loses the benefit of an officer with on-the-job experience.

Only a few cities have employed civilians. The Chicago police-community coordinator in 1965 was "borrowed" from the National Conference of Christians and Jews; the directors of the St. Louis program have been nonpolicemen, and a university sociologist has been used as a consultant.¹⁰⁵

Minority groups are typically represented in such units. For example, in one western city, with large groups who speak only a foreign language, the police department assigned an officer who was fluent in it.¹⁰⁶ Negroes are also often assigned, occasionally as commanders of the units.

The Michigan State survey found frequent examples of

skilled officers in police-community units who are doing an exemplary job in view of the serious handicaps imposed on them. As a general policy, however, the following changes in personnel policies appear to be necessary if the community relations units are to perform their delicate mission effectively:

1. The head of the unit should be a person who will command the respect of the rest of the force and bring prestige to the objectives of the unit. At the same time, he must be genuinely dedicated to the importance of his task and generally accepted by those whose attitudes toward police are negative, particularly the poor and minority groups. If a capable sworn officer is available, he is generally preferable to a civilian. Police officers are often suspicious of civilians and particularly those connected with community relations. Until the unit is firmly established within the department and has the respect of all levels of personnel, a ranking officer is most likely to be able to give the unit the status it deserves.

2. Subordinates should be selected especially for ability in the field of community relations. Visible integration of minority members in the unit is highly desirable. Precinct-community relations officers should be of the rank of sergeant or lieutenant in order to provide the necessary authority. In areas which are predominantly Negro or Spanish-speaking, a Negro or Spanish-speaking officer may have a significant advantage in dealing with the residents.

3. Work in community relations should be made attractive to police officers so that they will compete to obtain such positions, just as they do for plainclothes work. This requires that the units be given real authority and that ranking officers make clear the importance of the unit's work. In addition, community relations work should be afforded at least parity with other assignments when promotions are being made. This would induce superior personnel to seek community relations positions, make clear to all officers the importance of community relations, and in the long run result in more ranking officers with prior experience in community relations activities.

4. Civilian experts in such fields as psychology, sociology, and urban problems should be recruited as full-time employees of units in large departments. Both large and small departments can also utilize experts from universities and other sources as consultants for planning and carrying out training programs and for other important tasks.

5. As discussed in chapter 5, community service officers, recruited from neighborhoods, should perform a variety of police functions. One important role for such an officer would be to assist the community relations officer in the precinct or the central community relations unit by circulating through the community to identify local problems and grass-roots leaders by personal contacts and neighborhood meetings.

Staff Training. Before assignment to the unit, community relations officers today rarely receive any special training. They may attend, for a week or less, a

¹⁰¹ *Supra*, note 65 at p. 9.

¹⁰² *Supra*, note 22 at p. 68; *supra*, note 21 at vol. II, p. 61; Inter-Religious Committee on Race Relations, "Police-Community Relations Unit" (Washington, 1966), p. 2.

¹⁰³ *Supra*, note 22 at pp. 74-75.

¹⁰⁴ *Id.* at p. 76.

¹⁰⁵ *Id.* at pp. 34, 54.

¹⁰⁶ *Id.* at p. 62.

community relations institute. Although such institutes are valuable, they alone do not provide sufficient training. The officers need special training in such fields as the psychology, culture, and problems of minority groups and the poor, the dynamics of crowd behavior, the history of the civil rights movement, and the attitudes of various segments of the public toward the police. Large departments can appoint several community relations officers at once and then train them for several weeks or months. Smaller departments can send one or two officers to state-wide or regional training sessions. Universities, junior colleges, and groups with sufficient expertise should be encouraged to run these programs.

Periodic inservice training is essential since problems and techniques change so rapidly, and community relations officers should be encouraged to attend classes at local universities or take correspondence courses in sociology, psychology, and related subjects.

CITIZEN ADVISORY COMMITTEES

Police departments must become increasingly aware that isolation from the neighborhoods they protect can interfere with good policing, as well as with good police-community relations. For the most part, police readily acknowledge the need to keep attuned to developments and attitudes in the surrounding neighborhoods. Perhaps the most promising mechanism that has evolved for this purpose is the police advisory committee. Yet a 1964 survey by the International Association of Chiefs of Police and United States Conference of Mayors found that of the 165 reporting cities with over 100,000 population, or between 30,000 and 100,000 population and more than 5 percent nonwhite population, only 8 had organized precinct committees and only 19 a citywide committee.¹⁰⁷ Since that time, however, a number of other cities have initiated such committees.

The advisory committees take different forms in different places. Basically they consist of groups of citizens, usually formed, under police auspices, to discuss policing problems. They have no formal authority, but act as advisers to the department leaders. A brief summary of the organization and activities of these committees follows:

(1) St. Louis.—What was probably the first police advisory committee in the Nation was formed in St. Louis in 1955. Its stated objectives were "to promote increased cooperation between the police department and other community agencies" and to "educate private citizens to their responsibilities in the preservation of law and order."¹⁰⁸ Three district committees were formed by the citywide committee in high-crime Negro and poor white areas.

The committees, composed largely of clergymen, social workers, and other responsible leaders, met monthly with the district commanders. During its first few years, police support was erratic, and citizen interest waned. In 1957 a full-time professional, paid from private funds, was hired to infuse the group with new vitality. He was later named the department director of community rela-

tions and worked out of the office of the Board of Police Commissioners. The committees floundered again in 1959 when the director resigned. Many of the district committees became dormant. In 1960, an expanded office of community relations served as liaison for the district committees and advisor to the district commanders. In 1963 and 1964, however, many district committees again became inactive.

The citywide committee now meets regularly with the chief and acts as a screening body for programs and actions of the district committees. The nine district committees consist of the district commander and several officers and representatives from churches, PTA's, social agencies, and civil rights organizations in the community. Each group elects its own officers and has an executive committee to plan activities. Subcommittees work in such areas as juvenile crime, auto theft, public relations, and traffic. District committee and subcommittee chairmen from all over the city meet periodically, and a newsletter is circulated to all members. Among the activities sponsored are: Citizens Against Crime, a membership card program to encourage citizens to report suspicious occurrences; Boy Scout Explorer troops for poor and minority youth; rides for high school students as observers in patrol cars; and precinct open houses.¹⁰⁹ Representatives of the department have met with civil rights leaders both at their own meetings and at police headquarters in an attempt to give both police personnel and civil rights leaders a chance to discuss police and community problems.¹¹⁰

(2) San Francisco.—After a visit to St. Louis in 1962, Chief Thomas Cahill initiated, under the auspices of a community relations unit, neighborhood committees in three of nine police districts. Section chairmen, appointed for each geographical area of a district, enlisted several citizens to work with them. The various section chairmen constituted an executive committee for the district to plan public meetings at a different location each month. Citizens aired their concerns at these public forums.¹¹¹

Other variations exist. Cincinnati has an informal advisory committee of minority group representatives which meets with the chief on an ad hoc basis as problems arise.¹¹² New York City is developing precinct community relations councils in each of 76 precincts patterned after existing precinct youth councils which bring public and private youth agency personnel together regularly with police to discuss treatment of youthful offenders. The councils will be formed by the precinct commanders, and a lieutenant will be assigned to represent the commander at meetings.¹¹³

Effective communication between the police and the neighborhood is essential, and an advisory committee offers an excellent means to achieve it. However, as the following discussion illustrates, existing committees have been seriously deficient.

¹⁰⁷ *Supra*, note 101 at p. 9.

¹⁰⁸ Curtis Bronston, "Police Planning Operations and Techniques," *The Police Chief*, June 1963, p. 38.

¹⁰⁹ *Supra*, note 22 at pp. 33-43.

¹¹⁰ Community Relations Service, United States Conference of Mayors, "Police-Community Relations in St. Louis" (undated, p. 4).

¹¹¹ *Supra*, note 99 at pp. 34-37; *supra*, note 22 at pp. 44-47.

¹¹² *Supra*, note 22 at p. 102.

¹¹³ Philip H. Dougherty, "Broderick Orders Police to Form Precinct Community Councils," *New York Times*, Dec. 10, 1965, p. 55, col. 4.

Neighborhood Advisory Committees

Composition of the Committees. According to the Michigan State survey, most neighborhood advisory committees consist mainly of businessmen, civic organization leaders, clergymen, and other people whose "stake in the community" is readily apparent.¹¹⁴ Generally, membership includes only those persons who agree with the police or otherwise do not cause trouble.¹¹⁵ It is doubtful that such persons are representative of those who are hostile to the police or that they are even cognizant or sympathetic to citizen grievances. The study found that "all current programs (surveyed) have failed to reach the very segments which are in conflict" with the police or other "grassroots" people.¹¹⁶ Although it is difficult to reach low-income persons, few attempts have even been made.¹¹⁷

Such a limited focus is essentially self-defeating. The police need to keep avenues of communication open with the kinds of people who harbor the greatest hostility toward them, who most need an escape valve for their antagonisms, real or imagined, and who have the most to say about police practices on the street. This is important not only to influence these people, but also to give the department an accurate picture of the attitudes of persons on the street. All too often, community relations units do not have this knowledge and therefore cannot realistically plan or program for meeting community problems.

Persons who are hostile may be argumentative, disruptive, or otherwise difficult to deal with. Allegations may be made which are, or which appear to be, radical or irresponsible. However, this free discussion allows the committees to become vehicles for meeting conflict head-on in a controlled forum. The possibility of unpleasantness at a meeting is obviously preferable to leaving these confrontations to the streets.

Police advisory committees should attempt to attract as many participants as possible. There should be at least one committee in each precinct and more where precincts cover large areas or community relations problems are particularly serious. Many of the residents will not, or cannot afford to, venture far from their immediate neighborhoods. St. Louis, for example, established special committees, which are branches of the regular district committees, inside public housing projects.¹¹⁸ As it is difficult to persuade corner gang members, tavern habitués, frontdoor stoop dwellers, and exconvicts to participate in general meetings, special committees aimed at these groups seem necessary.

The neighborhood committees should involve not only a broad spectrum of the community but many police officers as well. They should not be limited to the precinct commander, his immediate assistants or the community relations officers. They should include, at least on a rotating basis, officers at the sergeant and patrolman rank who bear the daily brunt of putting community relations into practice.

Purpose of the Meetings. At present the meetings of most citizens committees include little frank and open dis-

ussion of controversial police policies; more typically they feature explanatory talks concerning crime conditions in the area and other noncontroversial subjects. The introduction of controversial topics by citizens was generally discouraged in meetings which were attended during the Michigan State survey. In one city, when such issues as stop-and-frisk were raised, the questions were met with the adamant refusal of the police to discuss them.¹¹⁹ In another meeting, the commander became defensive whenever police practices were questioned and changed the subject. The citizens did not express their true feelings because, as one later said, it "is useless for the police become hostile and [they are] not really interested in listening."¹²⁰ The study concluded that while the program looked good on paper and was widely so regarded, it did not really open communication with persons hostile to the police.¹²¹

Such meetings do have the potential for dispelling myths and pointing up problems about police practices. But those attending need to have confidence that they will get honest answers to such urgent questions as: Under what circumstances are Negroes stopped in white neighborhoods? Why are late strollers stopped so often for questioning? Why are juveniles told to move on? How are areas selected for saturation patrols? Complaints, whether or not they have basis, should be solicited and seriously considered; for as long as they are expressed in rumors, they will create friction. Relatively high-ranking officers should be present to give authoritative answers and to take steps to alleviate abuses when this is necessary.

Neighborhood committees also allow the police and public to consider the enforcement of minor crimes statutes in the area. There is a measure of discretion in the way these ordinances are enforced that allows the police to take account of community mores, cultural patterns, poverty, and housing conditions. Open discussion with neighborhood residents as to what their tolerance is for noise, for drunks on the streets, or for youths congregating on hot summer nights will help to produce law enforcement which protects rather than harasses the residents and induces citizens to aid and respect, rather than harass, the police. Where police discretion is involved, an accurate reading of community sentiment is an invaluable guide to the law enforcement officer.

This lesson is brought home by an incident in 1966 in Perth Amboy, N.J. A newly enacted antiloitering ordinance was applied to Puerto Rican slum dwellers whose leisure time was often spent in street socializing. After disturbances occurred and large numbers of police had to be assigned to that area every night, city officials finally agreed to redraft the ordinance and submit it to Puerto Rican representatives for their comments.¹²²

The police should also use such community gatherings to discuss and elicit citizen views of police enforcement practices in the precinct. The use of dogs, saturation patrols, stop-and-frisk, and other practices all affect community relations. Consequently, the opinions of residents should be considered as one relevant factor as to how these measures are used. Moreover, such discussion will

¹¹⁴ *Supra*, note 22 at p. 70.

¹¹⁵ *Id.* at p. 72.

¹¹⁶ *Supra*, note 22 at p. 91.

¹¹⁷ *Supra*, note 22 at pp. 80-81.

¹¹⁸ *Id.* at pp. 42-43.

¹¹⁹ *Id.* at p. 72.

¹²⁰ *Id.* at p. 71.

¹²¹ *Id.* at p. 72.

¹²² James R. Sikes, "Jersey Disorders Laid to New Law," *New York Times*, Aug. 2, 1966, p. 13, col. 5; "Perth Amboy Gives Puerto Ricans Plan," *the Washington Post*, Aug. 5, 1966, sec. A, p. 4, col. 3.

sometimes result in community acceptance of legitimate crime-prevention activities which, without explanation, may appear threatening to area residents. For example, the use of dogs has aroused resentment among Negro residents in several cities; yet, in St. Louis, where the neighborhood residents were thoroughly educated by the police beforehand as to why and in what circumstances dogs were to be used and with what restrictions, no opposition emerged.¹²³

In short, the ideal precinct committee would act as a real participant in police policy formulation within the bounds of law and the requirements of effective crime control. Successful counterparts are now performing in some poverty programs and school systems.¹²⁴ Moreover, the modern urban police department needs closer citizen contacts to maximize its integration into neighborhood life. With a real role to play in police-community relations, such committees will become more attractive to area residents and accordingly more valuable to the police as barometers of community reaction to their performance and as a means of confronting the basic police-community problems of the neighborhood.

Organization of Committees. Where active, representative neighborhood organizations already exist, the police may profitably utilize them as the focus for their dialogue with the community. It takes great effort to organize a new group which will be independent and representative; seasoned groups may already command more prestige and membership than a new one could acquire in several years. Confederations of block clubs, for instance, would be more likely to convey community sentiment accurately than a new group solicited by the police.

If a new group must be formed, the police may wish to encourage neighborhood residents to form it on their own, or to enlist the aid of antipoverty agencies or settlement houses which have expertise and resources for community organization. They also often have good contacts with low-income residents; and, they sponsor block clubs, credit unions, and youth organizations whose members could be encouraged to join in genuine exchange with the police. And if only a few representatives attended the police meetings, they could in turn transmit the message to their groups and thereby influence large numbers of their own membership.

Even where an existing group is used, however, the committees should be a major part of the work of the precinct community relations officer. To ensure success, the precinct commanders must give full support to the program and subordinate personnel must also participate. The Michigan State survey found that committees often floundered because of lack of sympathy or leadership by district or precinct commanders, lack of participation by low-ranking officers, and inadequate police staff assistance.¹²⁵ It should be the responsibility of the community relations officer to ensure that the necessary police support is provided.

The police should be careful, however, to avoid an appearance of dominating the meetings, choosing the agenda, or vetoing topics. The Michigan State survey

found that where police took an interest in neighborhood committees, the district commander often took them over and denied the citizen any feeling of real participation.¹²⁶ The committee should determine its own membership, plan the subject matter of the meetings, and make independent policy judgments.

Citywide Advisory Committees

Citywide committees serve a different function. They bring together the police leadership and the city's civic leaders so that the department can discuss with the community's leaders citywide issues involving departmental practices or policies and allied problems. They can also coordinate the activities of the local precinct councils.

To accomplish this, however, the committees must have the wholehearted support of the chief and his top-ranking subordinates, frequent contacts with them through a regular schedule of meetings, and an opportunity to offer views on important issues before pertinent police policies are formulated or put into effect. The committees must also maintain their independence if they are to remain representative of the community rather than a department satellite. Free discussion and democratic self-government must characterize such groups, if their views are to be persuasive in the community at large.

Such committees, like the neighborhood committees, must be representative of all citizens in the city. The Michigan State survey found that in most cities they were not. In one large midwestern city, for example, the 15-man committee has had 1 Negro member, although the city's population is 35 percent Negro and racial antagonism has figured prominently in police-community tensions.¹²⁷ Race alone is not, of course, always the determinant factor in representation; the upper middle class Negro often has less in common with the ghetto slum dweller so far as police problems are concerned than do other slum dwellers regardless of color. Citywide committees should therefore strive to include several articulate representatives of the poor who have the respect of their peers. Probably the best way to obtain such representatives, as well as to coordinate the activities of the neighborhood committees, is to have each of the local precinct committees represented on the citywide council.

Committees of Minority Group Leaders

Many police chiefs have little continuing contact with the leadership of minority groups. As Cincinnati and St. Louis have found, ad hoc committees composed entirely of minority group leaders are useful in dealing with police issues. Since citywide councils must be broadly representative, some important minority leaders will not be members. The ad hoc committee can be an additional channel to minority neighborhoods where police hostility is heavily concentrated. Planned demonstrations, community tensions, and other problems may be discussed privately with the chief of police before positions are polarized by public exchanges or a crisis has already occurred.

Minority committees must also be representative of

¹²³ *Supra*, note 22 at p. 38.

¹²⁴ See "Break Up Is Urged of School Boards," *New York Times*, July 15, 1966, p. 15, col. 4; "S.W. Residents Elect School Advisers," *the Washington Post*, Sept. 1, 1966, sec. B, p. 7, col. 1-2.

¹²⁵ *Supra*, note 22 at p. 70.

¹²⁶ *Id.* at pp. 70-74.

¹²⁷ *Id.* at pp. 80-82.

the broad spectrum of opinion within minority groups. Membership cannot be confined to the less militant Negro organizations if more extreme groups reflect the views of a significant number of Negroes. The chief must be readily accessible, strongly support such a committee, and zealously guard its independence if it is to be of any real assistance to him. And, whether or not such a committee exists, he must be accessible to all kinds of minority leaders.

SPECIAL POLICE-COMMUNITY RELATIONS PROGRAMS

Besides citizen advisory committees, existing community relations activities normally are of three types: programs to educate the public concerning some aspects of police work, programs to prevent crimes, and programs to provide services other than law enforcement to the community. These programs may be run by community relations units, advisory committees, public information officers, juvenile squads, or line officers. Each activity must be analyzed on the basis of the target population, the expectations as to what will be accomplished with that group, and a judgment whether the return is worth the expenditure of effort.

Public Education Programs

Citizens who distrust the police will not easily be converted by information programs they consider to come from a tainted source. However, even for these groups, long-term education based upon honest and free dialogue between the police and the public can have an effect. Indeed, this is one of the basic goals of the citizen advisory committees.

On the other hand, citizens who are neutral or supportive can benefit from increased understanding of the complicated problems and tasks of the police. Informal programs can also generate support for more personnel, salary increases, sufficient equipment, and other resources to improve the efficiency of police work. It can encourage the cooperative citizen to avoid becoming a victim of crime and show him how to work more effectively with the police. And, to the extent that the police department is genuinely working at improved community relations, dissemination of this information to the press and other media does have a positive effect on community relations.

Contacts with Civic Organizations and Individuals.

Most police departments (95 percent in the Michigan survey) readily accept speaking invitations to appear before civic organizations.¹²⁸ Many run a speaker's bureau with a list of officers who can speak on specialized subjects such as narcotics, the canine corps, or traffic control. The San Diego bureau, for example, offers a choice of speakers and is supervised by the community relations unit;¹²⁹ the St. Louis speakers bureau makes an average of 50 speeches monthly; and St. Louis, Chicago, Philadelphia, and Oakland have pamphlets available on these topics.¹³⁰

The Michigan State survey found, however, that the speakers are not always chosen to fit the level of sophistication of the group;¹³¹ different organizations may require a precinct commander, a patrolman, a community relations expert, or a college-trained administrator. Too often the topics offered are noncontroversial, and, if important, constitute merely a recitation of a department's outstanding programs. The survey found that many of the speakers were hesitant to engage in debate on police policies or to acknowledge possible departmental error.¹³² The groups with which the police had most contact were business or civic organizations. As a Philadelphia police inspector told the University of California survey:¹³³

[A]ny time I've ever attended a community meeting, I don't care what you try to get across, * * * they're not the people you want to get it across to, because they're not the problem.

Police departments, through community relations units and precinct community relations personnel, should attempt to maintain close liaison with, not merely make occasional speeches to, organizations of most importance to community relations. Active efforts should be made to reach out to low-income groups. The topics which interest these people may be the ones closest to their everyday experience, i.e., police protection in the area, arrest policies, and others. For the same reason, close contact should be maintained with militant civil rights organizations, civil liberties unions, and the like. The mere presence of a police officer in front of such a group, willing to listen and to explain, can have a positive effect by dispelling stereotypes of the police probably accepted by many in the audience.

For example, in San Diego, the lieutenant in charge of the community relations unit is personally involved in the Citizens Interracial Committees, the National Conference of Christians and Jews, and the citywide and neighborhood committees of the local antipoverty agency. His assistant works with the Student Non-Violent Coordinating Committee, other Negro civil rights groups, and the American Civil Liberties Union.

In addition to maintaining contact with community organizations, personnel should be in contact on the street with persons who do not belong to civic organizations. As a police captain in a Washington, D.C., slum neighborhood has said:¹³⁴

I feel their attitude could be changed—especially the younger ones. We've got to reach the people who don't go to meetings, or to church. * * * At one time, the man on the beat was the best source. But now we just don't have enough men for regular beats.

The people who do not belong to organizations—including, no doubt, the young men who cause the police the most difficulty—are probably in the majority in high-crime neighborhoods.

Tours, Cruises, and Demonstrations. In many cities, the public is offered tours of headquarters, demonstrations of police equipment, and rides in police cars on patrol. In St. Louis, there is an annual invitation for

¹²⁸ at p. 88.

¹²⁹ *Id.*, note 21 at vol. I, p. 41.

¹³⁰ *Id.*, note 22 at p. 89.

¹³¹ at p. 89.

¹³² *Id.* at p. 89; *supra*, note 21 at vol. I, pp. 41-46.

¹³³ *Supra*, note 21 at vol. II, p. 75.

¹³⁴ Ken Schlossberg, "The Drunk Arrest: A Trouble Spot," *Washington Daily News*, Dec. 21, 1965, p. 5, col. 3.

school children and citizen groups to come to police headquarters; and police cadets conduct tours for 1,000 persons a month. An annual open house with special demonstrations of police equipment, canine corps, and defense tactics is staged in each district. High school and college students ride in police cars on patrol.¹³⁵ New York City has experimented with a police-citizen art show at the precinct to show the people that "they are welcome and * * * can have friendships [there]."¹³⁶

It is difficult to evaluate the effect of such attempts to broaden civilian understanding of the police. Although such programs can help the public understand the problems encountered daily by a policeman, it must be acknowledged that the public who responds to such programs is probably not the public involved in police-community tensions. In short, such efforts can be of some assistance but should never be allowed to become the core of a community relations program.

Police-Community Relations Institutes. Police departments, often under the sponsorship of private organizations, participate in institutes with the public on the subject of community relations.¹³⁷ The St. Louis department participated in an institute sponsored by the NAACP in 1966 with police representation from every district. The Dayton department in 1965 participated in such an institute organized by the Human Relations Commission for 40 of its command personnel and 83 community leaders; and Texas A. & M. University holds such an institute for police and community leaders from 4 neighboring States.¹³⁸ These institutes give the police and community representatives a concentrated block of time together to explore their problems in depth.

On the other hand, institutes lack the continuity and followup of an advisory committee that meets regularly. A combination of the two techniques involving many of the same participants holds promise. The institutes can help make the participation of community leaders and police officers in neighborhood or citywide advisory committees more effective. For maximum value, the institutes, like the committees, should include representatives of the poor from high-crime areas, as well as high and lesser ranking police personnel, and the discussion must be candid and nondefensive.

Institutes held on a neighborhood basis are valuable in reaching persons not affiliated with organizations. For example, with the cooperation of local ministers, the Philadelphia community relations unit has initiated a series of neighborhood meetings in high-tension areas. The audience is broken into small discussion groups led by a district police officer to discuss neighborhood police problems.¹³⁹

With the assistance of a financial grant from the Office of Law Enforcement Assistance of the Department of Justice, the Newark Police Department is bringing together 150 of its men of the rank of sergeant and below with 150 residents of the poverty districts, mainly young men between 20 and 30, to discuss problems between the police and community. The participants consider high-tension situations by playing out the roles natural to them

in such encounters and accompany each other on police patrol and community activities. Expert lecturers address the group on the effects of poverty, the causes of criminal behavior, and intergroup reactions. The program, cover 25 hours over a 10-week period, will be evaluated through analyses of the participants' attitudes before and after the sessions.¹⁴⁰

With financing from the Office of Juvenile Delinquency in the Department of Health, Education, and Welfare Boston has already completed a program of 12 week informal discussions in the Roxbury area between 18 residents (representing a cross-section of the neighborhood including 2 juveniles and a mother on welfare) and policemen (including a captain and 4 sergeants). Detailed interviews showed that while only a few participants changed their points of view, all seemed able to discuss police-community problems on a basis of friendship and honesty by the end of the program and had learned about the problems of the other group.¹⁴¹

School Programs. Over 80 percent of the departments in the Michigan State survey ran special school programs to tell pupils about police work or to explain special problems which affect young citizens.¹⁴² The aim of such efforts is to portray the policeman as a community helper, rather than as an antagonist.

The St. Louis school program is one of the most complete. It begins in Headstart preschool classes where a patrolman comes to talk to the children about crossing streets safely; continues in grades one through four with more advanced talks and films on pedestrian conduct; in grades five through eight provides further instruction on the role and duties of a police officer, and a special tour of police headquarters. A "Say Hi" program gives membership cards to school children who wave or yell hello to policemen they see. In high school, a Negro professional football player from the St. Louis Cardinals acts as a community relations consultant and, accompanied by a police officer who is usually the district commander, narrates a film on police work. Social science classes are assisted by the district citizens committees to organize small-field projects which may involve working with the police in such tasks as assisting juvenile officers in delinquency prevention programs. District and citywide prizes are offered for the best reports on these projects. A council composed of five representatives from each school meets with police officials five times a year to evaluate the school programs. Selected high school and college students also ride in unmarked police cars with officers chosen at random and instructed to answer all questions.¹⁴³

The New York City police have experimented with comic books on police work, training courses for elementary school teachers, and composition and drawing assignments for the children on the role of the policeman as a friend.¹⁴⁴ Programs in other departments include intensive 4-day courses, with field trips, on police work for all six grades of high-crime area schools in one program (Washington, D.C.); provision of officers to answer questions of teenage panels at open meetings (Washington, D.C.);

¹³⁵ *Supra*, note 22 at pp. 40-41.

¹³⁶ Mayor John Lindsay, quoted in Alfred Friendly, Jr., "Police Station Art Is Given a Lift in Harlem," *New York Times*, May 10, 1966, p. 47, col. 1.

¹³⁷ Institutes attended largely by police officers have training rather than police-community dialogue as the primary purpose. Such institutions are discussed below.

¹³⁸ *Supra*, note 22 at pp. 290-296.

¹³⁹ *Id.* at pp. 57-58.

¹⁴⁰ Newark Human Rights Commission, "Application for Police-Community Relations Training Programs," (June 1, 1966-June 30, 1967), pp. 4-11.

¹⁴¹ Boston University Law-Medicine Institute, "Police-Community Relations Pilot

Project" (Washington: Department of Health, Education, and Welfare, 1966), pp. 6-7, 9, 21-25, 50-51, and 57.

¹⁴² *Supra*, note 22 at tables I and II.

¹⁴³ Clement S. Mihanovich, "Programming for Citizen Participation in Police-Community Relations Programs," *The Police Chief*, March 1965, pp. 27-31; *supra*, note 22 at pp. 38-39; *supra*, note 110 at p. 4.

¹⁴⁴ Lauder C. Hamilton and Bernard R. Kaplan, "The Police and the Schools," *The Police Chief*, November 1965, pp. 32-40; Bernard R. Kaplan and Stephen J. Hamilton, "The Police and the Schools," *The Police Chief*, June 1965, pp. 24-26.

ton, D.C.),¹⁴⁵ integrated two-man teams visit schools on an informal basis to discuss students' conceptions of the police (Kansas City, Mo.);¹⁴⁶ participation in a month-long law enforcement unit for grades five through eight featuring posters, student interviews with policemen, essay contests, panel discussions, and precinct tours (Gilroy, Calif.);¹⁴⁷ and junior and senior high school programs taught by qualified police instructors on specific police topics such as curfew regulations, arrest laws, and use of force (San Diego, Calif.)¹⁴⁸

How much and for how long the appearance of a friendly policeman in the classroom affects pupil attitudes will vary. Those who already see the police as friends will receive confirmation in the schools. Those who have had hostile or threatening encounters on the street, or whose family or friends have had direct conflicts with the police, will often be skeptical.

In the upper grades, the police lecturer may perform an educational function if he informs juveniles of the laws which affect their conduct, the police criteria for stopping or taking juveniles into custody, and the kind of processing a juvenile goes through as well as its effects in later life. His account must, however, square with the facts of street life as the ghetto or slum teenager knows them, and the policeman must be willing to discuss frankly the complaints of the students. If the police officers try to convince students of ideas inconsistent with their experience, the result may be to make them more distrustful and cynical than before. For example, in Philadelphia, a settlement house had to discontinue a program that taught juveniles about due process of law because what they were taught did not conform to their own experiences.¹⁴⁹

The participation of nonpolice experts in designing courses is indispensable if they are to justify either the school's or the police department's time. For example, the University of Cincinnati under a Law Enforcement Assistance Act grant is developing a model curriculum on law enforcement for permanent use in Cincinnati schools. Scheduled for trial in 1967, the unit's success in molding constructive attitudes toward the police will be evaluated by student and teacher interviews. While more modest in scope, the same kind of intensive curriculum development is needed as has been occurring in the science field under the leadership of the National Science Foundation.

Crime Prevention Programs

Police-citizen programs to combat crime are dealt with in another section of this report. It suffices here to recognize that such programs can be useful to build support with citizens already favorably disposed toward the police. For either as individuals or in organizations like civic groups and neighborhood advisory committees, citizens can be involved in aiding the police.

In addition, the University of California study found a police reserve program in San Diego useful for community relations. Two hundred reserves, of whom 25

are Negroes, aid the regular force by working at special events and by accompanying 1-man patrols. The result is that members of minority groups and police officers have developed greater respect for each other.¹⁵⁰

Community Service Programs

Routine police duty involves many kinds of assistance to the public which has nothing to do with crime. Help in getting emergency aid for injured or sick persons, animal and human rescue missions, suicide prevention, redirecting confused or lost travelers, finding missing persons—all these are community relations activities in the truest sense of the word and are rendered on an ad hoc basis. For example, a New York City policeman who had been recently accused of brutality was cheered by a Negro crowd after he successfully saved a newborn infant's life.¹⁵¹

It is sometimes suggested that at least some of the service functions can be more efficiently handled by one or more specialized government agencies which would allow the police to concentrate more fully on activities more directly related to combatting crime. However, "[p]olice time spent in furthering good relations may be justified even if it does not contribute directly to law enforcement."¹⁵² As an English author has written in answer to the argument that the rendering of services is not part of the duties and functions of the police:¹⁵³

The answer is that the friendliness, confidence, respect, trust and affection that they receive from the people are almost the sole basis of the power and efficiency of the police of Britain.

Recreation Programs. Several police departments or citizen advisory committees sponsor Boy Scout Explorer troops, specializing in police-related subjects. In Washington, D.C., and New York City, officers escort boys and girls from minority neighborhoods on tours to local showplaces and ballgames, and give Christmas parties and dinners for them.¹⁵⁴

Police athletic leagues and boys clubs are common. In many cases, the funds for these activities must be solicited on a volunteer basis by the policemen themselves. The Police Boys Club in Washington, D.C., for example, has 8,300 members and includes baseball, football, basketball, and track teams; it operates on a \$400,000 budget, has a full-time officer from each precinct assigned to it, and has both police and civilian volunteers.¹⁵⁵ These kinds of programs have broad support from the police; a recent survey found that 75 percent of police officers believed that police agencies should operate such recreational programs.¹⁵⁶

Police-sponsored recreational programs have been criticized on the grounds that they overlap recreation department efforts; police solicitation of funds is said to raise question of propriety; and the boys who participate are not the kind who would get into trouble any-

¹⁴⁵ "Youngsters to Question Police Panel," the Washington Post, June 25, 1966, sec. E, p. 11, col. 3; "Police Panel Attracts 250 to Church," Washington Post, Apr. 9, 1966, sec. B, p. 7, col. 4.

¹⁴⁶ Catholic Reporter, Kansas City, Mo., July 1, 1966, p. 4, cols. 5-6.

¹⁴⁷ C. J. Laizue, "Crime Prevention Program," (Gilroy, Calif.: Gilroy Police Department, undated).

¹⁴⁸ W. S. Sharp, "San Diego Police Department Student Contact Program" (San Diego: San Diego Police Department, undated) pp. 1-2.

¹⁴⁹ *Supra*, note 21 at vol. II, p. 153.

¹⁵⁰ *Id.* at vol. I, p. 156.

¹⁵¹ "Patrolman Accused of Brutality Saves Life of Negro Baby," New York Times, July 19, 1966, p. 29, col. 8.

¹⁵² New York Law Enforcement Task Force, "Report to Mayor-Elect John V. Lindsay" (New York: Office of the Mayor, 1965), p. 7.

¹⁵³ Charles Reith, "A Short History of the British Police" (Fair Lawn, New Jersey: Oxford University Press, 1948), p. 112.

¹⁵⁴ M. A. Farber, "Policemen Show They Wear Hearts Under Nightsticks," New York Times, Feb. 25, 1966, p. 33, col. 8; "2nd Precinct Starts Fund to Help Needy Children," the Washington Post, Apr. 26, 1966, sec. A, p. 2, col. 6; *supra*, note 22 at pp. 41-42.

¹⁵⁵ For example, see William Raspberry, "City Funds Needed for Boys Club," Washington Post, Apr. 21, 1966, sec. B, p. 1, col. 1.

¹⁵⁶ George W. O'Connor and Nelson A. Watson, "Juvenile Delinquency and Youth Crime: The Police Role" (Washington: International Association of Chiefs of Police, 1964), p. 125.

way.¹⁵⁷ Such problems, however, if they exist can be overcome.

Police recreational programs offer opportunities to improve relations with children and their parents. They can change the negative image of the police in slum neighborhoods. As one Negro teenager in Washington said after a visit to the Police Boys Club:¹⁵⁸

[S]ometimes, when you go down there you see polices there boxing. * * * I didn't even know it was a police til somebody told me. He looked just like a teenager to me. * * * I didn't even know police take up activity like that. I didn't think they care for nothing like that. I just think they care for getting drunks and beating them in the head and all that kind of stuff.

The effort should be concentrated with the poorest children, minority groups, and when possible, youngsters with past records of delinquency or misconduct. For example, in Washington, D.C., a baseball league in each precinct consisted of half precinct officers and half hard-core delinquents.¹⁵⁹ The programs should be financed by means other than police fund solicitation. And they should be manned, whenever possible, with police officers, not paid staff or civilian volunteers, even if extra time or pay allowances are necessary.

Social Services to the Poor, Exoffenders, and Other Citizens. Many people think of the police first when they are in any kind of trouble; as a result, police departments frequently must relay complaints and refer persons to other government agencies. Information and complaint bureaus are set up in some police departments to guide the confused citizen through the bureaucratic maze of municipal government. This kind of public service should be expanded so that police who observe conditions on patrol that require attention from other agencies—uncollected garbage, locked playgrounds, housing code violations, consumer frauds—would take the initiative in reporting them to the appropriate agency. Although police personnel are already overextended in most communities, this valuable service could be performed for the most part by the community service officers discussed in chapter 5.

A few departments have become deeply involved in remedial work with the social and economic problems of residents. In San Francisco, the community relations unit has assigned six full-time community relations officers to the Economic Opportunity Council and to the Youth Opportunities Center of the U.S. Employment Service to help boys with police records to secure jobs.¹⁶⁰ It has also taken on cases like the following:

1. A mother came to the office of the police-community relations unit with her daughter who had recently failed a civil service examination for clerk-typist. The mother informed the officers that she had attended several public meetings of the unit and wondered if they could help her. The officers conducted an investigation into the educational deficiencies of the young woman and made the necessary arrangements for enrolling her in an adult training center to correct these deficiencies.¹⁶¹

2. Several complaints were received by the police-community relations unit that recreation facilities were inadequate for many youths, especially in minority group neighborhoods. It was felt that this lack of recreation caused many youths to commit crimes, particularly on weekends. The unit contacted recreation officials in the city and arranged to have the recreation centers remain open for part of the weekend and provided police volunteers to staff and supervise the activities.¹⁶²

The Atlanta Police Department also has assigned policemen to antipoverty centers as youth counselors to help juveniles obtain available services.¹⁶³ "Operation Help" in Honolulu has a social worker on police call to help with the problems of juveniles brought to the station.¹⁶⁴

Active police involvement in what may be labeled "social work" programs raises profound questions about the role of the police. The traditional view espoused by most departments surveyed by Michigan State was that the police should stick to the role of preventing crime and enforcing the law; few regarded the "causes" of crime as their concern. Many police officials feel that they do not have resources to spare for any new functions and other persons criticize the lack of expertise of police officers to do social work.¹⁶⁵

On the other hand, new roles might well be welcomed by police officers. A survey of police officers found that over 65 percent believed that juvenile officers should try to find jobs for older juveniles who come to their attention.¹⁶⁶ A Commission survey of police officers in eight precincts in three large cities found that the thing most liked about police work was the "feeling that comes from helping people." Forty-three percent of the officers considered this the thing that they liked best and 70 percent made it one of their first three choices.

In fact, police officers now spend much of their time in "social work" roles. They attempt to settle disputes between spouses and between neighbors, counsel children about attending school and obeying their parents, and decide when to make arrests for nonserious offenses, partially on the basis of whether the criminal process will be likely to help the individual or society.

Plainly, police service programs cannot be of sufficient size to solve the "causes" underlying criminality. But an expanded police role must be judged not only by whether it alleviates social conditions, but also whether it assists the police in improving community relations. Significantly, the Michigan State survey has found that the San Francisco program has probably been more successful in reaching the hard-core poor and members of minority groups, and changing their image of the police from an adversary to a friendly one, than any other community relations program.¹⁶⁷

These programs point the way toward a reevaluation of the basic police role which may have a more significant long-term effect than merely improvement of the police image. The possibility has been suggested that eventually the police may become part of a broader social service team which will include social workers, psychiatrists, and

¹⁵⁷ *Supra*, note 77 at p. 59.

¹⁵⁸ *Supra*, note 38 at p. 127.

¹⁵⁹ Jesse W. Lewis, Jr., "Young Toughs, Police to Assault Ball as Teammates to Improve Relations," *the Washington Post*, Sept. 3, 1966, sec. B, p. 3, col. 6-8.

¹⁶⁰ *Supra*, note 22 at p. 47.

¹⁶¹ *Id.* at pp. 47-48.

¹⁶² *Supra*, note 22 at pp. 50-51.

¹⁶³ "Police-Counselors," *Atlanta Journal*, May 30, 1966, p. 16, col. 1.

¹⁶⁴ John M. Pfitner, "Some Role Alternatives for the Police Juvenile Activity" (Los Angeles: University of Southern California, 1964), pp. 23-24.

¹⁶⁵ *Supra*, note 22 at pp. 92-94.

¹⁶⁶ *Supra*, note 156 at p. 124.

¹⁶⁷ *Supra*, note 22 at p. 90.

doctors acting as an intake screening unit for all kinds of antisocial or disturbing conduct. Individual decisions would then be made on what should be done with each case—whether the man should be processed through court, treated at a hospital or mental health clinic, or given social counseling and help in finding a job or in going back to school. Besides its other merits, the effect would be to improve police-community relations by reducing the adversary role of the police and by making them part of a broader process than merely arrest and conviction. Consequently, increased experimentation with new helping roles for the policeman, especially with youths and ex-offenders, is promising.

At the same time, precinct stations might well be a part of community service centers. Meeting halls and athletic facilities could be opened to the public; other services, such as employment assistance or family counseling, could be in adjoining offices. While the consolidation of precincts is reducing the number of police buildings, small police centers—manned by sworn police officers and community service officers¹⁶⁸—might be part of other public and private service facilities. The result of such programs would be to reduce the separation of the police from the community.

Because of their insight into crime-breeding conditions, police officers and their organizations should be in the forefront of groups seeking legislation and other means to provide housing, employment, and recreational facilities, improve the schools, and otherwise overcome poverty and discrimination. Occasionally, police officials have taken such leadership. For example, the executive committee of the Michigan Association of Chiefs of Police recommended:¹⁶⁹

That the people of Michigan must oppose segregation in housing and education, because it creates distress for all who are entitled to the responsible exercise of their freedom, and creates tension which reduces the ability of the police to serve all people;

That the people of Michigan must protect their liberty by providing equal opportunities for employment, limited only by fitness and ability, so that every race and persuasion may enjoy the fruits of our prosperity, and so that one of the causes of poverty and crime may be reduced * * *.

Such police support, besides serving other beneficial purposes, is in the self-interest of police officers themselves since poverty and discrimination are basic causes of much of the hostility toward the police. As Vice President Humphrey told the 1966 annual convention of the International Association of Chiefs of Police: “[Y]ou’re the ones that have to deal with the results of the social problems on the streets. You men are the ones who must stand there and be pelted with rocks.”¹⁷⁰ The Vice President’s suggestion that the police support proposals to overcome these problems offers the opportunity for the police and civil rights and poverty groups, which have often been in tragic conflict, to join in a program of common interest.

PERSONNEL

The characteristics of personnel within a police department have a direct bearing upon police-community

relations. If, for example, police departments hire officers who are prejudiced against minority groups or who do not understand minority group problems, serious conflicts will develop. And if police departments, through their hiring or promotion policies, indicate that they have little interest in hiring minority group officers, the minority community is not likely to be sympathetic toward the police.

In chapter 5 of this volume, a variety of matters pertaining to personnel—recruitment, selection, promotion, and training—were examined. Several of these matters raise issues which have particular relevance to police-community relations and they are, therefore, discussed here.

POLICE PERSONNEL GENERALLY

Selection Standards

The standards for selection of law enforcement officers have a major impact upon the capacity of a department to maintain good police-community relations. Appropriate standards will determine whether a department will restrict its hiring to persons who are qualified to understand and serve the community as a whole. Few departments have appropriate standards today.

Education. If educational standards are raised as recommended in chapter 4 of the Commission’s General Report and chapter 5 of this volume, it should have a significant, positive long-term effect on community relations. Police personnel with two or four years of college education should have a better appreciation of people with different racial, economic, and cultural backgrounds or, at the least, should have the innate ability to acquire such understanding. Studies support the proposition that well-educated persons are less prejudiced toward minority groups than the poorly educated.¹⁷¹

Higher educational standards, however, may also create collateral problems which must be overcome. A study of police handling of juveniles in two cities, one in the East and one in the West, found that officers in the eastern city, whose education was more limited, generally came from poor neighborhoods and appeared to understand better such neighborhoods and their inhabitants. At the same time, these officers tended to be antagonistic toward new ethnic groups which entered their neighborhoods. On the other hand, while many of the officers in the western city’s force had at least some college education, these officers had limited personal experience with the poor.¹⁷² This study suggests that when higher educational standards are adopted in a department, special efforts must be made to train officers, regardless of their background, concerning the problems of the poor.

Raising educational standards may also interfere with the concrete and immediate benefit of being able to add an adequate number of officers with minority group backgrounds. Such a result need not and cannot be permitted to occur; otherwise, the higher standards are likely to be seen by members of minority groups as a new and subtle form of discrimination just when they are beginning to satisfy the existing standards. Therefore, in

¹⁶⁸ See ch. 5, Police Personnel.

¹⁶⁹ Michigan Association of Chiefs of Police, Press Release, May 19, 1966, p. 2.

¹⁷⁰ As cited in Leonard Downie, Jr., “Police Chiefs Urged to Fight Slums,” the Washington Post, Oct. 6, 1966, sec. A, p. 1, col. 4.

¹⁷¹ See Robin M. Williams, Jr., “Strangers Next Door: Ethnic Relations in American Communities” (Englewood Cliffs: Prentice-Hall, Inc., 1964), p. 54.

¹⁷² James Q. Wilson, “The Police and the Delinquent in Two Cities” (unpublished report), pp. 26-27.

localities with large numbers of persons from minority groups, severe problems of police-community relations, and shortages of officers from these groups—which unfortunately today means almost all cities—a program for raising minimum educational standards must be accompanied by financial aid and other methods of providing the educational opportunity which will enable members of minority groups to meet the new standards in adequate numbers.

Psychological Stability and Racial Attitudes. Screening out candidates whose emotional instability makes them clearly unfit for police work—through psychological tests and psychiatric interviews—should also improve the capacity of police forces to improve community relations. Unthinking anger at abuse from a citizen or panic at facing a hostile crowd causes obvious community-relations problems.

A more difficult issue is whether officers should be screened also for racial and other bias. Some police officials believe that officers must be not only emotionally stable but “free of bias or prejudice.”¹⁷³ Other police experts contend that police officers can be trained and disciplined to overcome personal prejudices by strong department leadership.¹⁷⁴ It is doubtful, however, that the complete exclusion of all persons who are biased is realistic in view of the high proportion of the population generally who have prejudices against certain types of people. Moreover, persons with relatively slight prejudices will probably control them if properly trained and supervised. On the other hand, there is a serious problem as to officers who have strong prejudices.

The precise extent to which prejudice affects the conduct of the officer on the street is not known. Social scientists, however, believe that discriminatory action is influenced not only by individual attitudes, by the social structure, and by the views of the rest of the group, but also by the policies of the organization.¹⁷⁵ This would indicate that policy directives of a department, if enforced, can affect the actions of individual officers. On the other hand, the seriousness of strongly held prejudices by numerous officers should not be minimized.

Few police departments have yet devised systematic methods for screening out biased officers. In one Commission study of police practices in several large northern cities, it was found that a large proportion of officers expressed strong racial prejudice to neutral observers; and the Michigan State survey similarly found that officers often show prejudice in private references to minority groups.¹⁷⁶ Further, a study of juvenile officers in a western police force of particularly high standards found that 18 of 27 officers openly admitted a dislike of Negroes, attributing their attitude to experiences as police officers, and another study of officers generally in that city found that “hostile feelings toward the Negro are characteristic

of policemen in general * * *.”¹⁷⁷ And a survey of Philadelphia policemen, made in the 1950's, found that over 59 percent of white patrolmen said that they would object to riding with Negro officers in a patrol car, and over one-third said that they would object to taking orders from a Negro sergeant or captain.¹⁷⁸ The same survey found that some Negro officers were extremely hostile to Negro offenders and have emotions of shame, indignation, and disgrace concerning Negro crime.¹⁷⁹

Whatever bias an officer has when he joins the force, without adequate training it will often get worse. Officers see the worst side of life and, in view of the higher crime rate, especially the worst side of the ghetto. As a result, their stereotypes of Negroes, as well as of other minority groups, may be strengthened. And such prejudices are likely to become increased by virtue of the large number of other officers who express prejudice.¹⁸⁰

The study of Philadelphia policemen during the 1950's found that those white officers who were prejudiced—i.e., believed there were too many Negroes on the force, and objected to riding with Negro patrolmen, taking orders from a Negro sergeant, or having Negro patrols in white neighborhoods—believed more often that it was necessary to be stricter with Negro offenders. For example, of officers who objected to riding with Negro patrolmen, 65 percent found it necessary to be stricter with Negro offenders and 32 percent did not. Of those who did not object to riding with a Negro patrolman, 29 percent found it necessary to be stricter with Negro offenders and 66 percent did not.¹⁸¹ The study of a western police department found that racial prejudice did not have any apparent effect as to some assignments. In other assignments, however, including patrol, it had an effect such as in treatment of Negroes as suspects on the basis of a vague description.¹⁸² A study of patrolmen in one city also found that these patrolmen stopped and interrogated Negroes more frequently than other youths, often even in the absence of evidence that an offense had been committed, and Negroes usually received more severe dispositions by the officer for the same violations. One reason for this difference in treatment was long-held prejudice on the part of the individual officer.¹⁸³ The Commission's studies in several northern cities, however, found no discriminatory treatment against Negroes in comparison to whites of the same economic level; indeed, if anything, low-income whites received slightly more severe treatment.¹⁸⁴

With adequate training, supervision, and discipline, officers can often be trained and induced to overcome personal prejudices which exist generally in our society. But this is not enough. It is extremely difficult for the best police leaders to prevent all verbal abuse or, in times of crisis, unnecessary physical force. It is even more difficult to curtail subtle forms of discrimination in the exercise of discretion such as arresting a Negro in situations in which a white man would not be arrested, apply-

¹⁷³ *Supra*, note 96 at p. 136.

¹⁷⁴ E. Wilson Purdy, “Meeting Current Problems,” in Nelson A. Watson, ed., “Police and the Changing Community” (Washington: International Association of Chiefs of Police, 1965), p. 156.

¹⁷⁵ *Supra*, note 171 at p. 348.

¹⁷⁶ *Supra*, note 22 at p. 341; Donald J. Black and Albert J. Reiss, Jr., “Patterns of Behavior in Police and Citizen Transactions,” (Ann Arbor: University of Michigan, 1967), table 25, report prepared for the President's Commission on Law Enforcement and the Administration of Justice.

¹⁷⁷ Irving Piliavin and Scott Briar, “Police Encounters With Juveniles,” *American Journal of Sociology*, 70:206-214, 212; *supra*, note 1 at p. 82.

¹⁷⁸ William M. Kephart, “Racial Factors and Urban Law Enforcement” (Philadelphia: University of Pennsylvania Press, 1967), pp. 185, 187. The University of California, while making no detailed survey, surmised that prejudice among Philadelphia's police officers had somewhat declined in recent years. *Supra*, note 21 at vol. II, pp. 192-193.

¹⁷⁹ *Ibid.* at p. 118.

¹⁸⁰ *Supra*, note 171 at pp. 96, 345-348.

¹⁸¹ *Supra*, note 178 at pp. 106-107, 196-200.

¹⁸² *Supra*, note 1 at pp. 83-87.

¹⁸³ *Supra*, note 177 at p. 212.

¹⁸⁴ Donald J. Black and Albert J. Reiss, Jr., “Police and Citizen Behavior in Field Encounters: Some Comparisons According to the Race and Social Class Status of Citizens,” (Ann Arbor: University of Michigan, 1966), p. 10, report prepared for the President's Commission on Law Enforcement and Administration of Justice. This report is a preliminary draft which is being included with the Commission's records in the National Archives. It is presently being revised by the University of Michigan and will be embodied in research studies to be published by the Commission.

ing handcuffs tighter to a Puerto Rican, or talking more harshly to a Mexican-American. In other words, just as the justification for having far better educated officers is that they must operate alone and make difficult decisions in situations of high tension and great importance, so the same reasons underline the need to have officers who do not harbor substantial prejudice against minority groups. Otherwise, the community, and particularly minority groups, cannot be expected to have confidence in police judgment.

While there is no one psychological test which can reliably identify all candidates who are emotionally unfit for police service, a combination of tests and oral psychiatric interviews can pinpoint many serious character defects. For example, character investigations can include interviews with friends, teachers, fellow employees, and others who are acquainted with the candidate. After the applicant has been appointed, the probationary period, if properly used, offers unique opportunity to evaluate the extent to which a recruit is fit or unfit. Precinct community relations officers, by using their contacts in the neighborhood and by talking to the recruit's police associates, should be able to evaluate the recruit's attitude and performance.

Disqualifying candidates and recruits who would be likely to allow prejudice to affect their action is crucial. It is also important that ability in police-community relations receive special positive weight in the selection process. Strength in this area should outweigh slight deficiencies in less important matters such as height and weight.¹⁸⁵ The police-community relations unit should determine that the selection process adequately evaluates the potential ability of applicants to work with citizens.

Preemployment Residence. The Commission has recommended that preselection residence requirements be eliminated to allow recruitment of the best possible officers wherever they may live. Nevertheless, efforts should be devoted to recruiting qualified candidates who live in the general area by such methods as recruiting at local universities and high schools. As the President's Commission on Crime in the District of Columbia states, "such a policy will make the police force more representative of the citizens it serves"¹⁸⁶ and will result in having officers with greater appreciation for the problems of the locality.

Promotions

Police-community relations ability should be an important factor in attaining promotion. This may be the most effective way to make service to the community an important part of the police role along with prevention of crime and the apprehension of criminals. Officers will begin to understand that the department values an officer who is good at keeping the peace by persuasion and building support for the department as much as one who shows superior ability in criminal investigations. And the positive incentive of promotion is often more effective

than the negative one of discipline in preventing physical or verbal abuse.

Moreover, as has been emphasized above, the attitude of supervisory, and especially command, personnel is crucial if police-community problems are to receive the attention from the department which they require. If such officers understand the community and are willing to modify police practices whenever necessary, rank-and-file police officers are likely to conform. On the other hand, if supervisory officers have no special police-community relations sensitivity, improvement is likely to be slow.

If police-community relations ability and achievement are to be considered in promotion, they must be built into the formal process. The written examination should include, as in San Francisco, questions concerning urban life, the people who live in the city, and other community relations subjects,¹⁸⁷ as well as technical police subjects. The police-community relations officer in a precinct should know, based upon his contacts in the neighborhood and with the officers, which officers are prejudiced,¹⁸⁸ which treat people with discourtesy, and which make illegal arrests. He should also know which officers have earned the respect of the people in the area he patrols. Regular reports by the precinct police-community relations officer, based in part on interviews with neighborhood residents, should be considered as part of the efficiency evaluation which is periodically made and considered for promotion.

Assignments

The Commission's study of police procedures in several large cities found that often men who were acknowledged as among a department's worst were assigned to police minority group neighborhoods. In fact, such assignments have sometimes been given as punishment, a kind of exile.¹⁸⁹ This practice is harmful to minority groups since they will receive inadequate police protection and possibly more unfair treatment so long as police departments deliberately choose inferior personnel to serve them.

The problems of high-crime rates and difficult police-community relations make poor, minority group neighborhoods the most challenging for the police. There is little routine patrol. Officers are frequently involved in crime and community relations situations of great difficulty. The best officers should, therefore, be chosen for these areas—officers with intelligence, emotional stability, lack of prejudice, and sensitivity to the special problems of minority groups. As an incentive to take these positions, departments might give officers who have performed well in high-crime neighborhoods special credit toward promotion because doing good work is more difficult there.

Officers serving in high-crime neighborhoods should be assigned in the same area for extended periods, perhaps a year or longer, to enable them to understand the culture and attitudes of the people. They should, if possible, be assigned to particular beats to permit them to know the citizens and develop friendly relations with them. Moreover, patrol officers should keep the same beats, and supervising officers should retain the same geographic areas in

¹⁸⁵ The President's Commission on Crime in the District of Columbia recommended this kind of flexibility. *Supra*, note 77 at p. 21. See also O. W. Wilson, "Police Administration," *supra*, note 96 at pp. 139-140.

¹⁸⁶ *Supra*, note 77 at p. 25.

¹⁸⁷ San Francisco Police Department, "Police-Community Relations" (San Francisco: Police Department, 1967), pp. 4-10.

¹⁸⁸ O. W. Wilson suggests that lack of prejudice should be considered in promotion. *Supra*, note 96 at p. 153.

¹⁸⁹ *Supra*, note 21 at vol. II, pp. 162, 191.

order that they can be held responsible for community relations in a specific neighborhood.

In some cities short-term assignments are typical. Whereas San Diego officers usually keep the same assignment for 3 months,¹⁹⁰ in Philadelphia, juveniles congregating on the same corner at the same time each night will see five different officers during a single month, because shift changes occur every 6 days.¹⁹¹

As a result, the same persons may well be stopped repeatedly by different officers or the officers may use methods which are unnecessary or harmful merely because officers and citizens are not known to each other. The problem is well expressed by police officers in Philadelphia:¹⁹²

Every situation is different, and every corner is different, and I think that each policeman, as he is out there awhile, gets to know the individual corner and the individual crowd.

* * * You can have a group of fellows on one corner, which will be there every night of the week, and you don't bother them—they don't bother anybody. * * * You may have the same amount in the next block or on the other side of the street, that you know, they are the troublemakers.

* * * * *

I still think the old adage of the old beat man on the corner knew everybody is very, very helpful in many, many areas; because you take a new man and put him on the street on a beat, he doesn't know the area, he doesn't know the people, and they don't know him. * * * He'll get challenged every time. As soon as he opens his mouth to move somebody or gets into any situation whatsoever, somebody is going to be there to challenge him, because they don't know him.

Post-Employment Residence

Many police authorities believe that police officers should not live in areas in which they work. In Philadelphia and other cities, a strict policy forbids this, and if an officer moves within the precinct where he is stationed, he is promptly transferred. The rationale is that an officer will have difficulty in impartially enforcing the law among his friends and this will diminish the officer's ability to perform his duties.¹⁹³ In contrast, in many cities in England, the government provides housing for policemen in the area where they work.¹⁹⁴

Aside from convenience, local residence avoids the impression that the police come from the outside world to impose law on the poor and minority groups, and also avoids the risk of police isolation from the needs, moods, and customs of the community. As a Negro woman in Washington, D.C., has said:¹⁹⁵

The biggest gripe people have is they don't know the police. Most of the policemen live outside the community. They never see us unless we have trouble or make trouble.

Perhaps more effectively than any amount of training, off-duty contact between police and the people they serve prevents the stereotyping of police by citizens, and of citizens by police.

Either encouraging or preventing police residence near their duty stations involves risks and advantages. However, the acute alienation of minority group communities from the police should weigh heavy in the scale. Except

where special problems of corruption exist, police departments should review their residence policies of prohibiting officers to live in or near the precincts where they work.

Wherever possible, police officers should be encouraged to live within the city limits, for it is important that officers have a feeling of commitment to the city, above and beyond their obligation to police it. As O. W. Wilson has written: "[L]ocal residence after appointment is desirable except in communities where compliance with such a requirement would work an undue hardship on policemen because of limited suitable housing facilities."¹⁹⁶

It is also important to develop new techniques to provide both recruits and officers direct contact with the problems of the poor and minority groups. For example, it might be beneficial if recruits or selected officers visit over an extended period with a carefully selected family in a low-income minority group neighborhood or act as aides in a social work or antipoverty agency. Discussions with neighborhood residents and with outside experts might be held to focus particular aspects of the experience. The recruit might enter such a program immediately after his police field training experience.

The result would be to present graphically the hardship and complexity of life in a minority slum, to demonstrate that the citizen of the slum is not always the staggering drunk or the abusive husband. And it might help the officer to build a creative understanding of the role of a policeman.

Community Service Officers

In chapter 5, a new category of police personnel—the community service officer—is discussed. This officer could make a major contribution to police-community relations. Many would later be able, through assistance in improving their education, to serve as police officers or police agents. Since many community service officers would be drawn from minority groups, this would make a substantial contribution to increasing the percentage of minority employees on the force. Of course, the existence of a group of CSO's drawn from minority groups in no way obviates the necessity of seeking minority group personnel for other police jobs.

The very presence of the CSO in the neighborhood would symbolize a closer relationship between the police and the community. Some community service officers would be assigned to assist precinct community relations officers. Many more, however, would be assigned to other duties, and particularly to assist precinct line officers in their regular patrol and investigative work. They would help to inform the officers with whom they work of the culture and attitudes of the community and, conversely, would help to inform the community of the officers' concerns. They could, together with sworn police agents and officers, staff neighborhood offices so that the residents had a place near their homes to come for assistance, a need which becomes increasingly important as precincts are consolidated in the interests of efficiency and economy. They could enable a department to refer citizen

¹⁹⁰ *Ibid.*, at vol. I, p. 161.

¹⁹¹ *Id.* at vol. II, p. 157.

¹⁹² *Id.* at vol. II, pp. 143-145.

¹⁹³ *Id.* at vol. II, pp. 51-52.

¹⁹⁴ *Supra*, note 15 at p. 106.

¹⁹⁵ *Supra*, note 134 at p. 5, col. 3.

¹⁹⁶ *Supra*, note 96 at pp. 137-138.

complaints, like violations of the housing code or the closing of a school playground to other governmental agencies and to handle more service calls, such as getting a homeowner into his locked house or getting a drunk off the street. They could seek to refer delinquent children to a social service agency. They could—as in the Richmond, Calif., project where five neighborhood aides have been assigned to a juvenile unit—work with juveniles who were in trouble and explain to parents why their children had been arrested. And, as that same project has shown, they could be extremely effective in organizing community meetings to deal with problems relating to the police.¹⁹⁷

It is essential, however, that the community service officer not be used for all “helping” functions of the police department while police officers are thereby left to concentrate on law enforcement alone. Such a division of functions would make the police officer seem even more isolated than at present.

MINORITY GROUP PERSONNEL

Attraction and Selection

The Need. Police departments in all communities with a substantial minority population must vigorously recruit minority group officers. The very presence of a predominantly white police force in a Negro community can serve as a dangerous irritant as exemplified by the following comment:¹⁹⁸

Why in the hell—now this is more or less a colored neighborhood—why do we have so many white cops? As if we got to have somebody white standing over us. * * * Now if I go to a white neighborhood, I'm not going to see a lot of colored cops in no white neighborhood, standing guard over the white people. I'm not going to see that; and I know it, and I get sick and tired of seeing so many white cops, standing around.

To some extent such a statement is likely to be the result of accumulated resentment by Negroes of white persons generally, and such prejudice appears to be most prevalent among those who are more poorly educated, have the lowest incomes, and live in high-crime neighborhoods.¹⁹⁹ To an even more important degree, however, the problem is symbolic. In neighborhoods filled with people suffering from a sense of social injustice and exclusion, many residents will reach the conclusion that the neighborhood is being policed not for the purpose of maintaining law and order but for the purpose of maintaining the status quo.

In order to gain the general confidence and acceptance of a community, personnel within a police department should be representative of the community as a whole. But the need for competent minority group officers is more than a symbolic one. The frequent contact of white officers with officers from minority groups on an

equal basis can help to reduce stereotyping and prejudice of white officers. Minority officers can provide to a department an understanding of minority groups, their languages, and subcultures, that it often does not have today. This obviously has great practical benefits to successful policing. In some cities, for example, the lack of knowledge of Spanish has led to conflicts between the police and Spanish-speaking people.²⁰⁰ Personal knowledge of minority groups and slum neighborhoods can lead to information not otherwise available, to earlier anticipation of trouble, and to increased solution of crime.

Police officers have testified to the special competence of Negro officers in Negro neighborhoods. For example, while a study in Philadelphia found that commanding officers were divided as to whether Negro policemen are more effective in Negro neighborhoods than white policemen, more than three-fourths of the patrolmen thought that Negro policemen did better jobs. The reasons given include: they get along better with, and receive more respect from, the Negro residents; they receive less trouble from Negro residents; they can get more information; and they understand Negro citizens better.²⁰¹

Police officials in other cities agree. The chief of police of Greenville, Miss., has said that “[o]ne of the things that police all over the Nation know is that Negro policemen can spot trouble in the Negro district faster and do what is needed [better] than whites.”²⁰² Similarly, the chief of police of Evansville, Ind., has remarked that Negro officers “are in a better position to control their districts due to the knowledge of their own people, personal acquaintance, hangouts, permanent residents and transients.”²⁰³

But the same standards for selection which must be demanded of white officers must also be required of minority officers for equivalent positions. While the mere addition of policemen from minority groups will undoubtedly improve police-community relations, it will not end hostility to the police if such officers are prejudiced or abusive. The University of California survey found substantial hostility to Negro officers among Negroes in San Diego and Philadelphia on the ground that they were harsher than white officers.²⁰⁴ An earlier study of the Philadelphia Police Department found that many white and Negro officers said that the latter were harsher with Negroes. This study also found that many Negro officers were indignant and ashamed because of the high number of Negro offenders.²⁰⁵ There is even some evidence that in some places, low-income Negroes prefer white policemen because of the severe conduct of Negro officers.²⁰⁶ Observations of consultants in several cities revealed proportionally at least as much physical abuse by Negro officers as by white officers.²⁰⁷

The need for greater numbers of qualified minority group officers in nearly all police departments in communities with substantial minority group populations is easily documented. A 1962 survey by the U.S. Civil

¹⁹⁷ Gordon E. Misner, “The Development of ‘New Careerist’ Positions in the Richmond Police Department” (Walnut Creek, Calif.: Contra Costa Council of Community Services, 1966) pp. 44-45.

¹⁹⁸ Harlem resident, as quoted in Kenneth B. Clark, “Dark Ghetto” (New York: Harper & Row, 1965), p. 4.

¹⁹⁹ *Supra*, note 171 at pp. 246-248.

²⁰⁰ *Supra*, note 21 at vol. II, p. 190.

²⁰¹ *Supra*, note 178 at pp. 44-45, 59-61, 83-85.

²⁰² U.S. Civil Rights Commission, “Administration of Justice Staff Report” (Washington: U.S. Government Printing Office, 1963), ch. 11, p. 23.

²⁰³ *Id.* at p. 24.

²⁰⁴ *Supra*, note 21 at vol. I, pp. 93, 101; vol. II, pp. 116, 132-133.

²⁰⁵ *Supra*, note 178 at p. 118.

²⁰⁶ Elliott M. Rudwick, “The Unequal Badge: Negro Policemen in the South” (Atlanta: Southern Regional Council, 1962), p. 11.

²⁰⁷ Albert J. Reiss, Jr., “The Use of Physical Force in Police Work” (Ann Arbor: University of Michigan, 1966), p. 10, report prepared for President's Commission on Law Enforcement and Administration of Justice.

Rights Commission of all cities with Negro populations of over 5,000 showed that 124 cities in the South and the border States had 1,128 Negro officers. There was 1 Negro officer for every 3,125 Negroes, in contrast to 1 white officer for every 490 whites, a disproportion of over 6 to 1.²⁰⁸ The number of Negro officers has risen in many southern cities since 1954, but the disproportionate representation of white officers remains extreme:²⁰⁹

Negro Personnel in Representative Southern Cities

City	1954	1959	1961	1962	1966	Percent of Negroes on force 1966	Percent of Negroes in city 1960
Atlanta	16	31	40	45	73	9.3	38
New Orleans	12	43	36	37	44	4	37
Tampa	10	13	13	13	13	2.6	17
Richmond	21	21	30	34	34	-----	42
Nashville	16	19	23	32	-----	-----	38
Nashville	14	12	13	10	10	4.9	37
Winston-Salem	0	0	0	0	1	0.2	40
Birmingham, Ala.	-----	-----	-----	417	531	18.5	54
Washington, D.C.	-----	-----	-----	-----	-----	-----	-----

One hundred and six northern and western cities had a total of 2,937 Negro officers in 1962. This was 1 Negro officer for every 1,351 Negroes, in contrast to 1 white officer for every 442 whites. The following table shows the contrast in representative cities outside the South:²¹⁰

Police Personnel in Representative Cities Outside the South According to Race

City	Percent of Negroes in city, 1960	Number of Negro officers, 1962	White officers per 1,000 whites in population, 1962	Negro officers per 1,000 Negroes in population, 1962	Number of Negro officers, 1966	Percent of Negroes on force, 1966
Indianapolis	21	79	2.01	0.81	93	10
Tucson	3	1	1.26	0.14	3	1.1
Oakland	23	15	2.24	0.18	16	2.3
Boston	9	37	4.09	1.59	44	1.8
Detroit	29	154	3.54	0.32	170	3.9
Jersey City, N.J.	13	27	3.33	0.74	33	4
San Francisco	10	28	2.57	0.38	-----	-----
Cleveland	29	108	2.83	0.43	-----	-----
Cincinnati	22	62	2.00	0.57	-----	-----
Elizabeth, N.J.	11	15	2.32	1.28	12	4.4

Of 170 sheriff's offices in the South and border States in counties with over 5,000 Negro population in 1962, 120 had no Negro deputies; the other 50 had an aggregate of 137. There was an average of 1 Negro deputy for every 25,000 Negroes and 1 white deputy for every 4,000 whites.²¹¹ In the North and West, of 102 sheriff's offices, 33 had no Negroes and the remainder had 546. The disparity between Negro and white deputies was less than for any other category of law enforcement agencies—there was 1 Negro deputy for every 8,333 Negroes and 1 white deputy for every 5,000 whites.²¹² The following table shows the number and proportion of Negro officers in responding counties in several States:²¹³

Personnel in Representative Sheriffs' Offices According to Race

State	Number of sheriffs' offices responding	Number of white deputies	White deputies per 1,000 whites	Number of Negro deputies	Negro deputies per 1,000 Negroes
Alabama	13	57	0.13	0	0.00
Virginia	10	74	0.15	3	0.03
Florida	16	703	0.37	25	0.06
North Carolina	26	260	0.22	9	0.02
California	12	4,392	0.44	215	0.29
Michigan	13	757	0.15	105	0.15
New York	9	953	0.15	25	0.04

Of 12 State police and highway patrols in southern and border States, only 1, Maryland, had a Negro officer in 1962. In 19 northern and western States, 1 State, Illinois, had 24 Negro officers, and the other 18 States together had only 9, plus 3 in training. Of these, California and Pennsylvania had only three each and Michigan and Ohio had none.²¹⁴

In short, in every city, county, and State where statistics are available, Negroes are under represented, usually substantially, on police forces. Although the number of Negroes in police departments has been increasing, in some places rapidly, there is indication that the percentage of Negroes on police forces may level off well below their percentage of the population unless police departments are much more effective in recruiting in the future. Thus, while Washington, D.C., has one of the highest proportions of Negro officers in the country—18.5 percent—and this figure has been rising, the proportion of Negro recruits remained static from 1962 through 1965 at between 22 and 26 percent,²¹⁵ although in the 1960 census, Washington had a Negro population of 54 percent. And of 165 cities with populations over 100,000, or over 30,000 with more than 5 percent nonwhite population, 71 percent reported difficulty in recruiting nonwhites.²¹⁶

The Reasons for Under-Representation. In most large cities, police officials are genuinely interested in attracting more officers from minority groups—Puerto Ricans and Mexican-Americans as well as Negroes.²¹⁷ But, there can be little doubt that in many communities, both in the North and South, discrimination in the selection of officers has occurred in the past and exists today. There are very striking and puzzling differences in the percentage of Negroes employed by police departments. For example, in New York City, the standards are approximately the same for employment in the New York City Police Department and a policeman for the City Housing Authority. Yet, the former has approximately 6 percent Negroes, the latter 55 percent.²¹⁸ The Illinois State Police had, in 1962, eight times the number of Negro officers as the next highest State police agency.

Furthermore, some police departments have dramatically increased their proportion of officers of minority groups within relatively short periods of time. For example, Philadelphia increased the percentage of Negroes on the force from 3.6 percent in 1952 to 13.6 percent in 1956. In Pittsburgh, the percentage of Negro police

²⁰⁸ Supra, note 202 at p. 3.

²⁰⁹ Supra, note 206 at p. 5; supra, note 202 at pp. 5-7, app. II, table 15; supra, note 22 at pp. 286-7.

²¹⁰ Supra, note 202 at app. II, table 16; supra, note 22 at pp. 286-287.

²¹¹ Supra, note 202 at ch. 12, pp. 2-3.

²¹² Id. at p. 6.

²¹³ Id. at pp. 5, 8.

²¹⁴ Id. at ch. 12 at tables 5 and 6, pp. 13 and 15.

²¹⁵ Commissioners' Council on Human Relations, "Human Relations in the Metropolitan Police Department—A Progress Report" (Washington: Government of the District of Columbia, 1966), p. 6.

²¹⁶ Supra, note 65 at p. 8.

²¹⁷ Supra, note 22 at p. 261, 264.

²¹⁸ Peter Kihss, "State Senator Says City Police Lag in Putting Negroes in Ranks," New York Times, Feb. 22, 1966, p. 20, col. 2.

doubled between 1952 and 1962. And in Chicago the percentage quadrupled between 1952 and 1961.²¹⁹

Past discrimination or even the belief that discrimination does or has existed has much the same effect as actual, present discrimination. Thus, the President's Commission on Crime in the District of Columbia found that although the Metropolitan Police Department's policy was opposed to discrimination, "we doubt that many Negro citizens believe that the policy is being vigorously implemented."²²⁰ Plainly, such a prevalent view hinders recruitment.

Even in the absence of discrimination, a substantial discrepancy would remain. Of 117 departments with acknowledged difficulty in recruiting nonwhites, 48 said that the problem was too few applicants and 83 noted failure to pass the examination and meet other standards.²²¹ The same factors underlying the disproportionate failure of members of minority groups in the selective service examination and other written tests operate in police recruitment. In Miami, the number of Negro officers dropped from 85 in 1959 to 74 in 1962, apparently because the recruiting standards for Negroes, which had been lower, were raised to match those for whites. Negro leaders in Miami have reported that one reason for the reduced number of Negroes was that most Negroes cannot meet the present entrance requirements because of inferior economic and educational background.²²²

In Philadelphia, a study completed in 1957 found that about 50 percent of applicants for the police department were Negro. While a somewhat higher percentage of Negroes than whites failed the physical examination or had a criminal record, most of the discrepancy in the relative proportion of Negroes selected was a result of written examination. Some of the key personnel on the Civil Service Commission, which gave the tests, were Negro, and the tests were apparently given fairly. The study concluded that educational deficiencies were the main reason for the failure of Negroes to qualify.²²³

The manner in which discrimination and educational deficiencies can operate together to interfere with increased recruitment of Negroes is shown by a study of selection procedures in Detroit. Of the 1,566 applicants for the Detroit police force in 1959, there were 434 Negroes. This approximated the proportion of Negroes in the city. Of this group, 71 whites and 2 Negroes were eventually selected.

An investigation by the Commission on Community Relations found that 178 whites but only 36 Negroes were allowed to pass the preliminary screening even though they failed to meet one or more qualifying criteria. More than a score of the whites and none of the Negroes in this group were eventually employed. The Commission found that white applicants were favored in this process.

Despite the fact that the anonymity of the individual was maintained in processing the written examination, 49 percent of the whites and 80 percent of the Negroes were selected.

Of the remaining 115 whites and 11 Negroes, 4 whites and 4 Negroes were eliminated by preliminary oral in-

terviews. The Commission found that the decision to drop two of the Negroes was questionable. Ten whites and one Negro were then dropped on the basis of a background investigation. Of the 101 whites and 6 Negroes who appeared before the Oral Examination Board, 71 whites and 2 Negroes passed. The Commission again questioned the subjective reasons used to drop two of the Negroes.²²⁴

Remedies

Any program to increase the proportion of members of minority group police officers must begin by persuading qualified candidates to apply. However, the hostility of Negroes to police forces is so strong that Negro officers are frequently disliked by their fellow Negroes. And Spanish-speaking persons have traditionally regarded policing as not an appropriate occupation.²²⁵ Consequently, the problem of attracting candidates requires police departments to improve all aspects of police relations with minority groups.

On the other hand, the unattractiveness of police work to minority groups should not be overemphasized. Negroes frequently apply in substantial numbers. A recent survey of three precincts in Washington by the Bureau of Social Science Research found that 54 percent of the Negro men responding, in contrast to 50 percent of the white males, disagreed with the statement that "a man would make a mistake if he became a policeman."²²⁶

Improvement of Recruitment Techniques. Police forces generally rely heavily upon referrals from their own members as a source for qualified recruits. A study in St. Louis showed that 42 percent of applicants and 57 percent of those appointed were referred by precinct police officers.²²⁷ Since relatively few police officers are from minority groups, referrals are an inadequate source of minority group candidates. Consequently, new recruiting techniques must be developed. Particular effort must be made to recruit minority members from low-income areas because differences in attitudes and opinions frequently separate middle- and low-income persons within the same minority groups almost as much as persons of different races.

The police recruiting unit should include officers from minority groups. These units must go to high schools and colleges which have largely Negro students, as departments in New York and elsewhere have begun to do.²²⁸ Civil rights and church organizations should be asked to participate in drives to get recruits. Recruitment subcommittees of neighborhood advisory committees can run continuing programs. Advertising campaigns have sometimes produced large numbers of minority candidates.²²⁹ Advertisements can picture minority group as well as white officers. Athletes, movie stars, and other prominent personalities can be enlisted. Employment agencies can be notified of the special interest of the department in minority candidates.

It is important, however, in recruiting programs that standards and the selection process be carefully explained.

²¹⁹ *Supra*, note 202 at ch. 11, p. 16.

²²⁰ *Supra*, note 77 at p. 165.

²²¹ *Supra*, note 65 at p. 8.

²²² *Supra*, note 202 at ch. 11, pp. 4 and 5.

²²³ *Supra*, note 178, pp. 132, 141-145.

²²⁴ *Supra*, note 202 at ch. 11, pp. 8, 10-16.

²²⁵ *Supra*, note 22 at pp. 271-272.

²²⁶ *Supra*, note 14 at p. 13b.

²²⁷ *Supra*, note 22 at p. 266.

²²⁸ Bernard Weintraub, "Police to Recruit at Negro Schools," *New York Times*, June 30, 1966, p. 42, col. 6.

²²⁹ Ernest Reuter, "Report on Investigation of Discrimination in the Gary Police Department" (Gary, Ind.: Gary Human Relations Commission, unpublished report, 1966), p. 5.

Police departments reject as many as 97 percent of their applicants with the national average for rejection being 77.8 percent. Consequently, if minority group applicants attracted by broadly based recruiting drives do no better than applicants generally, these programs will produce an extremely large group of rejected men, many of whom are likely to suspect racial discrimination. It is therefore essential that screening for such basic standards as age, height, physical fitness, and intelligence be done early in the process and that the reason for rejection be carefully explained.

Not all recruiting programs need be aimed so generally. The existing cadet programs and the community service officer proposal in chapter 5 can be used to attract and train members of minority groups. One of the problems in existing cadet programs, however, is that their success in attracting minority group persons has often been as limited as programs for recruiting police officers directly. For example, in the District of Columbia, of the first 25 cadets appointed in 1965 only 6 were Negro despite the fact that Washington is 54 percent Negro.²³⁰ The proportion of 24 percent is almost exactly the percentage of Negro recruits to the police force in recent years.

Programs should be devised which are especially aimed at members of minority groups. During the past year, such programs have been developed to train young men to become police officers using funds of the Manpower Development and Training Act administered by the Department of Labor. The New York City program is illustrative. Since recruiting was concentrated in Negro and Puerto Rican neighborhoods, 70 percent of the 1,100 trainees were from these groups. The recruiting itself and the initial screening was administered by the city's Youth Board, the State Unemployment Service, and four poverty program agencies rather than by the police force.

Three hundred of the trainees were high school graduates who were trained for 6 months in law enforcement, human relations, automobile driving, clerical skills, and patrolmen's duties. Eight hundred of the trainees are high school dropouts who receive 6 months of general educational courses to enable them to pass the high school equivalency examination, after which they go on to the 6 months of special training. The trainees are given counseling and have a police officer as a "Dutch Uncle." Assistance is provided in overcoming medical problems and students are given \$20 to \$70 per week during training.²³¹

The regular standards of the police departments apply to entrance into the programs and final determination is made by the police department. Students who are below the minimum age of 21 at the completion of the training program may enter the regular cadet program or take civilian positions within the police department until they can qualify to become officers. Trainees are given instruction in office skills so that if they are rejected as police officers, they can be helped to obtain clerical positions within the police force or other jobs in the city government or private industry.²³²

Similar programs are starting in other cities—Los Angeles, St. Louis, Oakland, Miami, Baltimore, and for

Spanish-speaking candidates, Chicago. Some of them concentrate on persons who, on their first attempt barely failed to meet the medical and educational standards of the police force,²³³ others on persons who only failed to pass the written test. While as yet these programs are too new to be evaluated, they seem to offer great promise. They may provide a realistic means for police departments to attract recruits from low-income minority groups without lowering police standards.

Removal of Discriminatory Policies. The recruitment of minority groups requires that all forms of discrimination in the selection of officers be ended. Indeed, even the appearance of discrimination must be eliminated if members of minority groups are not to be discouraged from applying. This can be accomplished by screening personnel officers with particular care for prejudice. Written examinations should be analyzed to ensure no cultural or other bias against minority group exists.

Officers from minority groups should participate in the selection process. For example, in Washington, D.C., a Negro physician is on the four-man board which screens for medical and psychological problems; and in New York two of the three highest ranking Negroes examine all rejections of minority applicants subject to the final determination of the Commissioner.²³⁴ Minority officers should, whenever feasible, serve on personnel interviewing boards both to prevent discrimination and to observe strong points of minority applicants which other officers might miss.

In addition, no recruiting drive can succeed as long as police departments discriminate against their own minority officers. In some police departments the legal powers vested in an officer depend on whether he is white or Negro. For example, a 1961 survey found that 20 police departments (31 percent of those surveyed) restricted the right of Negroes to make felony arrests. In 18 of the departments, the officer could hold a white suspect until a white policeman appeared; if none was available, the Negro officer could make the felony arrest. In 10 others, the Negro officer could not arrest a white suspect at all, although 3 required the Negro policeman to keep the suspect under surveillance. The power of Negro officers to arrest for misdemeanors was even more limited.²³⁵

In only 11 of 41 sheriffs' departments surveyed in the southern and border States could Negro officers arrest a white felon. In three northern counties, Negro deputies were allowed to arrest white felon suspects only if a white deputy was not immediately available.²³⁶ An earlier survey of the South in 1959, which covered a greater number of small communities, found that one-half required Negro officers to call white officers to arrest a white suspect.²³⁷

As described later, many police forces appear to have denied equal opportunity for promotion to members of minority groups. Officers from minority groups have often been segregated by being denied entrance to specialized units, by being usually assigned to Negro areas, or by being required to patrol with members of their own race.

²³⁰ Supra, note 215 at p. 14.

²³¹ Kenneth Gross, "City Woos Dropouts as Police Trainees," *New York Post*, Mar. 24, 1966, p. 57, cols. 2, 3.

²³² New York State Department of Labor, "Information Sheet—Police Cadet" (New York: State Printing Office, 1966), p. 1.

²³³ Supra, note 215 at p. 7.

²³⁴ Emmanuel Permuter, "Police to Review Minority Hiring," *New York Times*, Mar. 17, 1966, p. 1, col. 2.

²³⁵ Supra, note 202 at ch. 11, p. 26.

²³⁶ Id. at ch. 12, pp. 9-11.

²³⁷ Supra, note 206 at p. 10.

by being assigned to a separate shift or even by having lockers in a different room.²³⁸ They have often been made to feel unwelcome or have been harassed by other officers.²³⁹ In many communities, Negro officers have been discouraged from participating in policemen's associations or have been completely excluded.²⁴⁰ All these actions have significantly affected the morale and attitudes of minority officers and have surely served as a negative influence on attracting minority group persons to seek careers in police service.

Precinct policemen from minority groups are the best possible advertisement for a police career. At present, many Negro policemen cannot honestly sell police work because they feel that discrimination exists within their departments. If police departments really wish to attract recruits from minority groups, all aspects of segregation and discrimination must end. Minority officers must have full opportunity for promotion and assignment to prestigious units, must not be segregated in patrols or in particular areas of the city, and must have the same powers of arrest as any other officers.

Minority group police officers must be genuinely welcomed. No one wants to work in an organization where his colleagues are merely tolerant. One ancillary benefit of programs such as police athletic leagues is the opportunity they provide for members of a police force to accept one another fully. All other police organizations must likewise be fully open to minority officers.

Selection Standards. Certain selection standards may have the unintended effect of arbitrarily barring large numbers of minority group applicants who could adequately perform police work. For example, minimum height restrictions prevent many Puerto Ricans, Mexican-Americans, and Orientals from joining police forces. The minimum height requirement was recently changed in Chicago from 5 feet 8 inches to 5 feet 7 inches, in part because of the need to recruit Puerto Ricans. Similarly, restrictions on flat feet and other physical defects have barred many Negroes; eyesight problems, many Oriental-Americans.²⁴¹ In the review of traditional physical requirements which the Commission has recommended, an important factor should be the extent to which inflexible standards tend to interfere with the recruitment of members of minority groups.

Careful consideration should also be given to the evaluation of applicants' criminal records. Young men who have grown up in poor, and particularly minority group, neighborhoods run a very great risk of acquiring a police record.²⁴² In such circumstances, arrest records or conviction of a minor offense does not necessarily mean that the applicant is irresponsible or of poor character. While police departments cannot lower their requirements as to good moral character for the sake of recruiting members of minority groups—the loss in community respect alone would be too great a price—criminal records should be realistically evaluated. A minor record should be considered as part of an analysis of the moral char-

acter of the applicant based on all available information, rather than an automatic disqualification.

Promotions

Increasing the number of ranking officers from minority groups is as important as, and closely related to, recruiting new officers of minority group background. Successful recruitment and promotion opportunities are obviously interdependent. For example, in one western city, three Negro officers left a city department after failing to get promotions and joined the county sheriff's department where all were promoted, one reaching the rank of captain. This story is still being told by Negroes as one reason for Negroes not seeking employment in the city department.²⁴³

There is an even more marked disproportion of minority group supervisory personnel than of minority group officers generally throughout the police service. A survey in 1952-53 of 19 of the 25 largest departments in the country showed that there were only 40 Negro sergeants, 14 lieutenants, and 1 captain. Negroes constituted 3.8 percent of the patrolmen, 1.1 percent of the sergeants, 0.9 percent of the lieutenants, 0.2 percent of the captains, and 0 percent of higher ranks.²⁴⁴

The 1962 survey of the Civil Rights Commission of localities with a Negro population of over 5,000 showed that Negroes were still seriously underrepresented at command and supervisory levels. In the southern and border States, 30 departments had a total of 70 Negro sergeants; 8 communities had a total of 9 Negro lieutenants; only St. Louis and Kansas City, Mo., had Negro captains.²⁴⁵

The following table compares the ratio of white supervisory officers to white officers generally and Negro supervisory officers to Negro officers in southern and border State cities:²⁴⁶

	Sergeants	Lieutenants	Captains
White.....	1:8	1:20	1:37
Negro.....	1:16	1:125	1:246

In the 106 northern cities responding, 6 had a total of 9 Negro captains, 17 had a total of 26 Negro lieutenants, and 48 had a total of 141 Negro sergeants. The following table compares the number of white and Negro supervisory officers to white and Negro officers generally in these cities.²⁴⁷

	Sergeants	Lieutenants	Captains
White.....	1:9	1:25	1:45
Negro.....	1:20	1:108	1:311

Thus, Negro officers have been unsuccessful in gaining higher rank outside of the South.

The following table compares white and Negro ranking officers in several cities over a period of years:²⁴⁸

²³⁸ Michael Banton, "The Policeman in the Community" (New York: Basic Books, Inc., 1964), p. 54.

²³⁹ William Raspberry, "Police Rift Widens Here Among White and Negro Officers," Washington Post, September 23, 1966, sec. B, p. 1, cols. 1, 2.

²⁴⁰ Supra, note 21 at vol. II, pp. 49-50; and supra, note 202 at ch. 11, pp. 30-31.

²⁴¹ Supra, note 22 at pp. 277-279.

²⁴² For example, a study of Baltimore in 1939 to 1942 found that in almost all Negro areas, more than 20 percent of the boys between 10 and 15 had been before a juvenile court and in many areas the percentage was over 70 percent. Forty percent of Negro boys aged 14 and 15 came before the court. Bernard Lander, "To-

wards an Understanding of Juvenile Delinquency" (New York: Columbia University Press, 1954), pp. 20, 32.

²⁴³ Supra, note 22 at pp. 270-271.

²⁴⁴ Supra, note 178 at p. 138.

²⁴⁵ Supra, note 202 at ch. 11, p. 17.

²⁴⁶ Id. at ch. 11, p. 18.

²⁴⁷ Id. at ch. 11, p. 21.

²⁴⁸ Supra, note 202 at app. II, tables 15, 16; supra, note 178, at p. 138; supra, note 22, pp. 286-287.

Ranking Officers in Representative Cities According to Race

City	1950, percent Negroes in population	1952-53								1960, percent Negroes in population	1962							
		Patrolmen		Sergeants		Lieutenants		Captains and above			Patrolmen (including corporals)		Sergeants		Lieutenants		Captains and above	
		W	N	W	N	W	N	W	N		W	N	W	N	W	N	W	N
Washington, D.C.	35	1,378	205	68	0	75	1	37	0	54	2,086	406	157	8	79	3	70	0
Detroit	16	3,565	96	344	3	167	1	42	0	29	3,640	148	340	5	152	1	56	0
St. Louis	18	1,240	75	196	5	36	1	23	0	29	1,393	125	192	12	35	2	31	2
Chicago	14	5,927	260	474	7	148	1	60	0	23	7,708	1,188	962	50	231	4	65	2
San Francisco	6	1,178	5	194	0	42	0	120	0	10	1,273	28	210	0	50	0	23	0
Newark	17	1,030	19	71	1	57	0	21	0	34	970	88	96	3	88	2	22	0
Dallas	13	289	4	46	0	14	0	24	0	19	717	8	249	5	45	0	30	0
Cincinnati	16	607	51	43	2	35	1	18	0	22	664	57	69	2	34	3	19	0

In the 30 State police or highway patrols responding in 1962, other than Illinois, there were no Negro supervisory or command personnel. Of the 24 Negro officers in Illinois, however, there were 2 corporals, 1 sergeant, and 1 lieutenant.²⁴⁹

The notable disproportion of Negro officers promoted to that of Negro officers recruited and selected is partly explainable by the recency of recruitment of many of the minority officers. It may take several years before recently appointed Negro officers are eligible for promotion into supervisory and command positions. In addition, the frequently more limited educational background of minority group officers takes its toll in promotion examinations.

But there is also evidence that discrimination is practiced against minority group officers, perhaps more in promotion than in recruitment. The promotion in some police departments of one or two Negroes to relatively high rank is often only a token show of nondiscrimination.²⁵⁰ The Michigan State survey found, in a number of police departments, that Negro officers are discouraged from taking promotion examinations.²⁵¹ There have been examples of separate tracks and hidden job ceilings for minority group officers.²⁵² The very upsurge in promotions of minority group officers in cities such as Washington, D.C., Philadelphia, and Chicago—the number of Negro ranking officers in Chicago rose from 10 sergeants and 1 captain in 1960 to 50 sergeants, 4 lieutenants, and 2 captains in 1962 after Superintendent O. W. Wilson announced a policy of nondiscrimination²⁵³—suggests that these departments had not promoted qualified Negroes before.

A police department should have several qualified higher ranking minority group officers if it is to be responsive to the needs of minority neighborhoods. If minority groups are to feel that they are not policed entirely by a white police force, they must see that Negro or other minority officers participate in policymaking and other crucial decisions. The interaction of white officers with ranking minority officers can do much to reduce the stereotyping of minority groups by the white officers and therefore lessen racial or ethnic prejudice.

Finally, minority supervisory and command officers can be of unique value to the police in improving community relations. For example, a Negro captain was able to quiet police-community tension after a riot in Harlem when he was appointed as the first Negro to head a precinct there.²⁵⁴ Similarly, in Washington, D.C., after a disturbance, the only two Negro captains on the force were assigned to the area.

The elimination of discrimination in promotions is a more complicated problem than that involved in the original selection of personnel. The relatively few officers involved in the selection process can be screened for prejudice and minority officers can be included in the review to help guarantee its honesty and dispel possible appearances of discrimination. Insofar as promotions are based on written examinations, similar methods can be used. However, in many police departments, efficiency reports play a major role in evaluating candidates for promotion. This means that crucial determinations are made throughout the department concerning the practices and ability of minority officers by every supervisor who has such an officer under his command.

It is essential that efficiency reports on minority officers receive special attention. Chiefs should issue strong statements on the necessity of avoiding even subtle forms of discrimination. The police-community relations unit should scrutinize efficiency reports on minority officers and it should be made clear that discrimination will result in strong disciplinary action.

In some jurisdictions an outside agency in the local government is given responsibility to determine whether promotions in all government agencies have been based in part on discrimination. For example, in the District of Columbia, any District employee, including any police officer, can file a complaint of discrimination with the Commissioners' Council on Human Relations. If conciliation by the council fails, a three-man panel is selected: one person is chosen by the complainant, one by the executive director of the council, and one by the first two panel members. The person selected by the executive director is a District government employee, from a department other than the one involved, who has been

²⁴⁹ *Supra*, note 202, at ch. 12, at p. 14.

²⁵⁰ *Supra*, note 22 at p. 283.

²⁵¹ *Id.* at p. 270.

²⁵² *Supra*, note 202 at ch. 11, pp. 18-19.

²⁵³ *Supra*, note 202 at ch. 11, p. 22.

²⁵⁴ Michael T. Kaufman, "Police Shake-Up Begun by Leary: Top Aide Chosen," *New York Times*, Feb. 26, 1966, p. 1, col. 1.

recommended by his department and approved by the executive director. The panel's recommendation, together with a recommendation by the executive director, is submitted to the Commissioners who make the final decision.²⁵⁵

Assignment to a prestigious unit or special training may also be important to advancement. If these opportunities are denied because of race, nondiscrimination in promotion may be of little importance. Such assignments should therefore receive the same kind of special attention.

But promotion of officers from minority groups will often require more than nondiscrimination. Minority officers now often leave the forces or do not take promotion examinations because they are convinced that past discrimination continues.²⁵⁶ The study of Philadelphia police officers in the 1950's found numerous Negro officers who had given up hope of promotion:²⁵⁷

Well, I wanted to go higher, but I felt beat before I started—felt like I never had a chance, so I never took the exam.

* * * * *

When I was younger naturally I wanted to get ahead. I kept taking the exams but never made it. I finally realized it was prejudice. I haven't taken any recently. I'm too old now—satisfied where I am.

Since police departments urgently need more high-ranking minority officers, it is essential that each department make every reasonable effort to overcome the legacy of the past. Nondiscriminatory policies should be forceful and publicly stated. Officers from minority groups should be encouraged to take promotion examinations. One method would be to urge ranking officers from minority groups to assist other minority officers in preparing for the examinations, as has been done with success in the District of Columbia.²⁵⁸ While it may cause other problems, consideration might be given to reducing the time requirements which minority officers must spend in grade before being eligible for promotion where it is determined that promotion has been denied in the past because of discrimination.²⁵⁹

In some departments, promoting officials choose among the top several candidates. The highest ranking positions are generally not filled on the basis of competitive examinations at all. For example, in New York all appointments above the level of captain are made at the discretion of the Police Commissioner, and in Washington, D.C., appointments to captain and above do not involve examinations.²⁶⁰ A major factor in the exercise of this discretion should be the urgent need for high-ranking minority officers.

One important application of the lateral entry concept discussed in chapter 5 would be the recruitment of talented members of minority groups who previously had not thought of a police career. As the President's Commission on Crime in the District of Columbia emphasized, lateral entry allows a police department to overcome this problem without waiting for officers from minority groups to be promoted slowly through the ranks.²⁶¹

Assignments

The problem of assignments for minority group officers is largely the problem of integration—integration of patrols where two-man patrols are used, integration of the personnel assigned to white as well as minority neighborhoods and integration of specialized units. In many ways, the stresses to be expected are the same as those experienced in the integration of any large organization.

Particular Units and Duties. While it is not clear how much of this discrimination still exists, Negro officers have been discriminated against in the South by being assigned to separate precincts and divisions²⁶² and throughout the country in assignments to foot patrols rather than to cars and to desk jobs. The study of the Philadelphia police, for example, showed that at least until 1956, the latter kind of discrimination was common in most precincts.²⁶³ Similarly, until 1960, Negroes were not usually assigned to patrol cars in Chicago; and in at least one precinct, if no white officers were available, some cars did not go out.²⁶⁴ While by 1962, the situation had improved as to both motor assignments and desk positions, the Civil Rights Commission survey in 1962 showed that of the 68 nonsouthern counties with Negro deputies, in 18 all field patrols were white, and Negro deputies were given other jobs to do.²⁶⁵

Discrimination against Negroes in entering detective units has been general in the South. A study of Negro police in that region showed that there were only 56 Negro detectives in 1954 and 87 in 1959, among the 146 agencies responding (which included most of the larger ones), and 101 among 98 agencies in 1961.²⁶⁶

Outside the South, discrimination against Negroes in assignments to detective units is also widespread. Until a new administration appointed 10 in 1962, Newark had only 1 Negro detective.²⁶⁷ Whether or not it is the result of present or past discrimination, in many cities during 1966 the proportion of detectives was significantly smaller than that of patrolmen:²⁶⁸

City	Detectives			Patrolmen		
	White	Negro	Percent	White	Negro	Percent
Washington, D.C.	118	20	14.5	1,770	455	20.4
Boston	166	1	.6	1,904	42	2.1
Detroit	350	12	3.3	3,287	149	4.3

On the other hand, in some cities like Indianapolis, Buffalo, and Atlanta, the proportion of Negro officers doing detective work is above the proportion of Negro patrolmen on the force.²⁶⁹

Many of the same methods for ending discrimination in promotions apply equally to the assignment of Negroes to plainclothes duty. It is important that all openings to special police assignments be filled on the basis of ability. The program, recently introduced in the District of Columbia, to post notices of openings and to solicit

²⁵⁵ See "City Adopts Tough Code on Hiring," *Washington Post*, Aug. 26, 1966, sec. E, p. 10, col. 1.

²⁵⁶ *Supra*, note 22 at pp. 269-271; *supra*, note 21 at vol. I, pp. 154-155; William Raspberry, "Promotions in the Police Department—Is There Discrimination?" *the Washington Post*, Oct. 16, 1966, sec. B, p. 1, cols. 1-7.

²⁵⁷ *Supra*, note 178 at pp. 129-130.

²⁵⁸ Alfred E. Lewis, "Police Name 2nd Negro as Captain," *the Washington Post*, Mar. 2, 1966, p. 1, col. 3.

²⁵⁹ Waiting periods were partially suspended in Chicago and Philadelphia a few years ago. *Supra*, note 22 at p. 288.

²⁶⁰ *Supra*, note 218; *supra*, note 77 at p. 166.

²⁶¹ *Supra*, note 77 at pp. 31-32.

²⁶² See, e.g., *supra*, note 202 at ch. 11, pp. 29-30.

²⁶³ *Supra*, note 178 at pp. 36-37, 46-55, 161.

²⁶⁴ *Supra*, note 202 at ch. 11, p. 32.

²⁶⁵ *Supra*, note 202 at ch. 12, p. 11.

²⁶⁶ *Supra*, note 206 at pp. 5-7.

²⁶⁷ *Supra*, note 202 at ch. 11, p. 31.

²⁶⁸ *Supra*, note 22 at table IV, p. 286.

²⁶⁹ *Id.* at table IV, p. 286.

written applications, provides an excellent basis for non-discriminatory determinations.²⁷⁰

Patrols. Segregation presently exists in patrol assignments in many departments. A recent survey showed that of 165 cities either with populations over 100,000, or with populations of between 30,000 and 100,000 but with 5 percent nonwhites, 4 never assigned Negro and white officers together, 40 did so only for special details, 54 did so occasionally, and 74 did so "generally."²⁷¹ The Michigan State survey found that of the eight departments in the South responding, three used integrated patrols. In contrast, outside the South, 19 of 26 departments used at least some integrated patrols.²⁷²

These figures, however, overstate the amount of real integration. Where, for instance, the composition of patrols or teams has been left to the voluntary choices of the individuals involved, the result has usually been mostly all-white and all-Negro teams.²⁷³ For example, in the District of Columbia in 1966, almost half of Negro officers doing patrol work were still riding in all-Negro cars and in several precincts there were no integrated patrols at all.²⁷⁴ Progress has been slow because precinct commanders "defer to the prejudices of individual officers."²⁷⁵ In many other cities with integrated patrols, the proportion of Negro officers in all-Negro teams is even greater and consequently there is only token integration. Official color blindness is not a sufficient remedy. The department policy must make clear both to police officers and to the community that the department will not tolerate segregation within its own ranks. As long as segregation exists, even by voluntary choice, departmental exhortations about improving police-community relations will not be taken at face value by minority citizens. Minority officers will believe that racial prejudice governs decisions throughout the department, and that belief will have a serious effect on their morale and on the recruitment of other minority officers.

The mere lack of contact between white and minority group officers on the force will make other measures to end prejudice and discrimination less effective. Studies of prejudice show that stereotypes tend to be modified and prejudices reduced when whites have contacts with Negroes on an equal footing.²⁷⁶ As a white police officer told the Philadelphia study, "When somebody's shooting at you, it doesn't matter what color you are."²⁷⁷ The same study found that the more white officers worked with Negro policemen, the less they were prejudiced against them.²⁷⁸

Integration of police forces is also necessary because of the special competence of minority group officers in minority group neighborhoods. The description of an incident in Washington by a Negro officer indicates the value of integrated patrol:²⁷⁹

My partner and I were chasing a Negro suspect into an all-Negro neighborhood * * * when the man shut himself up in an upstairs room and began shouting that the police were trying to get to him to beat him up.

It would have been inviting trouble to send a white officer into the crowded building to get him * * *. So I went up and got him and told the people on the way out why we were arresting him. There was no trouble.

Neighborhoods. Police-community relations in minority group neighborhoods will benefit materially from the assignment of more minority group officers than would be the case if the officers were distributed evenly throughout the force, i.e., were assigned on a completely non-racial basis. With an even distribution, Negro officers would represent less than one-fifth of total officer strength in Negro precincts in Washington, D.C., whose police force has one of the highest proportions of Negroes of any in the country. And the percentage of Puerto Ricans and Mexican-American officers in neighborhoods where these groups live would be even less.

On the other hand, the significantly disproportionate assignment of most minority officers to minority neighborhoods raises the appearance of segregation which would be as harmful as segregated patrols, teams, or units. In the past, minority group officers have been restricted entirely or primarily to minority group neighborhoods. A study in 1959 showed that in 129 southern cities, Negro officers were allowed to patrol only Negro neighborhoods in 107 cities and were assigned primarily to Negro neighborhoods in another 6.²⁸⁰ The Civil Rights Commission survey in 1962 found that in the southern and border States, 92 percent of city police departments and 90 percent of county sheriffs assigned Negro officers solely or primarily to Negro neighborhoods. Only seven cities and four counties made assignments without regard to race.²⁸¹ A much smaller survey in 1966 showed that Negro officers patrolled in white areas in 7 of 11 southern localities responding.²⁸²

Outside the South, the Civil Rights Commission survey in 1962 found that 85 percent of city and 93 percent of county law enforcement agencies claimed that they assigned Negro officers without regard to race.²⁸³ In 14 cities and 3 counties, however, law enforcement agencies admitted that Negro officers were primarily assigned to Negro areas. These cities included Los Angeles, Indianapolis, Kansas City (Kansas), Detroit, and Syracuse.²⁸⁴

Such assignment of minority group officers exclusively or almost exclusively to minority neighborhoods is strongly opposed by most Negroes. For example, 87 percent of Negroes interviewed in a survey in St. Louis opposed exclusive assignment of Negro officers to Negro areas; in contrast, a significant majority of whites supported it.²⁸⁵ Segregation—whether based on the preferences of officers or citizens—is indefensible and cannot be tolerated.

This problem should be met by assigning minority group officers where they will be most useful, while at the same time avoiding segregation. The best resolution of the dilemma presented by these conflicting goals seems to be along three lines. First, although a somewhat disproportionate number of minority group officers should be in

²⁷⁰ "New Police Assignment Procedure for City Issued by Chief Layton," the Washington Post, July 21, 1966, sec. K, p. 1, col. 6.

²⁷¹ *Supra*, note 65 at p. 9.

²⁷² *Supra*, note 22 at p. 284.

²⁷³ *Id.* at p. 261.

²⁷⁴ Commissioners' Council on Human Relations, *supra*, note 215 at p. 19.

²⁷⁵ *Supra*, note 77 at p. 58.

²⁷⁶ *Supra*, note 171 at pp. 156-159, 167-168, 185, 191, 217, 220.

²⁷⁷ *Supra*, note 178 at pp. 71-72.

²⁷⁸ *Ibid.*, at pp. 98-99, 188-189.

²⁷⁹ Leonard Downie, Jr., "Two Against Crime," the Washington Post, Potomac Magazine, Dec. 19, 1966, pp. 6-7.

²⁸³ *Supra*, note 206 at pp. 13-14.

²⁸¹ *Supra*, note 202 at ch. 11, p. 23; ch. 12, p. 9.

²⁸² *Supra*, note 22 at pp. 284-285.

²⁸³ *Supra*, note 202 at ch. 11, p. 23; ch. 12, p. 10.

²⁸⁴ *Id.* at ch. 11, p. 24; ch. 12, pp. 10-11. Similarly, in Boston, Negro officers were predominantly assigned to Negro districts or to cases involving Negroes. See report of the Massachusetts Advisory Committee to the U.S. Commission on Civil Rights, "50 States Report" (Washington: U.S. Government Printing Office), pp. 253-254.

²⁸⁵ *Supra*, note 4 at table 13, p. 97.

minority neighborhoods, many officers also should be stationed in other areas. Second, the minority group officers stationed in minority group neighborhoods should be rotated to other neighborhoods. Third, the disproportionate assignment of minority group officers should, of course, cease when the police-community relations problems of minority group neighborhoods are not so acute as to justify such extraordinary measures.

TRAINING

Chapter 5 presented the problems of existing police training in this country. Recruit training was found generally to be inadequate. Inservice training, if it existed at all, usually was likewise insufficient.

Police-community relations training also suffers from lack of attention and is unlikely to improve substantially until overall police training is upgraded in quality and extent. It has long been treated as a stepchild which, until recently, has been barely accepted into the curriculum. Improvement in police training generally will not automatically result in better community relations training. This, together with the special complexity of police-community relations curricula and techniques, warrants separate discussion of this training area.

Purpose of Police-Community Relations Training

A recent survey found that most cities with community relations training concentrated on public relations.²⁸⁶ Such a program attempts to teach the police officer how to improve the image of the police and conduct himself in a way which will not alienate the public. It concentrates on such matters as why community relations is important to the police department, how to talk courteously to citizens, and how and why to avoid physical or verbal abuse and discrimination. These ideas are often included in training sessions concerning arrest, field interrogation, traffic citations, and the other points of contact between the police and public. The theory is that officers who are taught about police policies will follow them in a professional, well-organized department.

Another type of community relations training equips the police officer to understand the various kinds of individuals with whom they will come in contact and the various neighborhoods of the city. This is directed not so much at the basic arms-length ability to avoid offense, as at the intelligent exercise of discretion. Subjects such as basic psychology and sociology, the history and culture of the city and its various parts, and the history and purpose of the civil rights movement, help officers to distinguish between offenses which should result in arrest and those which should not, to deal with groups of youths who have congregated, and similar issues.

Finally, community relations training is sometimes intended to change attitudes and prejudices of recruits or police officers. There is evidence that intensive experiences, particularly in small groups, can have an effect with persons who are only mildly prejudiced.²⁸⁷ Some of the subjects taught for this purpose would be those

also included in the curriculum for the purpose of improving the officer's ability to exercise discretion. Role-playing or small discussion groups may be used to help the officer to think through his own emotions and beliefs.

Each of these three types of training is important, and each reinforces the others. It is essential that the officer know the community relations policies of the department, understand individual and community characteristics which should affect his discretion, and have proper attitudes.

Recruit Training

There are two different aspects of training in police-community relations. First, community relations training should be made part of a more general instruction on arrest procedures, field interrogations, use of firearms. Second, some community relations subjects can only be taught separately. The amount of recruit training devoted specifically to community relations problems is woefully inadequate in most jurisdictions. A survey found that 22 of 165 police departments in cities either with over 100,000 population, or with between 30,000 and 100,000 population but over 5 percent nonwhites, gave no human relations training of any kind and that the average training in the others was only 11 hours in length. Of 145 cities with between 30,000 and 100,000 population and less than 5 percent nonwhites, only 43 gave any such training.²⁸⁸ Of the 53 police departments responding to the Michigan State survey, only 20 gave more than 20 hours of community relations training and only 4 more than 40.²⁸⁹ The chart on the following page shows the number of hours of separate community relations training given in certain agencies.²⁹⁰

Clearly, in the majority of police departments, the amount of time given specifically to human and community relations must be dramatically increased. Few police officers today have a proper background in psychology, sociology, or the culture of the poor, minority groups, or juveniles. In any jurisdiction with a serious community relations problem or a substantial number of residents from minority groups, 60 hours of such training seems a bare minimum and 120 hours highly desirable. The training could be given as a combination of basic and inservice training over a period of time. Such training could also, as in California, be offered by community colleges. Even in other localities, the complex problem which police have in dealing with human beings in difficult circumstances indicates adequate instruction must be provided. Before an officer can become expert in deriving the truth from conflicting statements, in knowing how to handle quarreling spouses and delinquent youths, in determining when an arrest for drunkenness or loitering is useful or necessary and when it will merely harm an individual or inflame a minority community, and in calming tense and hostile crowds, he must acquire information and understanding concerning human relations. It is doubtful that this can be acquired in less than 60 hours.

²⁸⁶ *Supra*, note 65 at pp. 7, 11; *supra*, note 22 at pp. 303, 310.

²⁸⁷ See, e.g., George E. Simpson and J. Milton Yinger, "Racial and Cultural Minorities" (rev. ed., New York: Harper & Rowe, 1958), pp. 772-773, 776-777.

²⁸⁸ *Supra*, note 65 at pp. 7, 11.

²⁸⁹ *Supra*, note 22 at pp. 304-309.

²⁹⁰ *Ibid.* This data cannot be taken as exactly accurate. Police departments themselves made the classification as to what constituted community relations training and what kind it was. There is probably considerable inconsistency in placing training in particular categories and some exaggeration of the amount of community relations training given.

Hours of Separate Community Relations Training in Representative Police Departments—1966

City	Human relations	Public relations	Sociology	Psychology	Civil rights	Total	Community relations training
							Total percent training hours
500,000 plus population:							
Washington, D.C.	40	(1)	0	0	2	42	42/165=25.5 percent.
Kansas City, Mo.	4	4	0	0	2	10	10/504=2 percent.
Detroit, Mich.	22	0	4	0	6	32	32/480=6.7 percent.
Boston, Mass.	30	8	6	4	10	58	58/520=11.2 percent.
Atlanta, Ga.	4	2	1	2	4	13	13/288=4.5 percent.
250,000 plus population:							
Dayton, Ohio	6	4	10	8	4	32	32/680=4.7 percent.
New Orleans, La.	4	7	0	0	(1)	11	11/560=2 percent.
Minneapolis, Minn.	40	12	22	(2)	6	84	84/400=21 percent.
Oakland, Calif.	0	8	0	0	0	8	8/320=2.5 percent.
Birmingham, Ala.	10	2	0	0	1	13	13/300=4.3 percent.
100,000 plus population:							
Savannah, Ga.	2	1	0	0	0	3	3/192=1.6 percent.
Yonkers, N.Y.	8	2	0	0	0	10	10/500=2 percent.
Independence, Mo.	8	8	8	8	8	40	40/480=8.3 percent.
Below 100,000 population:							
West Allis, Wis.	8	32	0	0	2	42	42/240=17.5 percent.
Portsmouth, Ohio	0	0	0	0	0	0	0/80=0 percent.
County agencies:							
Dade County, Fla.	2	14	0	16	6	38	38/616=6.2 percent.
Nassau County, N.Y.	7	12	6	6	6	37	37/436=8.5 percent.
State agencies:							
Texas Department of Public Safety	3	3	5	5	2	18	18/820=2.2 percent.
Minnesota Highway Patrol	0	0	0	0	1	1	1/576=.2 percent.

¹ Included in human relations. ² Included in psychology.

Of course, much more than additional time in the curriculum is required for effective community relations training. The following curriculum which was used in St. Louis in 1966, although limited in time, suggests the kind of comprehensive, carefully planned curriculum devoted to community relations which is necessary:²⁹¹

SAINT LOUIS METROPOLITAN POLICE DEPARTMENT

Community Relations and Human Behavior Curriculum for Recruit Officers

	<i>Hours</i>
I. Psychiatric Growth and Development of the Individual	5
Father Trafford Maher, S.J.	
Saint Louis University	
II. The American Culture	3
Dr. George Hiram	
Saint Louis University	
III. Human Behavior	2
Dr. Lawrence Nicholson	
Harris Teachers' College	
and Saint Louis University	
IV. Social Disorganization	12
Alcoholism, narcotic addiction and drug abuse	4
Dr. Joseph Kendis and Staff	
Department of Psychiatry	
Washington University	
Suicide	2
Dr. Eli Robbins and Staff	
Department of Psychiatry	
Washington University	
Social maladjustment and sex deviation	2
Dr. Lee Rainwater	
Washington University	

Mental illness 3

 Dr. Robert Felix
 Department of Psychiatry
 Saint Louis University

Delinquent and criminal behavior 1

 Mr. William Handy
 Community Relations Manager

V. The Saint Louis Community 5

 Dr. William Moore
 Carver School

VI. Mechanics of the Police-Community Relations Program 1

 Mr. William Handy
 Community Relations Manager

VII. Psychology of Prejudice 5

 Father Trafford Maher, S.J.
 Saint Louis University

VIII. Mass Media Relations 1

 Total 34

Other appropriate subjects could include how to handle violations of civil rights laws (such as fair housing or public accommodation statutes), the history and culture of poverty and of minority groups, and the extent and effects of racial discrimination.

The person teaching the course is at least as important as the subject matter. Where police forces have sworn officers who are good teachers with expertise in psychology or sociology, they should be used as instructors. This is not the case in many departments today, so the use of civilian instructors from universities or elsewhere becomes essential.²⁹² Ideally, police departments should use both police officers and civilian experts as instruc-

²⁹¹ Id. at p. 313.

²⁹² Id. at pp. 313, 322.

tors.²⁹³ The police instructors can impress upon recruits that community relations is important to the department—that it is a vital part of law enforcement. The civilians can often teach the more complex subject matter.

The effectiveness of civilian instructors is increased if they understand the nature of police work. Where possible, police departments should add civilian experts on a full-time, or regular part-time basis to their community relations units, where they can also be of assistance in areas other than training. In any event, they should be encouraged to become interested in the law enforcement field on a continuing basis.

Civilians who are not experts should also participate in police training. For example, civil rights leaders and even ordinary, although articulate, citizens from the poor community could make notable contributions by giving recruits their point of view, telling about how the poor and deprived view various issues. However, community relations training should not be confined to isolated lectures by guest speakers, each speaking an hour or two in the classroom. The training program must be unified.

Along with classroom work, field training must be given. It is frequently said that when recruits leave the training course, they soon forget all they have learned and instead adopt the practices of the officers with whom they work. If the results of the community relations training sessions are to be strengthened rather than undermined, the officers accompanying the recruits in their field work must be carefully screened for their abilities and attitudes relating to community relations and should receive clear instructions concerning how to help the recruits improve their abilities in this area.

Inservice Training

Inservice training is of particular importance in community relations. Many officers received little or no community relations training at the time they were recruits. Even if they had, the practice of community relations in police work is extremely difficult and the lessons of recruit training may be forgotten if not reinforced. And minority group problems and other issues of importance to community relations are constantly changing.

Most police departments have no inservice community relations training although the number that do is increasing.²⁹⁴ In those that do, it is usually too brief. Even in one of the Nation's outstanding inservice training programs, only 2 of the 36 class hours in 1963 could be considered to be devoted specifically to community relations training. A balanced program of community relations training for officers now on the force would have the following components:

Rollcall Training. Other aspects of department policy need constant repetition at rollcall and the same holds true of policies affecting police-community relations. In addition, rollcall offers the opportunity for precinct community relations officers to talk on a regular basis to all

officers in the precincts about problems which they have found to be bothering the neighborhood and the precinct's program for dealing with them.

Community Relations Retraining for Patrolmen. Regular inservice training should exist in all departments and be expanded. If it is to have any significant effect, a minimum of 10 hours of formal community relations training a year would seem essential as part of any inservice program, and it is probably most effective if given in one or two blocks of time.

A number of police departments in the last 2 years have initiated special, concentrated community relations training programs for all or large portions of the force, often under grants from the Federal Government. The Office of Economic Opportunity recently funded a program in Detroit for all 1,800 officers in "inner-city precincts," which was run by the department in conjunction with the city's Commission on Community Relations and the local antipoverty program. Each of the 8 sessions began with a lecture for about 60 officers and discussions of the lecture. The officers then broke into 6 groups to discuss police handling of a specific police incident such as a house search, street loitering, or a crowd, which was either role-played or described aloud—why it occurred, how the officers in the incident handled it, and how it should have been handled. The incidents were the kind which raise the most serious police-community problems. Each discussion group reported back to the entire meeting.²⁹⁵

The Office of Law Enforcement Assistance in the Department of Justice has made a grant to the New Orleans Police Department to give the entire 1,100-man force and 100 key personnel from surrounding parishes an 18-hour course featuring lectures and small discussion groups. That office has also given a grant to have a private corporation, which has conducted training previously in other fields, train 1,000 of the 2,900 officers in the Washington, D.C., department for 24 hours in groups of 25.²⁹⁶ And analysis of eight sessions of lectures and discussion concerning community relations for all officers in Lake County, Ind., which was funded by the Office of Economic Opportunity, showed that the attitudes toward minority groups of police officers with a low degree of prejudice had been affected.²⁹⁷

Training for Supervisory and Command Officers. Separate training for command and supervisory personnel has been rare.²⁹⁸ But unless supervisory officers are trained, the community relations training of recruits and patrolmen is likely to mean little. Lower ranking officers naturally respond to the expectations of their supervisors. The latter make policy, enforce discipline, devise community relations programs, talk to the press and citizens' groups, and otherwise set the tone of the entire department.

Training should therefore start at the top, and the course of study should be longer than can be afforded for all personnel. Supervisory and command personnel

²⁹³ Id. at pp. 304-309.

²⁹⁴ Id. at p. 314; supra, note 21 at vol. I, p. 150.

²⁹⁵ United States Conference of Mayors, "Police-Community Relations Training in Detroit" (1966) 4 pp.; the Detroit program is based on Arthur I. Siegel, Phillip J. Federman, and Douglas G. Schultz, "Professional Police Human Relations Training" (Springfield: Charles C. Thomas, 1963).

²⁹⁶ Alfred E. Lewis, "Police Face Course in Diplomacy," the Washington Post, July 3, 1966, sec. B, p. 4, col. 4.

²⁹⁷ Gary, Ind., Application for grant to Office of Law Enforcement Assistance, 1966, pp. 3-7.

²⁹⁸ Supra, note 22 at pp. 323-324.

probably should receive at least 50 hours of community relations training at or near the time of promotion and then regular training after that.

In addition to the subjects in the recruit's and patrolman's curricula, higher officers should receive training in subjects of particular relevance to them. These might include how to deal with citizen organizations, particularly those of minority groups; the structure of citizens' organizations in the city; and the use of discipline and incentives to ensure that community relations policies are carried out.

Special Training. Some kinds of specialized training are of great significance for police-community relations. Programs in basic Spanish, such as those which have been given in New York, Philadelphia, San Diego, and Chicago,²⁹⁹ should be provided for officers working in communities with a substantial Spanish-speaking population. In addition, policemen should receive special instruction on the culture of the residents of various neighborhoods and the community resources available to them. A special 8-hour course has been given several times in Philadelphia on "crime and race" because of misconceptions relating to crime causation and statistics.³⁰⁰

Police-Community Relations Institutes. Police-community relations institutes are of two types. Some are intended to provide a forum where the community and the police may discuss current issues and build mutual understanding. Such discussions, like all community meetings focusing on police problems, have training implications, and officers should be sent to them for this purpose.

Other institutes, which are attended largely by police officers, are held principally for training purposes. If community representatives are present, they are intended to give citizen opinion as part of the training. An example of this type is the National Institute at Michigan State University, which has been held annually since 1955 under the auspices of the National Conference of Christians and Jews. The 1966 meeting attracted 442 participants from 155 cities and 30 States, of whom 80 percent were police officers generally of supervisory rank.³⁰¹ Such meetings allow officers to compare their problems and the programs which they have employed to remedy them.

TECHNIQUES OF COMMUNITY RELATIONS TRAINING

The importance of imaginative educational techniques, such as discussion groups, problem solving, and roleplaying was described in chapter 5. Such techniques are of particular importance for instruction relating to community relations.

Frequently, recruits or officers are completely indifferent or even hostile to such training because they do not regard it as "real police work."

The President's Commission on Crime in the District of Columbia found that community relations training by the Metropolitan Police Department "seems to have created antagonism to the principles taught rather than

adherence."³⁰² Thus, unless carefully planned, community relations training may reinforce antagonism to minority groups and community relations generally. On the other hand, if properly carried out, such training can help to persuade the recruit or officer to adopt a different attitude toward the role of a police officer and different groups in the community.

Universities and other groups having experts from various disciplines should be encouraged to develop new techniques and curricula, to run training programs, and to evaluate them. For example, in Philadelphia, community relations training was initiated by a psychological consulting firm, and the present program was developed and taught by a sociologist from the University of Pennsylvania.³⁰³ Most of the other innovative programs discussed in this section were run by outside groups in conjunction with police departments.

POLICE FIELD PRACTICES

A community's attitude toward the police is influenced most by the action of individual officers on the street. While community relations units, neighborhood advisory committees, and fair procedures for processing citizen complaints are essential for reducing existing friction between the police and the community, these programs will have little enduring effect if persons are not treated justly in their contacts with police officers. This is particularly true of persons in slums or minority group neighborhoods who, because of more frequent contact with the police, are more aware of police practices.

Although many allegations of police misconduct or discriminatory treatment are unwarranted, Commission surveys reveal that police practices exist which cannot be justified. For example, the Commission found the abusive treatment of minority groups and the poor continues to occur. Many established police policies—such as the use of arrests for investigative purposes—alienate the community and have no legal basis. Departments may utilize procedures, such as the use of dogs to control crowds, without balancing the potential harm to police community relations. And some valuable law enforcement techniques, like field interrogation, are frequently abused to the detriment of community relations. Too few departments give necessary guidance to assist the personnel in resolving potentially explosive social and criminal problems.

It is not possible for the police to enforce the law and preserve the peace without incurring some hostility and resentment. This is inherent in the very nature of police work. The major criticisms of the police, however, result from the particular methods used in accomplishing their functions. The purpose of this section is to examine police practices which appear to antagonize certain portions of the community, to determine the propriety of such practices, to show the need for all departments to establish reasoned policies governing police practices, and to analyze the sometimes competing considerations which must be weighed before establishing such policies.

²⁹⁹ *Supra*, note 22 at pp. 322-323; *supra*, note 21 at vol. II, p. 43.

³⁰⁰ *Supra*, note 21 at vol. II, p. 76.

³⁰¹ Annual Report (Michigan State University, National Center in Police and Community Relations, July 1, 1965-June 30, 1966), p. 9.

³⁰² President's Commission on Crime in the District of Columbia, "Report of the President's Commission on Crime in the District of Columbia" (Washington: U.S. Government Printing Office, 1966), p. 210.

³⁰³ *Supra*, note 21 at vol. II, p. 76.

This section does not constitute an effort to determine whether particular police practices are unconstitutional. Plainly, some practices described in this section, such as physical abuse, are illegal; others raise constitutional questions; and still others may be constitutional but unwise. Here the sole focus is on police practices which do or may affect community relations regardless of constitutional issues.

POLICE CONTACTS WITH CITIZENS ON THE STREET

It is extremely difficult for a policeman to maintain his composure in all street situations even though this is expected and demanded of him in nearly all police departments. For example, the Law Enforcement Code of Ethics, which has been adopted by nearly all departments and police associations, requires the following:³⁰⁴

I will * * * maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions * * *. I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence * * *.

But the capability of a policeman, and particularly one who works in a high-crime rate or slum neighborhood, to act in a restrained manner is constantly tested. There are countless pressures which increase the difficulty of performing police work calmly and with restraint. Typically, an officer is expected to maintain order on the street, to keep "a clean beat," to disperse mobs, to remove "undesirables," whether or not legal tools for accomplishing these results are available. A policeman's authority is daily challenged by unruly juveniles anxious to detect any weakness or fear. In dangerous neighborhoods, he may be mocked, threatened, or even spat upon. Police work requires that policemen continually see the tragedy of victimized citizens and the sordid lives of the reprehensible and unfortunate elements of the community. And, a policeman must always live with the prospect that he may be subject to attack without warning.

Even if an officer is of the highest quality, his work and the people with whom he must deal may cause him to become disillusioned or angry. If he is not of the highest quality or if he has not been properly trained, if he is prejudiced or hotheaded, he may succumb to his anger or resentment and physically or verbally abuse someone who offends him.

The problems of police-citizen contacts are multiplied and exacerbated when the citizens involved are youths. Youths commit a large and increasing proportion of crimes. They are out and around, noticeable to the patrolling officer. They travel in groups, which may make them appear more suspicious and at least potentially harder to control. They spend time in such local gathering places as pool halls, recreation centers, record shops, and street corners, and they often acquire information useful to the police. The antipathy toward the police

that they might have at any age by virtue of race, neighborhood, or experience is heightened by youth's natural dislike for authority.

It is hardly surprising that youths and policemen are not always on the best of terms. Various factors influence their reactions to and relations with each other. Informal street contacts are rarely recorded, and little factual information is available about their real extent and nature. Several recent studies and field research projects, however, have begun to explore the causes of friction between police and juveniles.

In one study, a series of interviews was conducted with San Francisco gang boys—white, Mexican, and Negro—over a 2-year period.³⁰⁵ While the survey was limited to gang members, it has broader significance both because its observations and analyses deal with activities of the boys independent of their gangs and because gangs and their members probably have greater contact than other youths with the police.

As the San Francisco observers point out, besides needing to obtain information from youths and to apprehend them when they have violated the law, the police also feel an obligation to receive respectful behavior from them, both to symbolize their law-abiding attitude and to attest their acceptance of the particular police officer's authority. The youths in question, however, feel an equal need to establish and maintain their autonomy—a need that, in the case of many lower class gang boys, has been a way of life since they were children and successfully asserted their independence of overworked, ineffectual, or absent parents. One of the most tangible ways in which gang boys assert autonomy is their claim to control of a street corner, city block, or other geographical area as the inviolable site of their activities. But the gang's private hangout is also the policeman's beat and:³⁰⁶

Although the boys attempt either subtly or violently to convince outsiders that their behavior at the hangout is a strictly private affair, the police tend to insist with equal conviction that all behavior on public property is their legitimate concern.

According to one sociologist, the Chicago police illustrate the conflict by saying, when displeased by a gang's hangout behavior, "Give me that corner!"³⁰⁷

The struggle for street corner control may be the backdrop for encounters between police and juveniles, but it is the more pointed, circumscribed encounters—stops, searches, trips to the stationhouse—that shape their views of each other. As the San Francisco sociologists point out, when policemen are suspicious of youths in a strange neighborhood, or their furtive actions, or their gathering together in groups, they are often supported in their suspicions by common sense and experience, as well as by want of alternative means to solve crimes and preserve public order. But feeling themselves both demeaned and challenged, the youths may react with more or less open defiance and hostility, slouching or smirking or answering the officers in an offhand or uncooperative manner, thereby challenging the policeman, in turn, to "put-up-or-shut-up." In that situation the officers, fearful of losing face

³⁰⁴ Law Enforcement Code of Ethics. See ch. 7, Police Integrity.

³⁰⁵ Carl Werthman and Irving Piliavin, "Gang Members and the Police," in David Bordua, ed., "The Police" (New York: John Wiley & Sons, 1967), pp. 56-98. The study of the police reported in this chapter was conducted by the Survey Research Center at the University of California under a grant from the National Institute of Mental Health. The study of gangs was carried out by the Survey Research Center and the Center for the Study of Law and Society at the University of California under grants from the Ford Foundation and the Department of

Health, Education, and Welfare. Aaron V. Cicourel, whose recent study of police handling of juveniles in two California cities will appear in a forthcoming book, states that the "actual encounters [he] witnessed over a 4-year period support the Werthman analysis of the problem of police authority." ("The Social Organization of Juvenile Justice" ch. 7, p. 73, of unpublished manuscript.)

³⁰⁶ *Ibid.* at p. 62.

³⁰⁷ *Ibid.*

and sacrificing authority on future occasions, may feel virtually forced either to arrest the juveniles for a vague or minor offense (suspicion of robbery, loitering, disturbing the peace, violating curfew regulations) or to make it appear that they are being let go out of the goodness of the officer's heart. The San Francisco study concludes that "this is why criminal records of many gang boys are often heavily laced with such charges as 'suspicion of robbery' and 'suspicion of rape.'" ³⁰⁸ Similarly, a study of disorderly conduct arrests of both adults and juveniles in the District of Columbia found that in almost a quarter of them the arrest had been made only for loud and boisterous talking or obscene remarks to the police. ³⁰⁹

The San Francisco gang study, in taped interviews of youths, found that the appearances of authority thereby gained is more than offset by the resentment and disrespect created: ³¹⁰

One day we were standing on the corner about three blocks from school and this juvenile officer comes up. He say, "Hey you boys! Come here!" So everybody else walked over there. But this one stud made like he didn't hear him. So the cop say, "Hey punk! Come here!" So the stud sorta look up like he hear him and start walking over. But he walking over real slow. So the cop walk over there and grab him by the collar and throw him down and put the handcuffs on him, saying, "When I call you next time come see what I want!" So everybody was standing by the car, and he say, "All right you black * * *! Get your * * * home!" Just like that. And he handcuffed the stud and took him to juvenile hall for nothing. Just for standing there looking at him.

Demeanor appears to affect police disposition after arrest as well as arrest in the first instance. Juvenile officers and patrolmen interviewed in the San Francisco study estimated that demeanor is the major factor in 50 to 60 percent of juvenile dispositions. ³¹¹ Another study of juvenile offenders reports police officials in agreement that "defiance on the part of a boy will lead to juvenile court quicker than anything else." ³¹² The more general significance of demeanor is illustrated by a study of a western police department, in which it was found that charges against speeders, prostitutes, and other offenders depended in large part on the suspect's demeanor. ³¹³

Not all policemen equate unusual attire or surroundings with actual or potential lawlessness, and not all interpret defiance as need or justification for custody. This distinction is not lost on youths: ³¹⁴

Those two studs out in Lakeview wouldn't always be on our back for playing neither. We'd be standing on the corner pulling some kinda phoney (!) * * *, and they'd pull up to find out if we was up to something. But they talked to us nice. They wouldn't let us get away with nothing, and, I mean, them cats would bust you if they had to. But they talked to us nice.

Such officers—as the gang boy himself points out—are not necessarily softer, more lenient, or less effective. But by avoiding ethnic slurs, by recognizing and making allowance for the exuberance and the naturally combative and nonconforming attitudes of adolescents, these policemen allow adolescents to escape the uncomfortable spotlight of constant suspicion. Such a spotlight is not only frequently undeserved but it may encourage the

youths to act as their audience, the police officers, appear to expect.

Verbal Abuse and Discourtesy

Commission studies reveal that there are abuses in some cities which range from simple discourtesy to clearly unwarranted excessive use of force against persons of all ages. In focusing on such abuses, it is important to bear in mind that in the large majority of instances officers were observed to handle themselves with courage and often with restraint. Therefore, it is important that the following material not be read as a general description of the conduct of all police officers, but rather as a description of certain conduct which cannot be tolerated regardless how frequent or infrequent it may be.

No matter is more important to police-community relations than the manner in which police officers talk to people on the street. The Michigan State survey found that while allegations of excessive physical force receive the most attention, verbal abuse and discourtesy were probably greater irritants to community relations. ³¹⁵ If officers are abusive, insulting, or condescending, the most insignificant contact can become an occasion which arouses hostility against the police. On the other hand, if police officers are polite, forthright, respectful, and, where appropriate, friendly, a field interrogation, a traffic ticket, or even an arrest can actually increase the respect of the citizen, as well as others who see the incident, for the police.

Commission surveys revealed that a number of officers treat citizens in a demeaning manner. In one Commission study, observations were made in several cities of several hundred routine contacts between police and citizens, usually in a home or on the street. Most of the persons interviewed were witnesses, bystanders, and victims, rather than suspects. The study showed 9 percent of the persons received a polite request from the officers; 5 percent received an impersonal summons which was neither polite nor nasty; 66 percent were interrogated without introduction; and 15 percent of the interrogations began with a brusque or nasty command like "Come 'ere, punk" or "Get your * * * over here, pork chop." ³¹⁶

Discriminatory statements, in particular, produce both anger and strong counterprejudice among minority groups. ³¹⁷ The use of racial epithets, such as "nigger," "coon," "boy," and "Pancho" appears to be widespread, even though their use is condemned by responsible police administrators. The President's Commission on Crime in the District of Columbia found that "offensive terms such as 'boy' or 'nigger' are too often used by officers of the Department" and that "in most cases, the language is chosen deliberately to demean the citizen and demonstrate the superiority of the officer." ³¹⁸ And a study of police handling of juveniles in two police departments stated that, while the observer never heard derogatory remarks made to Negroes by officers on the professionalized force, he heard dozens of insults and derogatory remarks by officers in the less professionalized depart-

³⁰⁸ Id. at p. 91.

³⁰⁹ Patricia M. Wald and Joel E. Hoffman, "Report on the Disorderly Conduct Statute of the District of Columbia" (unpublished manuscript: July 16, 1966), p. 25.

³¹⁰ Supra, note 305 at p. 90-91.

³¹¹ Id. at p. 74.

³¹² Nathan Goldman, "The Differential Selection of Juvenile Offenders for Court Appearances" (Washington: National Council on Crime and Delinquency, 1963), p. 106.

³¹³ Supra, note 1 at pp. 90, 94, 95, 108, 111. See also the similar accounts of Philadelphia police officers in supra, note 21, vol. I, p. 112; vol. II, pp. 145, 146, 156, 168, and 169.

³¹⁴ Supra, note 305 at p. 68.

³¹⁵ Supra, note 22 at p. 17.

³¹⁶ Supra, note 184 at table 14.

³¹⁷ Supra, note 171 at pp. 46-48, 253, 257-258, 283, 301.

³¹⁸ Supra, note 77 at pp. 66-67.

ment.³¹⁹ It is precisely this type of language which solidifies the conflict between minority groups and the police.

Many police departments have regulations which require that citizens be treated with courtesy and respect and train their officers accordingly. One of the most far-reaching is that of the San Diego Police Department:³²⁰

We should treat all juveniles as we would want our own children treated, even the "hard core young hoodlum," for our job is to help juveniles toward good citizenship and build respect for the police and not to create "cop-haters" and criminals. Always be fair, impartial, honest, and constructive. [Emphasis in original.]

A similar rule might properly be applied to adults as well.³²¹

But the general instructions of most departments are neither sufficiently forceful nor specific as to the manner in which police officers should conduct themselves with regard to citizens. General police statements concerning the need for courtesy are not enough. All departments, for example, should formulate clear policies which prohibit the use of racial epithets. A similar recommendation was made by the President's Commission on Crime in the District of Columbia:³²²

The chief of police should issue a directive concerning verbal abuse of citizens by police officers, which identifies and prohibits the use of trigger words such as "boy" or "nigger." The Metropolitan Police Department should make it clear that violation of its order will be cause for disciplinary procedures. Current department statements on the subject, which urge that "undue familiarity with the use of such terms as 'bud,' 'Junior,' 'Mac,' be avoided," are neither sufficiently forceful nor directly related to the problems of the community.

Shortly after that report, the chief of police issued a more specific directive than had previously existed.

Other police departments also prohibit certain forms of address. For example, the Chicago Police Department has the following policy:³²³

At all times Departmental personnel will:

1. Never show any bias or prejudice against race, religion, or any other group or individual.
2. Act, speak, and conduct themselves in such a manner as to treat all persons with complete courtesy and with that respect due to every person as a human being.
3. Never "talk down" to any group or individual or engage in the use of derogatory terms such as "nigger," "boy," "wop," "kike," "chink," "shine," "burrhead," "dago," "polack," "bo-hunk," and the like * * *.

Some departments, such as Baltimore, require that their officers address persons as Mr. _____, Mrs. _____, Sir, or Madam.³²⁴ Such forms of address should be used as a matter of common courtesy.

Of course, it is often difficult for officers to be respectful when dealing with citizens who are abusive or disrespectful. But, as was expressed by the President's Commission on Crime in the District of Columbia after it

deplored the use of abusive language both by police and citizens: "Officers must be held to a higher standard of conduct in performing their official duties."³²⁵ This view was also expressed by O. W. Wilson, the superintendent of police in Chicago:³²⁶

The officer * * * must remember that there is no law against making a policeman angry and that he cannot charge a man with offending him. Until the citizen acts overtly in violation of the law, he should take no action against him, least of all lower himself to the level of the citizen by berating and demeaning him in a loud and angry voice. The officer who withstands angry verbal assaults builds his own character and raises the standard of the department.

Consequently, if citizens show disrespect for an officer, such conduct, alone, while reprehensible, does not justify making an arrest or taking other action.

Finally, police officers should be encouraged to talk to citizens about nonpolice matters while on duty, as they are in New York, rather than prohibited from conducting such conversations with citizens.³²⁷ The BSSR survey of three Washington, D.C., precincts shows that hostility in Negro males declines as informal contacts with the police increase.³²⁸ These contacts allow the police to establish friendships rather than having solely the role of making arrests and interrogations.

Physical Misconduct

Unjustified use of force, like verbal abuse, cannot be tolerated in law enforcement. Many persons, and particularly those from minority groups, believe that police officers sometimes or even frequently engage in excessive or unnecessary physical force. The Commission was not able to determine the extent of physical abuse by policemen in this country since recent studies have generally not been systematic. Earlier studies, however, found that police brutality was a significant problem. For example, the National Commission on Law Observance and Enforcement (the Wickersham Commission), which reported to President Hoover in 1931, found considerable evidence of police brutality.³²⁹ The President's Commission on Civil Rights, appointed by President Truman, made a similar finding in 1947.³³⁰ And in 1961, the U.S. Civil Rights Commission concluded that "police brutality is still a serious problem throughout the United States."³³¹

The Commission believes that physical abuse is not as serious a problem as it was in the past. The few statistics which do exist suggest small numbers of cases involving excessive use of force.³³² Although the relatively small number of reported complaints cannot be considered an accurate measure of the total problem, most persons, including civil rights leaders, believe that verbal abuse and harassment, not excessive use of force, is the major police-community relations problem today.³³³ It is clear, how-

³¹⁹ *Supra*, note 172 at p. 30.

³²⁰ J. R. Laffoon, "Field Interrogation" (San Diego, Calif.: San Diego Police Department, July 1965), p. 38.

³²¹ *Id.* at pp. 41-44.

³²² *Supra*, note 77 at p. 74.

³²³ *Supra*, note 22 at p. 187.

³²⁴ Richard Severo, "Strong Police Command Vital to Avert More City Violence," the Washington Post, June 30, 1966, sec. A, p. 6, cols. 1, 2, 3.

³²⁵ *Supra*, note 77 at p. 74.

³²⁶ *Supra*, note 96 at p. 188.

³²⁷ Thomas A. Johnson, "New Police Plan Used on Crowds," New York Times, July 25, 1966, p. 16, col. 6.

³²⁸ For a similar result, see Donald Lowell Johns, "A Study of Some Factors Related to the Formation of Attitudes Toward the Police" (unpublished masters thesis, University of California at Berkeley, School of Criminology, 1966), pp. 122, 144.

³²⁹ National Commission on Law Observance and Enforcement "Report on Law-

lessness in Law Enforcement" (Washington: U.S. Government Printing Office, 1931).

³³⁰ President's Commission on Civil Rights, "To Secure These Rights" (New York: Simon & Schuster, 1947), pp. 25-27.

³³¹ "The 50 States Report," submitted to the Commission on Civil Rights by the State Advisory Committees, 1961 (Washington: U.S. Government Printing Office, 1961), 687 p.

³³² In fiscal year 1965, FBI statistics show that there were only 9 convictions out of 1,787 cases of excessive force investigated and in fiscal 1966 there were 1,671 excessive force complaints investigated and only 3 resulted in convictions. These data were provided by Jerome Daunt, Chief, Uniform Crime Reporting Section, FBI, Mar. 7, 1967.

³³³ *Supra*, note 22 at p. 66; Walter Gellhorn, "When Americans Complain" (Cambridge, Mass.: Harvard Press, 1966), pp. 176-177; William Rasberry, "Physical Violence May Be Gone, But Police Brutality Still Exists," the Washington Post, May 27, 1966, sec. B, p. 1, cols. 1, 2, 3.

ever, that excessive force remains a serious problem in parts of the South. There are too many well-documented instances of brutality against Negroes and civil rights workers in the recent past to doubt that it still occurs today. For example, during the Mississippi march in the summer of 1966, State, county and local law enforcement officers on several occasions struck demonstrators.³³⁴ On numerous other occasions, law enforcement officers have watched white citizens attack civil rights demonstrators or have otherwise failed to prevent or halt private violence.³³⁵

Moreover, one study undertaken by the Commission also determined that excessive use of force still remains as a significant problem outside the South as well. During this study, Commission observers systematically accompanied police officers on regular patrol in a number of major cities—primarily in high crime and slum precincts—for periods ranging from 5 to 8 weeks. During the survey, observers witnessed, during 850 8-hour patrols, 5,339 police-citizen encounters—encounters which included police contacts with suspects, witnesses, victims, and bystanders. While watching these encounters, Commission observers reported that there were 20 instances where officers used force where none was clearly required or where its use was plainly excessive. Of the incidents observed, most did not appear to be based upon racial prejudice. More than half of those subjected to excessive force were white. Almost all of the victims appeared to be poor. They included drunks, sexual deviates, or juveniles who were regarded by the police as hoodlums, and most appeared to contest verbally the police officer's authority.³³⁶ Three of the 20 examples of the incidents observed are as follows:³³⁷

White officers responded to a man with a gun * * * and heard three shots fired. Then the white man with the gun got a drop on the officer—somehow they got the gun away and handcuffed him (gun was a 12 gauge 1905 musket). When they got him to the station garage, they kicked him all over, but the principal one was the officer who had been in danger when the man had the drop on him. He beat him as the others held him up. I got to the scene and the lockup man whistled for them to stop but they didn't. The Lieutenant arrived with everyone else and said there's going to be a beef on this one so cover it up and go find the empty shells. Someone call an ambulance (he needed it badly). Then the Lieutenant took complete control. They got the shells, got a complainant who said the three shots were an attempt to kill the officer, and he would sign a complaint, say he called an ambulance, etc. They wrote a cover for the incident. The officer who beat the man most was shaken by then but the others gave him support, telling him how brave he was and how wise he had been not to kill the guy at the scene, etc. They then set about to put all the stories in order and I was carefully notified of it in detail so I would have it straight. I had enough rapport with these officers that they talked about it even after. The man was in pretty bad shape when he got to the hospital.

* * * * *

The officers were flagged down by a white man and woman. "The man who flagged us down said a Negro was inside the (public transportation station) causing trouble. The woman said he had sworn at her as did the man. One said: 'What's a

nigger doing here; he should be down on * * *'. The two white officers went in and grabbed him. They shoved him into a phone booth. Both officers beat him with fists and a flashlight and also hit him in the groin, then they dragged him out and kept him on his knees. He said he had just been released from a mental hospital that day. He begged them not to hit him again and let him go back to the hospital. One officer said: 'Don't you like us Nigger; we're here to help you! You're a crazy nigger.' They took him to the car and he kept begging them not to hurt him. Then they put him on the wrong bus—he wanted to go to the hospital and they sent him the wrong way. The last thing the Negro man said was: 'You police just like to shoot and beat people.' Officer No. 1 said: 'Get moving nigger or I'll shoot you.' The offender was crying and bleeding as he was put on the bus. Officer No. 2 said: 'He won't be back.'"

* * * * *

The dispatch was drunks in a cemetery. "We found the drunks sleeping in the cemetery. They were white men between 25 and 45 years of age. Officer No. 1 (white) ripped the shirt off one drunk in searching him. He also hit him in the groin with his nightstick. Officer No. 2 ripped back of pants of another drunk. The officers laughed as they forced them to climb over the fence and they laughed because the buttocks of the one was completely exposed. One officer said: 'I ought to run you * * * in.' As they left over the fence, another said: 'Those * * * * * won't be back—a bunch of * * * * * winos.'"

While this limited study gave the Commission no basis for stating the extent to which police officers use force, it did confirm that such conduct still exists in the cities where observations were made.

One other study conducted in a large city revealed that when juveniles show disrespect to officers, many of the officers prefer to settle the challenge to their authority by physical means. This study indicated that certain officers would justify their use of force by deliberately provoking the juvenile until he could be considered to be resisting arrest. This technique is described in the statements of one police officer and one juvenile taken during interviews in this city:³³⁸

For example, when you stop a fellow for a routine questioning, say a wise guy, and he starts talking back to you and telling you that you are no good and that sort of thing. You know you can take a man in on a disorderly conduct charge, but you can practically never make it stick. So what you do in a case like this is to egg the guy on until he makes a remark where you can justifiably slap him, and then if he fights back, you can call it resisting arrest.

* * * * *

Another reason why they beat up on you is because they always have the advantage over you. The cop might say, "You done this." And you might say, "I didn't!" And he'll say, "Don't talk back to me or I'll go upside your head!" You know, and then they say they had a right to hit you or arrest you because you were talking back to an officer or resisting arrest, and you were merely trying to explain or tell him that you hadn't done what he said you'd done. One of those kinds of things. Well, that means you in the wrong when you get downtown anyway. You're always in the wrong.³³⁹

A survey of policemen in one midwestern city in 1951 also indicated that many officers had misconceptions about when they are justified in using force. Officers were asked to respond to this question: "When do you

³³⁴ Gene Roberts, "Police Seize 11 in Rights March," *New York Times*, June 24, 1966, sec. 21, col. 4; "175 Negroes Are Pursued and Clubbed," *the Washington Post*, July 11, 1966, p. 1, col. 3. See supra, note 331 at p. 1.

³³⁵ U.S. Commission on Civil Rights, "Law Enforcement: A Report on Equal Protection in the South" (Washington: U.S. Government Printing Office, 1965), pp. 174-175; "Court Told How Police Ignored Negro Beatings," *the Washington Post*, Sept. 16, 1966, sec. A, p. 6, cols. 1, 2. See also supra, note 331 at pp. 29-44, 105-109.

³³⁶ Supra, note 207 at pp. 16-17.

³³⁷ Id. at pp. 1, 2, and 8 of appendix.

³³⁸ William A. Westley, "Violence and the Police," *American Journal of Sociology*, 59: 34-41, 38, as quoted in Werthman and Piliavin, supra, note 305 at pp. 92-93.

³³⁹ Supra, note 305 at p. 93.

think a policeman is justified in roughing a man up?" They gave the following responses: ³⁴⁰

Reason	Percentage
Disrespect for police.....	37
To obtain information.....	19
For the hardened criminal.....	7
When you know the man is guilty.....	3
For sex criminals.....	3
When impossible to avoid.....	23
To make an arrest.....	8

The interviews provided considerable detail concerning the officers' rationale. They believed that the use of force to obtain evidence which would justify an arrest in a felony case was acceptable—"to rough him up a little, up to a point * * * You feel that the end justifies the means."³⁴¹ Force was seen to be permissible with sex criminals when the officer knew that a person was guilty, did not have enough evidence, and considered it necessary to ensure that the criminal was punished. The officers said that force was justified in cases involving disrespect such as:³⁴²

I was on the beat, and I was taking [a man] down to the station. There were people following us. He kept saying that I wasn't in the army. Well, he kept going on like that, and I finally had to bust him one. I had to do it. The people would have thought I was afraid otherwise.

The officers believed that the only way to treat certain groups of people, including Negroes and the poor, is to treat them roughly.³⁴³ On the other hand, this study did conclude that illegal force was not used as frequently and with as little provocation as the officers' statements would suggest.

To prevent physical abuse by police officers requires that all police departments take great care in selecting personnel, formulate strong policies on permissible conduct, dismiss officers who engage in physical misconduct, regularly review personnel practices, comprehensively investigate all complaints made against individual officers, and strongly discipline those officers who misbehave. Methods for accomplishing this are described in chapters 2 and 3 of this volume. Policies should be formulated to bar not only unnecessary force but describe, to the extent possible, the amount of force which is permissible for making arrests and carrying out other police activities. Such policies can best be enforced if all officers who use physical force for any reason are required to report in writing the circumstances under which the force was used.³⁴⁴

Discrimination

The University of California study found that members of minority groups in Philadelphia and San Diego generally believed that discrimination is practiced against both middle class and poor persons from minority groups.³⁴⁵ Polls of minority groups show similar results.³⁴⁶ It is extremely difficult to establish the extent to which such allegations are accurate since discrimina-

tion is likely to be only one of several factors which affect an officer's decision in any particular situation. Negroes, other minority groups, and the poor are arrested and probably stopped in disproportion to their numbers. However, these groups frequently live in high-crime areas. Consequently, normal, completely fair police work would doubtless produce the arrest or stopping of larger numbers of these groups.

Two studies of referrals to juvenile courts in several cities found that the police referred significantly more Negro than white juveniles for the same types of offenses, particularly for minor offenses.³⁴⁷ Another study of police handling of juveniles in two large cities found that the eastern, nonprofessional police force referred three times as many Negro juveniles to court as whites. On the other hand, the western, more professional police force tended to treat similar types of offenders alike.³⁴⁸ And, the Commission's study, based on observation of routine police work in several northern cities, found that the police did not discriminate between whites and Negroes of the same economic class; instead, police conduct seemed to depend on economic status and on whether the person was a drunk, a homosexual, or otherwise an outcast.³⁴⁹

As was described earlier, a high percentage of Negroes believe that the police provide inadequate protection in minority communities.³⁵⁰ Lack of protection can take the form of police being slow to respond to calls, having inadequate personnel, or tending to ignore offenses by one minority person against another in contrast to those by members of minority groups against whites or whites against whites. While the lack of attention paid to investigating violations against others of the same race is probably decreasing, it still exists in many localities.³⁵¹ For example, the American Bar Foundation study undertaken in mid-1950's found that it exists especially in large cities and particularly as to serious offenses such as aggravated assault.³⁵²

Police officers should not base decisions to arrest, stop, use force, or the like, in whole or in part, on race, poverty, or civil rights activity. All decisions must be based on objective evidence which creates suspicion, proof of guilt, or threat of danger to the officer or public, as the law requires.

Field Interrogation

In many communities, field interrogations are a major source of friction between the police and minority groups. Many minority group leaders strongly contend that field interrogations are predominantly conducted in slum communities, that they are used indiscriminately, and that they are conducted in an abusive and unfriendly manner.

The police consider field interrogations to be an important method of preventing and investigating crime, since they rarely encounter a crime in progress. Normally, by the time a police officer has arrived at a crime scene, the perpetrator has fled, people have gathered, and confusion has ensued. Further, the police believe that they

³⁴⁰ Supra, note 338 at p. 38. Only one reason was counted—either that first mentioned or that given most heatedly or at greatest length—for each officer. Dr. Westley believed that the officers were cautious with him because of recent criticism by the chief of police and the community about the use of violence.

³⁴¹ Id. at p. 36.

³⁴² Id. at p. 39.

³⁴³ Id. at p. 40.

³⁴⁴ This was also recommended by Chief Stanley R. Schrotel in "Supervising the Use of Police Authority," *Journal of Criminal Law, Criminology and Police Science*, 47, 590-591.

³⁴⁵ Supra, note 21 at vol. I, p. 78, 107; vol. II, pp. 105, 153.

³⁴⁶ Supra, note 14 at 13B.

³⁴⁷ Supra, note 312 at pp. 42-44, 57-58, 65-67, 73-75, 88-89; supra, note 177 at p. 212.

³⁴⁸ Supra, note 172 at pp. 9-10, 29-30.

³⁴⁹ Supra, note 305; supra, note 184 at pp. 9-10, 14-17.

³⁵⁰ Supra, note 21 at vol. I, p. 139.

³⁵¹ Supra, note 1 at p. 172; report to the U.S. Commission on Civil Rights, Delaware Advisory Committee, "50 States Report" (Washington: U.S. Government Printing Office, 1961), p. 92; George E. Simpson and J. Milton Yinger, "Racial and Cultural Minorities" (rev. ed.; New York: Harper & Brothers, 1958), pp. 511-512.

³⁵² Wayne R. LaFave, "Arrest: The Decision to Take a Suspect into Custody" (Boston: Little, Brown and Co., 1965), pp. 110-114.

can prevent much crime if they are permitted to stop and question persons whose behavior strongly suggests that a criminal act is being contemplated.³⁵³

A law enforcement officer in the performance of his duties will be confronted with innumerable situations in which it seems necessary to make some inquiry of a person whose name he does not know, and whom, if further action is not taken, he is most unlikely ever to find again. An inquiry may appear appropriate because such a person is behaving in a suspicious or unusual manner which suggests a possible involvement in crime. Thus, he may be a person running with a heavy package at 2:00 a.m. in a business neighborhood. Or he may correspond to a description of the perpetrator of a recent crime, but because he is traveling in an automobile it is impossible to be sure. Or he may be walking slowly down a street at night, looking into the windows of parked cars.

The person to whom the officer would like to direct an inquiry may clearly not be involved in criminality. He may be a person who was near the scene of a crime, and thus a potential source of information. Or it may be impossible to tell in advance whether the person to be stopped is a suspect or a source of information.

The limits of police authority to stop persons briefly for purposes of criminal investigation are unclear in most jurisdictions. In some States, there is specific statutory authority for officers to stop suspicious persons. For example, a recently enacted statute in New York gives an officer authority to stop for questioning a person whom "he reasonably suspects is committing, has committed, or is about to commit" a felony or other specified crimes and authorizes the officer to use whatever force is necessary to effectuate such stops.³⁵⁴

In most States, however, there is no specific statute which defines this authority. As a result, police departments are given little guidance as to when a person may be stopped, whether or how long he may be detained, whether force may be used to detain him, what degree of force may be used, whether a person may be searched, whether he may be compelled to answer certain questions, and under what circumstances he must be advised of his legal rights.

A few police departments have policies governing the conduct of field interrogations. Training materials of the Oakland, Calif. Police Dept., for example, carefully describe the types of persons who should be stopped;³⁵⁵ the San Diego, Calif. Police Dept. specifically forbids officers to restrain persons being questioned against their will;³⁵⁶ and the Tampa, Fla. Police Dept. defines conditions under which a person may be searched.³⁵⁷

The Commission believes that there is a definite need to authorize the police to stop suspects and possible witnesses of major crimes, to detain them for brief questioning if they will not voluntarily cooperate, and to search such suspects for dangerous weapons when such a precaution is necessary. This need was also recognized by the reporters for the American Law Institute Model Pre-Arrestment Code Project:³⁵⁸

If, as some have argued, the only power to restrain a person, even briefly, is by arresting him on reasonable grounds to believe him guilty of a crime, the police will be foreclosed from responding to confused, emergency situations in the way that seems most natural and rational. For in such circumstances, where a crime

may have been committed and a suspect or important witness is about to disappear, it seems irrational to deprive the officer of the opportunity to "freeze" the situation for a short time, so that he may make inquiry and arrive at a considered judgment about further action to be taken. To deny the police such a power would be too high a price in effective policing and in the police's respect for the good sense of the rules that govern them, in order to avoid brief inconveniences that most innocent persons would be prepared to undergo.

Misuse of field interrogations, however, is causing serious friction with minority groups in many localities. This is becoming particularly true as more police departments adopt "aggressive patrol" in which officers are encouraged routinely to stop and question persons on the street who are unknown to them, who are suspicious, or whose purpose for being abroad is not readily evident. The Michigan State survey found that both minority group leaders and persons sympathetic to minority groups throughout the country were almost unanimous in labelling field interrogation as a principal problem in police-community relations:³⁵⁹

* * * race has an undue influence on who is stopped.

* * * practice is o.k., but the way it was carried out was unfriendly, abusive, etc. Not against method, but how it is used.

Personally, I found it offensive and was affronted on occasions of its use in New York.

Spanish-Americans are picked up sooner.

Many Negroes stopped in other neighborhoods and questioned. Happens more to Negroes than to others.

The Commission has found that field interrogations, used sometimes in conjunction with aggressive, preventive patrol, are often conducted on a broad-scale basis by many police departments. First, field interrogations are often conducted with little or no basis for suspicion. In San Diego, written reports were made of over 200,000 stops in 1965 and there were probably about as many stops which were not recorded.³⁶⁰ The effect on attitudes which can result is revealed by the following comment of a lower income Negro:³⁶¹

When they stop everybody, they say, well, they haven't seen you around, you know, they want to get to know your name, and all this. I can see them stopping you one time, but the same police stopping you every other day, and asking you the same old question.

A study of juvenile offenses in a western city with high police standards found that Negroes were stopped more frequently than other juveniles "often even in the absence of evidence that an offense had been committed."³⁶²

Second, field interrogations are sometimes used in a way which discriminates against minority groups, the poor, and the juvenile. For example, the Michigan State survey found, on the basis of riding with patrol units in two cities, that members of minority groups were often stopped, particularly if found in groups, in the company of white people, or at night in white neighborhoods, and that this caused serious problems.³⁶³ Similarly, in a mid-western city, using aggressive patrol and field interrogations seems to cause, as in San Diego, the major problem

³⁵³ American Law Institute, "A Model Code of Pre-Arrestment Procedure; Tentative Draft No. 1," 1965, p. 95.

³⁵⁴ New York Code Criminal Procedure § 180-a(1); see Uniform Arrest Act, § 2; supra, note 353 at pp. 6-10.

³⁵⁵ Oakland Police Department, "Departmental Training Bulletin," Mar. 7, 1966.

³⁵⁶ Supra, note 320 at pp. 41, 44.

³⁵⁷ Tampa Police Department, "Training Bulletin," vol. XII, No. 6, Dec. 10, 1962, p. 3.

³⁵⁸ Supra, note 353 at pp. 96-97.

³⁵⁹ Supra, note 22 at pp. 333-334.

³⁶⁰ San Diego Police Department, "Field Interrogation—Burglary Graph," (San Diego: San Diego Police Department, 1966); supra, note 21 at vol. I, p. 127.

³⁶¹ Supra, note 21 at vol. I, p. 86.

³⁶² Supra, note 177 at p. 212.

³⁶³ Supra, note 22 at pp. 327-336.

in police-community relations.³⁶⁴ In contrast, in Philadelphia the field interrogation is used less and is not a major item of criticism by minority groups or others.³⁶⁵

Finally, field interrogations are frequently conducted in a discourteous or otherwise offensive manner which is particularly irritating to the citizen. For example, even in San Diego, where officers are instructed specifically and at length to give the citizen an explanation and to act courteously,³⁶⁶ the University of California study found that an explanation is frequently not given. In some cities, searches are made in a high proportion of instances not for the purpose of protecting the officer but to obtain drugs or other incriminating evidence. In New York, for example, where searches are permitted only when the officer reasonably believes he is in bodily danger, searches were made in 81.6 percent of stops reported.³⁶⁷ However, a Commission survey of police practices in several large cities, found that one out of every five persons frisked was carrying a dangerous weapon—10 percent were carrying guns and another 10 percent knives.³⁶⁸

While the same problems exist as to field interrogations of juveniles as with adults, there are also additional difficulties. As was described earlier, juveniles are subjected to particularly close scrutiny by police officers. The study in San Francisco, for example, found that juveniles are frequently stopped when they travel outside their own neighborhoods:³⁶⁹

If we go someplace, they tell us to go on home. Because every time we go somewhere we mostly go in big groups and they don't want us. One time we was talking in Steiner Street. So a cop drove up and he say, "Hey! Hanky and panky! Come here!" And he say, "You all out of bounds, get back on the other side of Steiner Street."

* * * * *

If boys from Hunter's Point or Fillmore [Negro neighborhoods in San Francisco] go in all white districts, the police will stop you and ask you where you from. If you say Fillmore or Hunter's Point, they'll take you down to the station and run checks on you. Any burglaries, any purse snatchings, anything.

The same study also found that the police are suspicious and make field interrogations of certain individuals because of clothing, hair, and walking mannerisms:³⁷⁰

Why do they pick us up? They don't pick everybody up. They just pick up on the ones with the hats on and trench coats and conks [a Negro hair style]. If you got long hair and hats on, something like this one, you gonna get picked up. Especially on conk. And the way you dress. Sometimes, like if you've got on black pants, better not have on no black pants or bends [a kind of trouser] or levis. They think you going to rob somebody. And don't have a head scarf on your head. They'll bust you for having a head scarf.

* * * * *

The way you walk sometimes. * * * Don't try to be cool. You know. They'll bust you for that. * * * Last night a cop picked me up for that. He told me I had a bad walk. He say, "You think you're bad."

White youths who wear the clothes and have the look of possible delinquents are likewise stopped sometimes without evidence of criminality.³⁷¹

The study concluded that the juveniles understood being sought and interrogated for their illegal activity:³⁷²

If you done something and you be lying and yelling when the boys from juvy come around and they catch you lying, well, what you gonna do? You gonna complain 'cause you was caught? Hell man, you can't do that. You did something and you was caught and that's the way it goes.

But they were indignant about field interrogation for offenses they did not commit—when "we were just minding our own business when the cops came along." And they particularly resented being singled out because of their clothes or hair: "Hell man, them cops is supposed to be out catching criminals! They ain't paid to be lookin' after my hair!"³⁷³ The juveniles consider this harassment by the police as a policy of confinement by a "foreign army of occupation."³⁷⁴

In order to balance the need for field interrogations and the harmful effect on police-community relations which may result from their indiscriminate use, State legislatures should define the extent of police authority to stop and question persons, and police departments should adopt detailed policies governing this authority whether or not legislation exists. Such legislation and policies should have the following principles:

- Field interrogations should be conducted only when an officer has reason to believe that a person is about to commit or has committed a crime, or that a crime has been committed and he has knowledge of material value to the investigation.
- Field interrogations should not be used at all for minor crimes like vagrancy and loitering.
- Adequate reason should be based on the actions of the person, his presence near the scene of a crime, and similar factors raising substantial suspicion, and not on race, poverty, or youth.
- The stop should be limited in time.³⁷⁵ The sole purposes should be: (a) to obtain the citizen's identification; (b) to verify it by readily available information; (c) to request cooperation in the investigation of a crime; and (d) to verify by readily available information any account of his presence or any other information given by the person.
- The citizen should be addressed politely and should receive a suitable explanation of the reason for the stop.
- An officer should be allowed to conduct a search of the person only if he has reason to believe that his safety or the safety of others so requires.
- Officers should be required to file a report each time a stop is made in order to record the circumstances and persons involved.³⁷⁶ Even greater care should be taken with these records, than with arrest records so that the police do not use them to establish the delinquency or bad character of the person stopped. Moreover, the records should not be available to persons outside of public law enforcement agencies.

³⁶⁴ Supra, note 21 at vol. I, pp. 85, 127-128, 142.

³⁶⁵ Supra, note 21 at vol. II, pp. 170, 173.

³⁶⁶ Supra, note 1 at pp. 87-88; supra, note 360 at pp. 29-30, 43-44. The San Diego Department explicitly requires an explanation because of the sensitive community relations problems involved in field interrogations. The same is true of Oakland. See supra, note 355 at p. 8.

³⁶⁷ New York City Police Department, Quota Circular, Misc. 15, Oct. 13, 1965.

³⁶⁸ Albert J. Reiss, Jr., "Personal and Property Searches in Radio Dispatched Police Work: An Overview of the Data from Three Cities," (Ann Arbor: University of Michigan, 1966) pp. 4-6. A report prepared for the President's Commission on Law Enforcement and Administration of Justice. This report is a preliminary draft which is being included with the Commission's records in the National Archives. It is presently being revised and supplemented by the University of

Michigan and will be embodied in research studies to be published by the Commission.

³⁶⁹ Supra, note 305 at pp. 77, 79.

³⁷⁰ Id. at p. 80.

³⁷¹ Supra, note 177 at pp. 212, 213.

³⁷² Supra, note 305 at p. 71.

³⁷³ Supra, note 305 at p. 82.

³⁷⁴ Supra, note 305 at p. 96.

³⁷⁵ Supra, note 353 at p. 6. The American Law Institute draft model statute specifies 20 minutes.

³⁷⁶ Some police forces now have such a requirement. See, e.g., St. Louis Police Department, "Special Order 60-S-122," Aug. 9, 1965, p. 1; New York Police Department Circular Order No. 25.

One of the most difficult questions in connection with a stop and attendant search is whether the results or fruits of a search other than weapons, should be used by police. While there are serious objections to barring evidence of crime discovered in a lawful search, the admissibility of evidence such as betting slips or narcotics found during a stop may encourage the misuse of the search power.³⁷⁷

EXERCISE OF THE ARREST POWER

Arrests for Investigation

Although there is no legal basis for arresting persons simply as a means of detaining them while an investigation of their possible involvement in crime is conducted, this has been a common practice in a number of departments.

The American Bar Foundation study of police practices in three midwestern States found that in cities with substantial crime problems, arrests are often made on suspicion—such as refusing to answer questions or giving an equivocal answer during a field interrogation.³⁷⁸ In 1960, the Washington, D.C. Police Department made 4,684 arrests for investigation, but only 257 (5.5 percent) of the arrested persons were ever charged with the commission of a specific offense. Of those arrested, 1,349 were held for 8 hours or more. This practice was abolished in 1963 as a result of a study in 1962 condemning it.³⁷⁹

In Detroit, from 1947 to 1956, 219,053 arrests of a total of 658,808 nontraffic arrests were listed by the police department as arrests for investigations.³⁸⁰ In 1956, of 73,827 arrests, only 40,641 persons were formally charged with commission of an offense; 33,186, or 45 percent, were arrested for investigation. Of the latter, only 6,490 were subsequently charged with a crime and the others were released without charge. The suspect would be detained for an average of at least 3 days before release or before being brought before a magistrate. Authority for the practice was provided in the police manual.³⁸¹ The 1964 police department statistics still showed that 8,140 arrests out of 63,125 nontraffic arrests were classified merely as "detention."³⁸²

Sixteen of fifty-five departments responding to a Commission survey in 1966 admitted the use of investigative arrests.³⁸³ In Baltimore, for example, 3,719 (6.6 percent) of the 56,160 nontraffic arrests during 1964 were recorded as arrests for investigation. Of those arrested on this basis, 98 percent were dismissed without going before a magistrate.³⁸⁴

Occasionally, police departments engage in dragnet arrests on suspicion after serious crimes have been committed. In Detroit, in December 1960 and January 1961, after a series of rapes and murders of women, persons were stopped on the street, searched, and in about 1,000 cases arrested.³⁸⁵ In 1964, after two brothers killed one policeman and seriously wounded another, Bal-

timore police officers searched more than 300 homes, most belonging to Negroes, looking for the gunman. The searches were often made in the middle of the night and were based almost entirely on anonymous tips. The U.S. Court of Appeals for the Fourth Circuit stated:³⁸⁶

Lack of respect for the police is conceded to be one of the factors generating violent outbursts in Negro communities. The invasions so graphically depicted in this case "could" happen in prosperous suburban neighborhoods, but the innocent victims know only that wholesale raids do not happen elsewhere and did happen to them. Understandably they feel that such illegal treatment is reserved for those elements who the police believe cannot or will not challenge them.

As reported in the Uniform Crime Reports prepared by the Federal Bureau of Investigation, 76,346 arrests for suspicion were listed for the year 1965, in jurisdiction with approximately 70 percent of the Nation's population.³⁸⁷ These statistics almost certainly understate the number of investigative arrests in the country. In jurisdictions where the practice is not permitted, such arrests are frequently made by using the drunkenness, vagrancy and other petty offense laws.³⁸⁸ Similarly, the American Bar Foundation found that in the three States studied, a common practice was to arrest a suspicious person and then book him for an offense which occurred frequently in the area or for an offense for which he resembled generally the person wanted.³⁸⁹ A captain in a Kansas sheriff's department said that it was no problem to arrest a person without a specific offense in mind since "it is no difficult matter to find some sort of a 'want' the State teletype that will fit the man's description." An instructor in a training session said that "[It] is a poor policeman who cannot find a description to fit a suspect, as you officers have at least 30 days of daily letters in your notebooks."³⁹¹

One nationally recognized governmental consulting firm, which has done considerable consulting with police agencies, recently reported that the widespread use of investigative arrests demonstrates inadequate police supervision, and investigative personnel:³⁹²

The practice of allowing or perhaps even condoning arrests reflects an unawareness of the impropriety and, in the illegality of most such arrests. It has developed as a part of failure to formulate policy and adequate procedures on the part of the chief and the command staff.

Aside from the legal and constitutional implications of a stop for "suspicion" or "for investigation," the frequency of occurrence of such arrests tends to reflect upon the competence and attitude of the investigator, and quality of investigation surrounding the cases for which these arrests are made.

Thus, it may be seen that departments and individual investigators who tend to rely heavily upon indiscriminate and arrests of known criminals, suspects, and others will generally perform rather inadequate and unprofessional investigations.

Arrests for investigation or on suspicion, whatever is attached, should be abolished by all departments that now utilize them. This practice has long been a s

³⁷⁷ *Supra*, note 353 at p. 10. Reporters of the American Law Institute Pre-Arraignment Code have this issue under further study.

³⁷⁸ *Supra*, note 352 at pp. 249-250, 295.

³⁷⁹ "The Report and Recommendations of the Commissioner's Committee on Police Arrests for Investigation, Washington, D.C., July, 1962.

³⁸⁰ Harold Norris, "Arrests Without Warrant," "Crisis," October 1958, 65: 486.

³⁸¹ *Supra*, note 352 at pp. 302, 306; Detroit Bar Association Committee on Civil Rights, "Report on Detroit Police Department Policy of 'Arrests For Investigation'" as published in "United States Commission on Civil Rights, hearings held in Detroit, Michigan," (Washington: U.S. Government Printing Office, 1961), p. 505.

³⁸² See also Michigan Civil Rights Commission, "Report on Investigations of Law Enforcement Claims Against the Detroit Police Department," June 24, 1966, p. 4.

³⁸³ *Supra*, note 22 at p. 338.

³⁸⁴ Baltimore Police Department, "Annual Report" (1964), p. 33-43.

³⁸⁵ Arnold S. Trebach, "The Rationing of Justice" (New Brunswick: University Press, 1964), p. 6.

³⁸⁶ *Lankford v. Gelston*, Fourth Cir., No. 10, 384, decided June 23, 1965, 2, 3, 16, 17.

³⁸⁷ Federal Bureau of Investigation, "Uniform Crime Reports, 1965" (Washington: Department of Justice, 1966), p. 109.

³⁸⁸ The use of these statutes for investigative purposes is described more fully later in this chapter.

³⁸⁹ *Supra*, note 352 at p. 296.

³⁹⁰ *Ibid.*

³⁹¹ *Id.* at p. 297.

³⁹² Public Administration Service, "The Savannah Police Department, Guidelines to Measurement and Evaluation" (Chicago: Public Administration Service, 1964), p. 21, 22.