

RG453

AGC/FPP - Administration of Justice - Police Practices -
Notes (Folder 2 of 2)

Mr. Howard A. Glickstein

August 20, 1965

Roy Littlejohn

Police-Community Relations Projects

The following report is designed to set out the nature and scope of Police-Community Relations projects around the country. The information contained herein was obtained from private organizations in a number of communities and from Federal officials. We also received information from Professor Lewis A. Radelet of the National Center on Police and Community Relations at Michigan State University.

1. The Ford Foundation has made a grant to the College of Police Science, City University of New York, for the development of a training film. A Police-Community Relations training film conference was held at the Police Academy at City University of New York on August 2 and 3, 1965. Dr. Donald H. Riddle, 235 East 20th Street, New York, was in charge of the conference. He advised that no transcript of the proceedings will be available through his office and that all information gathered will be turned over to the organization which will make the film.

We have been furnished brochures, pamphlets, and a limited amount of additional information by the College of Police Science. This information is on file in our office.

2. In 1963 the Ford Foundation made a substantial grant to The International Association of Chiefs of Police and to the Cities Police Institute at the University of Louisville. The IACP held a conference in March or April of 1963 at the University of Cleveland; approximately 130 to 140 Southern chiefs of police attended. In August of 1964 the IACP held a conference at the University of Oklahoma. One hundred-fifty chiefs of police from across the country met and discussed the Civil Rights Act of 1964 and its impact on police operations.

3. The National Center of Police and Community Relations at Michigan State received a grant of \$100,000 from the Ford Foundation for the establishment of the National Center on Police and Community Relations. As you know, this Center is now in operation.
4. A grant of over \$213,000 was made to the Detroit Police Department under the Economic Opportunity Act to finance a four-month summer training program in community relations for police officers as part of the Community Action Program for the city of Detroit. Under this program, over 1800 Detroit police officers will receive eight hours of training in human relations. The objectives of the program are:
 - (1) To develop in police officers an appreciation of the civil rights of the public.
 - (2) To develop in police officers the ability to meet, without undue militancy, aggressiveness, hostility, or prejudice, police situations involving minority groups.
 - (3) To develop in police officers an adequate social perspective.
 - (4) To develop in police officers an awareness of individual and group differences.
 - (5) To develop an understanding by police officers of how their words and actions may be perceived by the public.
 - (6) To develop in police officers an acceptance of integrated situations.
 - (7) To develop in police officers a knowledge of the fact that their behavior will infuse similar intergroup behaviors and attitudes in other members of the police force.
 - (8) To develop in police officers a recognition and awareness of the role of associated community relations agencies.

- (9) To develop in police officers the skills requisite for anticipating and meeting the police-human relations aspects of (a) their work, (b) incidents rooted in factors of race, religion, and national origin, (c) juvenile offenses, (d) civil rights complaints, and (e) community tensions.

A copy of the prospectus and copies of some training materials used in the program are on file in our office.

5. The Lake County Economic Opportunity Council, Inc., received a grant of approximately \$27,000 for the purpose of Police-Community Relations program.

This program is currently in operation. It is designed to provide 24 hours of instruction to approximately 900 police officers. These officers are drawn from Gary, East Chicago, Hammond, Whiting, and 15 other small communities in Lake County, Indiana. Copies of the prospectus and copies of some training materials are on file in our office.

6. The Community Relations Service has employed Mr. Berl I. Bernhard to write a police training manual. This manual will cover many aspects of police work and police-community relations problems. It will consider, among other things, police training, recruitment, employment practices, the establishment of Police-Human Relations units, and the like. It is anticipated that this will be a fairly lengthy document; 50 or 60 pages have already been completed and an additional 50 or 60 pages are in the final stages of preparation.

I talked with Mr. Roger Wilkins by telephone on July 11, 1965, regarding this document. He agreed that we should review it and he has consented to send a copy for our consideration. He also advised that the CRS plans to conduct some projects in the area of Police-Community Relations, but he could not be specific as to what the projects would be. He felt that it will be useful for both our agencies to consider a combined approach to Community Relations problems.

7. During June and July of this year, the National Center on Police and Community Relations held a series of 10 one-day conferences in 10 Michigan cities on the Police and Civil Rights. These meetings were co-sponsored by the State Association of Police Chiefs and the State Civil Rights Commission. The average attendance was 39 police administrators per conference, each involving five hours of instruction and discussion.
8. In May of this year the National Center held a one-day state-wide conference on the police and civil rights in Ohio. This program was co-sponsored by the Ohio Civil Rights Commission. More than 100 chief administrators attended. In addition, the Cleveland Board of Community Relations has developed a citywide pattern of police-citizen committees at the district level similar to the St. Louis model.
9. Phoenix, Arizona, is developing a Police-Community Relations structure through its Human Relations Committee. This is working with the neighborhood Economic Opportunity Council.
10. Milwaukee has established a Police-Community Relations Committee under Robert Dansen, president of the Northeastern Mutual Life Insurance Company. A Police-Community Relations session on religion and race will be held October 6, 1965.
11. The 8th Annual Conference on Police-Community Relations at Texas A & M College will be held August 15-19 at the College. About 75 police officers and other persons from Texas, Louisiana, Oklahoma, and Arkansas will attend. The theme has to do with citizens' apathy in law enforcement.
12. There is a crash program sponsored by Health, Education, and Welfare at Hampton Beach, New Hampshire. It is a youth program with a major objective of preventing Labor Day riots. Approximately \$50,000 is involved. For further information on this project we can contact Dr. Jack Ottis at HEW in Washington. He will be happy to sit down and discuss the matter with us at any point.
13. The Chicago City Missionary Society is currently involved in a study of children's attitudes toward police.

14. Miss Harriet E. White, Community Relations Coordinator has recommended that Chicago hold a conference for all of its District Community Relations workshops Steering Committee members, some 300 or 400 persons. This meeting will be held in September or October. We have been invited to attend.
15. Miss Stella P. Fizazi, administrative assistant, Citizens' Committee for Equal Opportunity, advises that there are no in depth studies on Police-Community Relations in her community, nor are there any studies dealing with police brutality. She pointed out, however, that the Citizens' Committee for Equal Opportunity, the Civil Rights Commission of Michigan, and the NAACP have documented cases of police brutality in their files. They permit us to study this information in their office. Miss Fizazi also included a confidential report of an ad hoc committee on Police-Community Relations, dated January 1, 1965, and a complete report dated February 16, 1965. She will send us the latest edition of this report as soon as it is completed.

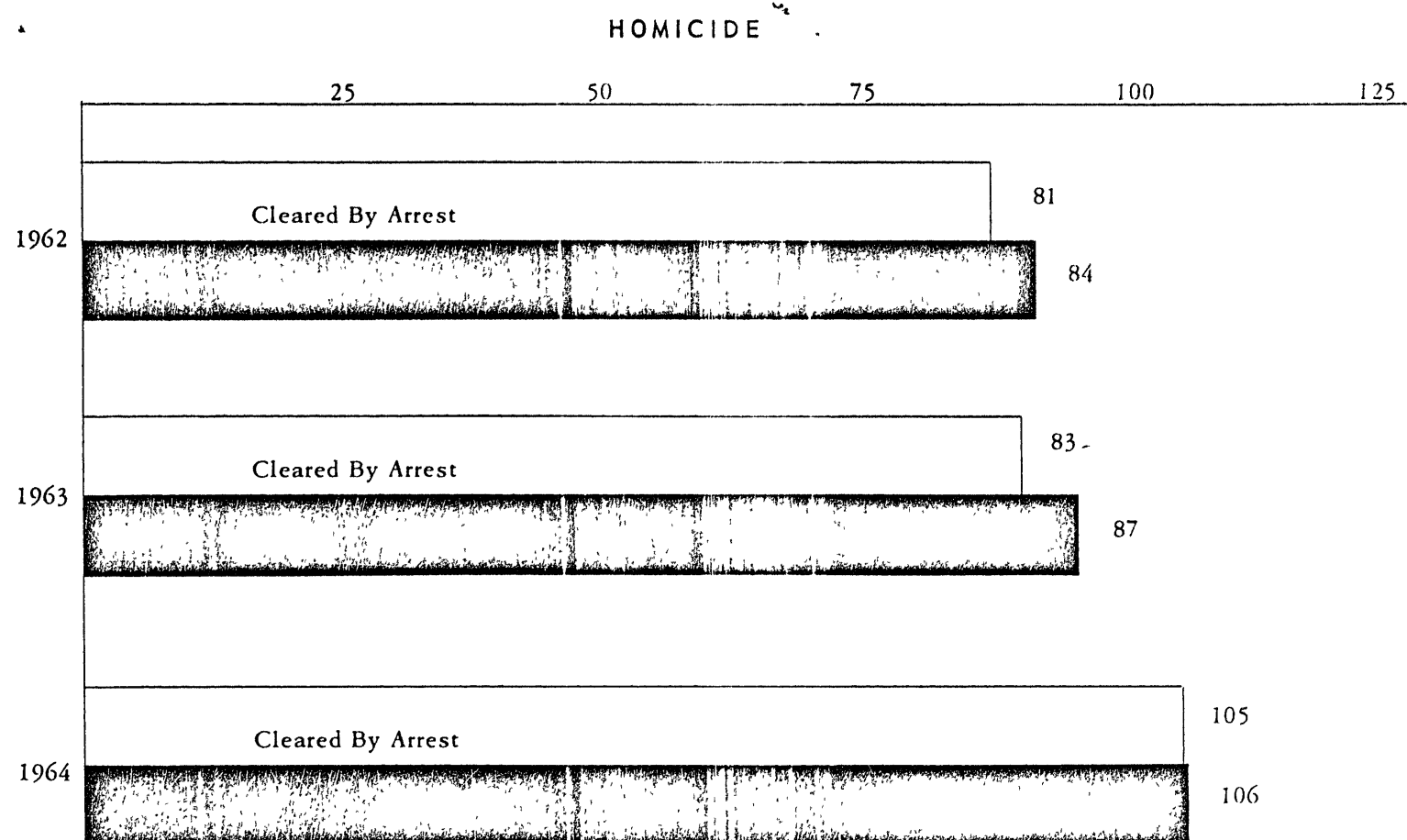
Mr. Lew Radelet recommended that the Commission hold a series of joint consultations on Police-Community Relations in Washington. He suggested that these discussions involve our Commission, the IACP, the U. S. Conference of Mayors, CRC, the Civil Rights Division of the Department of Justice, and the Economic Opportunity Council. The major purpose of such discussions would be to strengthen and develop more effective coordination efforts in the field of Police-Community Relations. If such a program is undertaken, Mr. Radelet has indicated a willingness to participate.

RL/sf/eifm/8/20/65

CC: Official files, GC
Reading file, GC
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Per our conversation 6/17/65.

Jerry Daunt, Chief
Uniform Crime Reporting
Section, FBI

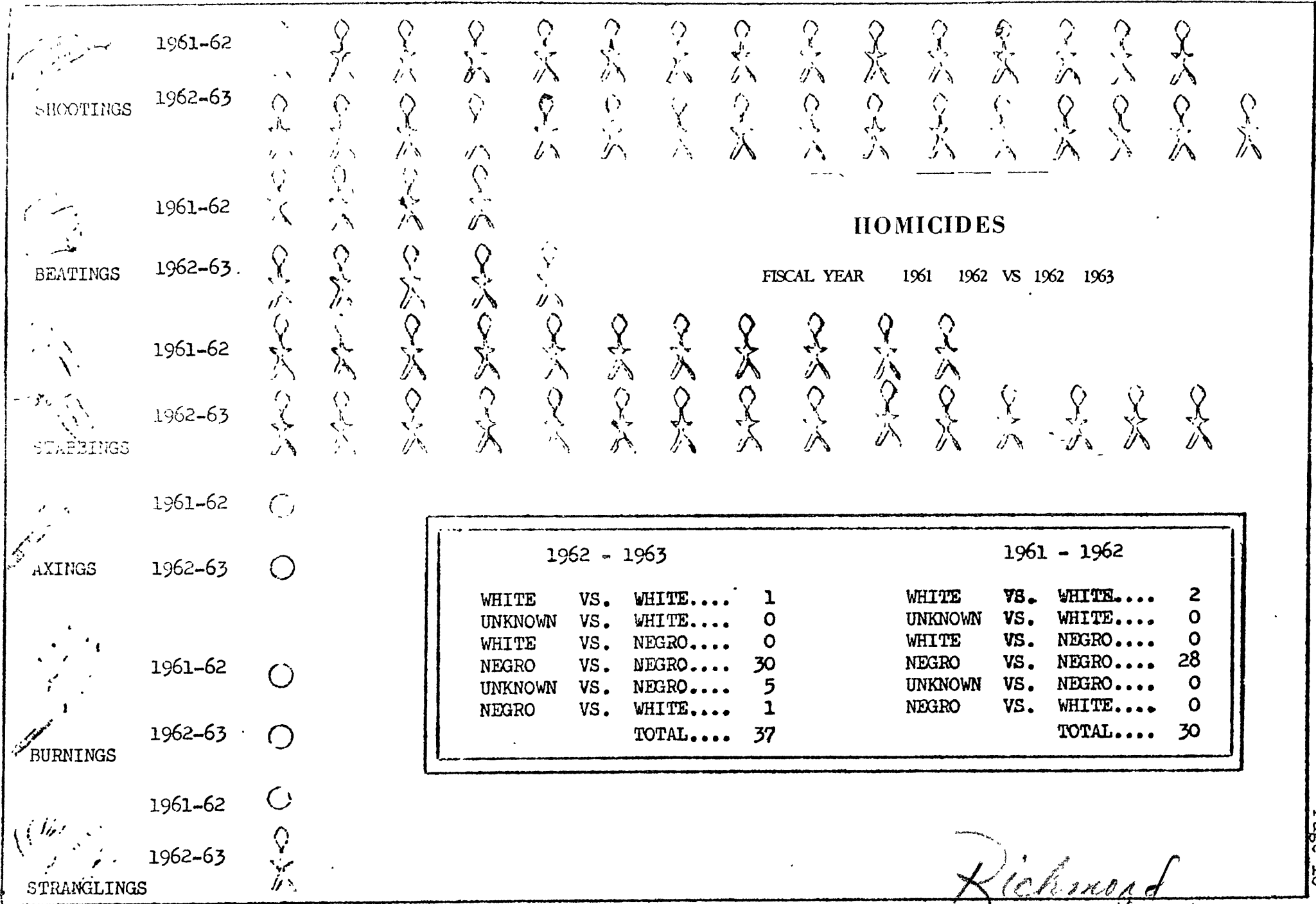


RACIAL DISTRIBUTION OF MURDERS:

	KILLED BY UNKNOWN			KILLED BY WHITE			KILLED BY NEGRO			TOTAL 1964
	1962	1963	1964	1962	1963	1964	1962	1963	1964	
White	0	1	0	19	10	22	3	3	3	25
Negro	1	0	1	0	2	2	61	71	78	81
										106

	Murder Weapons Used			Where Committed			
	1962	1963	1964	1962	1963	1964	
Knives	14						
Pistols	60			Residences	55	62	76
Shotguns	11			Business Places	11	5	8
Rifles	4			Streets	18	20	22
Other			17				
			<u>17</u>				
	Total		106	Total	84	87	106

Atlanta Georgia



*Richmond
Virginia*

Continued from

Table 12.--MURDER*, BY COLOR OF PARTICIPANTS FOR THE LAST TWENTY YEARS: 1963 - 1944

Year	Total Actual Offenses	Both White	Victim W Suspect N	Victim N Suspect W	Both Negro	Victim W Suspect Unknown	Victim N Suspect Unknown
1963	33	9	1	-	20	1	2
1962	44	12	1	-	31	-	-
1961	37	8	1	1	27	-	-
1960	26	7	1	-	18	-	-
1959	45	10	2	1	32	-	-
1958	30	12	-	1	16	-	1
1957	43	15	1	1	25	-	1
1956	47	13	1	-	28	4	1
1955	33	10	1	-	22	-	-
1954	25	9	-	-	15	1	-
1953	37	7	2	-	26	2	-
1952	32	6	1	-	25	-	-
1951	36	10	1	1	23	-	1
1950	39	9	1	-	27	1	1
1949	38	10	-	-	28	-	-
1948	48	16	4	-	28	-	-
1947	47	17	2	1	25	1	1
1946	52	11	1	1	38	1	-
1945	40	8	-	-	30	1	1
1944	40	15	4	-	21	-	-

* Uniform Classification Class 1A, Murder and Non-Negligent Manslaughter (does not include Class 1B, Manslaughter by Negligence).

Table 13.--MANSLAUGHTER*, BY MONTH FOR THE LAST FIVE YEARS: 1963 - 1959
(Actual Offenses and Number Cleared by Arrest)

MONTH	1963		1962		1961		1960		1959	
	Off.	Cl.	Off.	Cl.	Off.	Cl.	Off.	Cl.	Off.	Cl.
ENTIRE YEAR	35	34	28	28	21	21	26	26	29	29
January	1	1	2	2	2	2	4	4	4	4
February	3	3	-	-	1	1	2	2	4	4
March	2	2	1	1	-	-	2	2	3	3
April	2	2	4	4	3	3	3	3	5	5
May	5	3	4	4	3	3	3	3	1	1
June	1	2	-	-	2	2	1	1	1	1
July	1	1	4	4	4	4	2	2	2	2
August	4	4	-	-	2	2	2	2	1	1
September	8	5	-	-	-	-	1	1	-	-
October	4	6	1	1	4	4	3	3	6	6
November	3	3	8	8	1	1	2	2	-	-
December	1	2	4	4	2	2	1	1	2	2

* Uniform Classification Class 1B, Manslaughter by Negligence (includes deaths resulting from auto, trolley, etc., accidents).

Table 14.--RAPE*, BY COLOR OF SUSPECT AND COLOR AND AGE OF VICTIM: 1963

Age of Victim	Total Actual Offenses	Cleared by Arrest	Both White		Victim W Suspect N		Both Negro		Victim N Suspect W		Victim W Susp. Unknown	
			Off.	Cl.	Off.	Cl.	Off.	Cl.	Off.	Cl.	Off.	Cl.
ALL AGES	96	79	27	22	11	8	57	47	1	2	-	-
Under 5	-	1	-	-	-	-	-	-	-	1	-	-
5 - 9	6	5	2	2	1	1	3	2	-	-	-	-
10 - 14	21	19	6	5	1	-	14	14	-	-	-	-
15 - 17	13	12	7	6	1	1	5	5	-	-	-	-
18 - 19	10	8	2	1	2	1	6	6	-	-	-	-
20 - 24	13	12	2	2	1	1	10	9	-	-	-	-
25 - 29	8	6	3	2	-	-	4	3	1	1	-	-
30 - 34	7	5	3	3	-	-	4	2	-	-	-	-
35 - 44	11	8	1	1	3	3	7	4	-	-	-	-
45 and over	7	3	1	-	2	1	4	2	-	-	-	-

* Uniform Classification Class 2.

Police Survey Sparks Controversy

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Research on Arrests

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ARRESTS STUDY FINDINGS AIRED

Hard Core of Police Dis-
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Police Report Fuss

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POLICE HANDLING OF ARRESTEES

A Research Study of Police Arrests in New Orleans

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ment.
"Supt. Giarrusso's readiness
to allow this project, and to
cooperate with it, is a healthy
symbol of this determination,"
said the priest.

KOHN, GIARRUSSO DIFFER

Crime Unit Head Lauds Fichter Report on Police

The managing director of the Metropolitan Crim
of New Orleans praised the Fichter report
police department as a carefully-ex
Aaron M. Kohn, the crime
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PRIEST DEFENDS POLICE FINDINGS

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Loyola University Thursday de-
fended his report on the city
Rev. Joseph H. Fichter,
"Nothing what was
Wednesday) by
Facts of Study'

Schiro, Giarrusso, Others Hit at Report on NOPD

Police, Attacked of
said a in
Police officers is
of "obscenity, thiev-
ry, sexual aggression and
brutality" toward some arrest-
ed persons.

Police Situation Complex

Schiro Pledges Correction of Jail Conditions

Mayor Victor H. Schiro re-

Giarrusso Hits Priest's Report On Police Bias

Police Supt. Joseph I. Giar-

Major Victor H. Schiro, Po-
lice Supt. Joseph I. Giarrusso,
and others spoke out Wednesday
against a Loyola University
sociologist's report, critical of
the New Orleans police depart-
ment.
Kohn said
conclusions are not inconsistent with
statements Supt. Giarrusso has
made or with recent actions in
his efforts to correct abuses by
policemen.

"FATHER FICHTER'S report
acknowledges these efforts by
the police superintendent," he
said. "It is my impression it is

CLARION Herald, New Orleans
April 2, 1964
Negroes.
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homicides (88
Nor is any corre
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POLICE HANDLING OF ARRESTEES

A Research Study of
Police Arrests in New Orleans

Joseph H. Fichter
with the collaboration of
Brian Jordan

Department of Sociology
Loyola University of the South

New Orleans, March, 1964

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Foreword

This study of the experience of people arrested by the New Orleans police has been carefully designed to employ the objective methods of social science research. As citizens, of course, we hold some definite preferences in regard to the relationship that ought to exist between peace officers and the persons they arrest. Although striving to follow the canons of scientific objectivity, we come to this investigation with one strongly held social value, a principle that is cut deeply into the granite above the entrance to Police Headquarters: "This is a government of laws, not of men." We assume that this dictum underlies the fundamental duties of the law enforcement officers, one of which is "to respect the Constitutional rights of all men to liberty, equality and justice."

There is no need to recapitulate here the findings of this research project. One's reactions to these facts may vacillate between sympathy for the arrestee and sympathy for the police. Yet, it seems more acceptable to say that every community has its law breakers than it is to say that every police force has its corrupt members. We have learned from the testimony of arrested people that the majority of police handling is done in a routine, professional manner. They reveal also, however, that there is still a hard core of police discrimination, manifested through obscenity, thievery, sexual aggression and brutality.

The amount of such misconduct among New Orleans policemen is compounded by its selective application. The objective value of this study lies precisely in the facts showing that certain kinds of citizens are more likely than others to be subject to police mistreatment. We have tried to answer two questions: How much abuse is meted out by the police? Who are the recipients of this abuse? The answer to the second question is a sordid story of unequal treatment and discrimination.

This study is made, perhaps fortunately, in a year when the City is witnessing a determined effort to improve law enforcement. Superintendent Giarrusso's readiness to allow this project, and to cooperate with it, is a healthy symbol of this determination. One of our lawyer informants (L-402) remarks, however,

that "the image of the police has improved more rapidly than the actuality." A consultant to this research project opines "a lot of people are busy doing something about the police. Theriot is building the image and Giarrusso is improving the substance. Trosclair tries to keep them from stealing, Terrebonne tries to make gentlemen out of them, Garrison tries to keep them from beating people, and Schiro thinks they should get better pay."

While the movement for police reform must in the first instance be the responsibility of elective and appointive officials, Superintendent Giarrusso has recently called for citizen participation. "The citizens of this community," he says, "expect top notch service from their police officers, and rightly so, but the citizens also have a very serious obligation to cooperate in every manner possible." We offer the present report, distasteful as it may be in some aspects, as a genuine effort of citizen cooperation for a better police force.

This analysis of officer-arrestee relationships is obviously a smaller and more specific study than that undertaken ten years ago by the Special Citizens Investigating Committee of the New Orleans City Council. The notable improvements in police behavior during the last decade can be traced largely to that investigation, directed by Aaron Kohn of the Metropolitan Crime Commission, and described in six volumes in April, 1954.

The research design for the present study was encouraged by, and discussed with, a sub-group of the Louisiana Advisory Committee to the U. S. Commission on Civil Rights. It included Dr. Albert Dent, President of Dillard University, Dr. Harold Lief, of the Tulane University School of Medicine, Mr. John Nelson, Jr., Attorney-at-Law, and Dr. Ralph Slovenko, of the Tulane University School of Law. The direction of the project, the analysis and interpretation of the findings, and the contents of this report, are not their responsibility, but solely my own.

A research project of this kind, however, cannot be the work of only one person. Brian Jordan has been closely associated with all phases of the study, particularly the collection of data from the police records and the supervision of the interviewing process. Other competent field workers were Barbara Guillory, Thomas Lief, William Washington and Roy Winand. Much of the statistical work and the typing of numerous revisions of the manuscript were done by Jo Ann Prat and Janice Roussel.

The costs of this project were borne by a financial grant from the Field Foundation made to Dillard University. The IBM facilities of the Social Science Research Program at Loyola University were utilized to process the data from both the police files and the arrest interviews. These research facilities are made available through the generous cooperation of the University administration and the IBM Corporation.

Following the example of police officials, who refused to divulge the names of arrestees, as well as of officers against whom complaints had been lodged, we have carefully concealed the identity of all of our informants: arrestees themselves, their witnesses and friends, lawyers, policemen, and judges. The code numbers within

parentheses, which appear throughout this report, are simply a handy reference to the materials in our files. Since we have promised confidentiality to all of our interviewees, these materials will be destroyed at a convenient time in order to protect completely our sources of information.

Joseph H. Fichter

I

Who Gets Arrested in New Orleans?

The experienced law officer is quite willing to admit that there are numerous people who violate the law and also escape apprehension. National statistics show that an offender has a better than two to one chance of "getting away with" crimes like burglary, larceny and auto theft. Especially in serious crimes of violence it must be frustrating for law enforcement officers to realize that only two-thirds of such crimes are ever solved. In this sense, law breakers are always a little "ahead" of the police. Indeed, the police would have to be both omniscient and all-powerful in order to know and clear every offense by arrest and conviction.

The law officers, however, are not quite so willing to admit that they make needless, and even illegal, arrests. Statistics again show that the arrest rate tends to be considerably higher than the rate of known offenses. In the larger cities of America, including New Orleans, the police arrest about five persons for every three offenses they know about. The problem then, is not simply whether there are too many arrests in New Orleans, but whether many arrests are needless and the arrest procedure is irregular. One experienced attorney (L-411) says that "a conscientious lawyer could find some illegality in practically every arrest made in this city." Another (L-405) told us that the police here "make groundless arrests as a general rule," and that "this situation amounts to an unconstitutional administration of criminal law."

The fact that the arresting officer must often make quick decisions, and that his discretionary power is sometimes exercised to the disadvantage of some New Orleans citizens, is obvious from an analysis of the police records themselves. The imbalance of arrests, as measured by sex, age, occupation and particularly by race, and the comparison of these with the census categories of the New Orleans population, indicates broad discretion of police power and reveals the need for a further study of the relationship between the peace officer and the arrested person. Our analysis of a six percent sample of the 53,651 adult local residents who were arrested in 1962 in New Orleans provides a series of generalizations of varying degrees of importance.

1. There are more females (54%) than males (46%) in the New Orleans adult population, but more males (88.6%) than females (11.4%) were arrested during 1962. An even greater sex disparity exists among non-resident arrestees.

2. Female arrestees have multiple charges made against them more frequently than males do, and the sex difference in this regard is greater among non-resident arrestees.

3. The average age of adult New Orleans residents who were arrested is lower than that of urban arrestees in American cities. But non-resident arrestees are older than local residents who are arrested.

4. People who are arrested for traffic violations are mainly in the 20 to 40 year age bracket, while arrests for non-traffic charges tend to be heavier below twenty years of age and above forty years of age.

5. In comparison with the New Orleans adult population, the proportion of Negro arrestees for both sexes and at every age level is higher than the proportion of white arrestees.

6. The greatest disproportion exists among Negro males who constitute only 15.1 percent of the adult population, but account for 51.4 percent of the resident arrestees. Most of the non-resident arrestees (78.2%) are white males.

7. White male resident arrestees are somewhat more likely (35.6%) than Negro male resident arrestees (29.9%) to have multiple charges made against them by the police.

8. Persons in unskilled, or semi-skilled, occupations (and these are mainly Negroes in New Orleans) are arrested with much greater frequency than white-collar and professional people.

A comparison of the following tables provides a statistical overview of the data from which the above generalization came. The essential disproportions between the adult population of the city and the arrested population show up most clearly when the comparison is made on each separate item of age, sex and race.

Table 1 - Race, sex and age distribution of New Orleans adults in the 1960 U. S. Census

	<u>White</u> <u>Male</u>	<u>White</u> <u>Female</u>	<u>Negro</u> <u>Male</u>	<u>Negro</u> <u>Female</u>	<u>Totals</u>
17-24 years	14.8%	14.6%	18.1%	18.0%	15.8%
25-34	18.5	16.4	20.4	21.3	18.5
35-44	20.4	19.2	20.5	20.2	20.0
45-54	19.1	18.6	17.9	17.1	18.4
55-64	15.4	15.2	13.1	12.1	14.4
65 and over	11.8	16.0	10.0	11.3	12.9
<u>Totals</u>	129,445 (31.0%)	149,415 (35.7%)	63,039 (15.1%)	76,304 (18.2%)	418,203 (100%)

Table 2 - Race, sex and age distribution of New Orleans adults residents who were arrested in 1962

	<u>White Male</u>	<u>White Female</u>	<u>Negro Male</u>	<u>Negro Female</u>	<u>Totals</u>
17-24 years	24.9%	33.7%	34.8%	30.4%	30.8%
25-34	21.0	23.6	26.9	36.3	25.2
35-44	24.0	20.7	20.3	18.6	22.6
45-54	18.9	14.1	11.6	8.8	14.3
55-64	8.8	3.8	4.5	4.9	6.1
65 and over	2.4	1.1	1.9	1.0	2.0
<u>Totals</u>	19,958 (37.2%)	2,897 (5.4%)	27,577 (51.4%)	3,219 (6.0%)	53,651 (100%)

Table 3 - Occupational distribution by race of employed New Orleans males and of arrested males

	<u>White Males</u>	<u>White Male Arrests</u>	<u>Negro Males</u>	<u>Negro Male Arrests</u>
Professional, technical	15%	6%	3%	2%
Managers, proprietors	17	4	2	5
Clerical workers	13	6	6	1
Sales workers	10	12	1	1
Craftsmen, foremen	19	19	11	7
Operatives, semi-skilled	14	21	26	22
Unskilled, service	12	32	51	62

The fact that men in the lower occupations are arrested more frequently than those in higher occupations is shown in Table 3. Among the arrestees, eight percent of the white males and ten percent of the Negro males were unemployed at the time of arrest. Excluding these from the comparative statistics, we find that while fifty-six percent of employed white males in New Orleans are in white-collar occupations and professions, only twenty-eight percent of the white male arrestees are in this category. While only twelve percent of Negro males in New Orleans are in these higher occupations, nine percent of the arrested Negro males are in this category.

The generalizations that have been drawn from an analysis of police arrests in 1962 are the starting point for a deeper research project on the police-citizen relationship. We wanted to know more about the manner in which the officer and the arrestee act toward each other. To this end we interviewed witnesses, lawyers and judges, policemen and ex-policemen, and examined the file of unsolicited correspondence sent by citizens to the New Orleans Department of Police. Most

informative, however, and the most valuable source of insights, were the personal interviews with an exact representative sample of arrested individuals. This sample was carefully selected on the criteria of race, sex, age and type of offense charged.

This representative distribution of arrestees means that the interview sample contains fewer females (11.4%) than males (88.6%), fewer whites (42.6%) than Negroes (57.4%), fewer people over forty years of age (32.8%) than under forty (67.2%), and fewer traffic violators (19.7%) than persons charged with other offenses (80.3%). In other words, the two hundred arrested persons with whom we spoke are an exact miniature replica of the total number of New Orleans residents arrested in 1962.

The original design of this research project intended to interview only people who had been arrested in 1962. Finding the identity of these persons was made more difficult, but not impossible, by the reluctance of the Statistical Unit of the Department of Police to release the names of individuals on their IBM cards. When we did finally identify the sample we wanted to interview (by laboriously searching out the actual case records) we were unable to contact three-quarters (77%) of them. Some people refused the interview; in some cases there was a false address; in others the individual had moved. Those who were in jail or prison (9%) were easy to locate.

We found it necessary then to substitute the names of persons who were more recently arrested and more easily contacted. This was done by matching exact replicas of the sample from the 1963 records of police arrests. Reaching these more recent arrestees had the disadvantage that we could not learn the disposition of the cases, since some were still pending. It had the important advantage, however, that we now have fresh and up-to-date materials. We are not describing here "what used to be" but what happened mainly this year in the relationship between the police and the arrestees in New Orleans.

How reliable are these sources of data? Can you always believe the testimony of the arresting policeman? Can you always believe the story, when it is opposing, of the arrested person? We put this question to a judge (L-426) who replied unhesitatingly, "if there is any doubt, the doubt must be resolved in favor of the defendant. When the officer and the defendant contradict one another, I dismiss the case. Of course, I first try to evaluate the contradiction in terms of the character and past performance of the officer."

Attorneys and judges know that it is often most difficult to "get at the truth" even in the court room, where it is presumed that all of the evidence is in and that a balanced judgment can be made. In the delicate matter of police-arrestee relations, where reputations are at stake and penalties can be meted out, one may expect difficulty in attempting to arrive at the objective truth. We were able, however, to test some comparable data on the "two sides" of the story. For example, there was remarkable similarity on the arrest record, as given by the police and the arrestee.

Table 4 - Racial comparison of arrest record, as admitted by arrestee and as given by police

	<u>Whites</u>		<u>Negroes</u>	
	Arrestee Admission	Police Record	Arrestee Admission	Police Record
First arrest	42%	38%	29%	27%
Second or third	25	20	33	26
Fourth to sixth	15	12	20	20
More than six	18	30	18	27

The arrest record is a public document which is required by law to be maintained accurately in the police headquarters. We found there that thirty-two percent of our interviewees had been arrested for the first time in their lives. A slightly higher proportion (35%) of the interviewees, however, claimed that this was their first arrest. This difference is, of course, negligible and indicates a fair degree of veracity among the arrestees. According to the police record, twenty-eight percent of these persons had been arrested more than six times, but only eighteen percent of the arrestees admitted this frequency of arrest. Perhaps this discrepancy is to be expected since people are naturally reluctant to admit that they have been so often in trouble with the police officers.

Another area of questionable comparable veracity is that of the guilt of the arrested person. The common notion that "nobody admits he broke a law" has not been found true in the present study. According to police procedures, the people who are taken into custody are "reasonably believed" to have committed an offense against the law. When arresting, booking and charging a person with a violation of the law, the peace officers are taking the preliminary steps to establish the guilt and conviction of the individual. When we asked the interviewees whether they had been "rightfully arrested," that is, whether they were doing something for which people should be arrested, two-thirds of the whites (69%) and of the Negroes (64%) said that they were not guilty at all or that the offense they committed was too minor for an arrest.

Table 5 - Racial comparison of responses to question whether person was rightfully arrested

	<u>White</u>	<u>Negro</u>
Yes, as charged	25%	23%
Yes, but not as charged	6	13
Offense too minor for arrest	23	2
Not rightfully arrested	46	62

We have read the official police reports on all of these arrests, and nowhere in the records have we found an admission of unfairness by the police to the arrestee. Should we not then simply believe the police? After all, the peace officers are the "good guys" and the law-breakers are the "bad guys" in this struggle to maintain a decent, well-behaved community. Yet, the police records imply a certain amount of discrimination against some categories of arrestees.

Other evidence also points to the fact that arrestees can often be believed when they say that they were not rightfully arrested. One ex-policeman remarked (P-503) "I suppose you can say that the majority of arrests are 'bum raps.' They're easy to make and they can be processed, or 'run through' the city courts without any trouble. Drifters, poorly dressed transients and bums, people you don't know, colored people who don't have connections - these are the ones you can arrest, like with routine and without trouble." In relation to this statement, it is interesting to note that one-third (34%) of the white arrestees and four out of ten (41%) of the Negroes told us that they were being "harassed" by the police.

The frank remarks of a judge (L-425) are also to the point here. "These claims that the judge will always back up the officer, even when he is wrong, are not true. I have found several officers guilty in court. But remember, there is a presumption in favor of the officer that he is doing his duty. These men enter the court with a higher status because they are sworn to uphold the law. And it must take very substantial evidence to prove to me that the officer is wrong." He said further, "I never discipline an officer in public; this would be bad for the morale of the force. But I certainly reprimand him in private in my chambers; and when there is a serious breach of conduct I send it to the Police Bureau of Investigation."

Another experienced judge (L-426) told us that "many arrests are unnecessary. Many cases are dismissed. Whether this is due to the inexperience of the officer, or his unwillingness to make proper investigation, or to a statistical policy - precinct captains keep records so their precincts look good - I don't know. If the police don't have enough arrests, they'll go out and pick up a man for loitering. Very often one officer will have twelve to fifteen arrests, but the other men in the same district will have none. My theory is that possibly they take turns at being diligent. Or perhaps the other officers are lying down on the job. Now, I don't want to give you the impression that such practices are widespread. You know that in every large group there are always those few with idiosyncrasies. We have nine hundred policemen, and most of them are honest men and serious about their jobs."

The problem of "gang arrests," or of "commando raids," as they are sometimes called - and the racial discrimination they involve - is clearly indicated in Table 6. There were simultaneous arrests of four or more white people in only six percent of the cases studied, but group arrests of four or more persons occurred in more than one-fifth (22%) of the Negro cases. The average number of white persons arrested at one time was 1.63, and that of Negro persons was 2.56. With this kind of data before

us, it is hard to avoid the generalization, made by some of the policemen themselves, that harassment is a frequently used weapon "to keep the Negroes in line."

One attorney (L-414) told us that "the police make a lot of needless arrests just for the sake of filling their statistical quotas. They'll go in and clean out an entire Negro bar, arresting twenty to thirty Negroes, while they'd never do this to a white bar because of political repercussions. In dealing with vice crimes, they'll go into a Negro motel and round up all the people from the rooms. You never find them doing that in the white motels."

Table 6 - Racial distribution of numbers of persons arrested at one time on non-traffic charges

	<u>Whites</u>	<u>Negroes</u>
One person	66%	53%
Two persons	19	17
Three persons	9	8
Four or more	6	22

Similar remarks were made by a judge (L-424) who said that "many of the municipal arrests here are illegal. I'd say that sixty to eighty percent of the cases that come before these courts are dismissed. The police will often go into Negro bars and round up everyone and bring them into court. They call these tactics 'surveillance' and I feel that it helps to keep the crime rates down. Just look at the drop in the felony crimes here." When he was asked whether he thought "the end justified the means" in these police tactics, he said, "No, I would not. I think that they arrest too many people for nothing at all, especially Negroes. Have you ever been stopped and asked for an I. D. card, or have to show a dollar in your pocket? If they see a Negro walking the streets at night, five to one they'll stop him and ask for papers and check stubs; and if they don't like his answers or his looks, they'll arrest him for vagrancy. This to me is like the German S. S. police, and not at all the American system."

On the basis of our intensive interviews, and of the information gathered about these people, we attempted to set up a scale of "law-abidingness" among these arrestees. For example, three-quarters (76%) of them said that no member of their family had been arrested, and half of them (51%) said that no close friend of theirs had ever been arrested. Combining these data with the individual's own police record, and with other available evidence, we estimated that a large proportion (44%) of them could be rated "fairly high" as law-abiding citizens.

This is another way of saying that less than three out of ten (28%) of the arrestees can be judged the "enemies" of society and of the police. They are the kinds of people who seem to constitute the heart of the crime problem in New Orleans. On the basis of the 1960 Census of the City, this nucleus comprises less than four out of a hundred (3.6%) of

the resident adult population, a little more than fifteen thousand persons. The proportion of the white criminal nucleus (2.1%) is lower than that of the Negroes (6.6%) who are in this category.

Table 7 - Distribution of the arrestees, by race, on the rating of law-abidingness

	<u>Whites</u>	<u>Negroes</u>
Fairly high	48%	40%
About medium	26	30
Fairly low	26	30

The data of this study allow us also to describe certain personal characteristics of the resident arrestees. Four out of ten (39%) of the whites were born in New Orleans, half of them in other States, and the remainder in Louisiana outside of the City. Six out of ten (61%) of the Negroes were born in New Orleans, less than one out of five (18%) out of State, and the remainder in other parts of Louisiana. We found the expected racial difference in the amount of schooling they have had. One-fifth of the whites (21%), as compared to seven percent of the Negroes, said that they had attended college, but had not necessarily finished college. Similarly, among those who had been to high school not all had graduated.

Table 8 - Racial distribution and comparison of amount of schooling claimed by arrestees

	<u>White</u>	<u>Negro</u>
Elementary grades	42%	42%
High School	37	51
College	21	7

The low average age of New Orleans arrestees probably helps to account for the relatively high proportion who are single. We felt that the experience of arrest would have some effect on the spouse and family of the arrested person. Among those who are presently married, only thirteen percent said that their spouse was unsympathetic to them because of the event. Most of the others were "upset" or "disturbed" about it. Approximately one-fifth of the married arrestees (22%) had no children. The average size of family was 3.04 children for those who did have offspring. In half of the cases, however, the children were unaware of the arrest.

Table 9 - Racial comparison of marital status of arrestees

	<u>White</u>	<u>Negro</u>
Single (never married)	28%	34%
Married (including common law)	52	42
Separated, divorced, widowed	20	24

Table 10 - Reaction of employer of those who were working at the time of arrest
(excluding self-employed)

	<u>White</u>	<u>Negro</u>
Unaware of arrest	38%	34%
Knew, but said nothing	36	34
Knew, and gave assistance	22	25
Docked or fired	4	7

We asked also if this arrest had any effect on their employment situation, since there are many known cases in which an arrest record makes it difficult to find a job. Fourteen percent of the whites, and ten percent of the Negroes, said that they are self-employed. More than three out of ten (31%) of the whites, as well as of the Negroes (35%) said that they were not working at the time of their arrest. This proportion of workers who are out of a job is higher considerably than the unemployment rate in New Orleans for white males (4.6%) and for Negro males (9.7%). One may suppose that the lack of a job has some bearing, both as cause and consequence, of being in trouble with the police.

Finally, we tested out a working hypothesis to the effect that the police use their discretionary arresting power according to the general appearance, manner of speech, and apparent well-being of the individual. One of our informants made this same point (L-425). "Say I go down to the local bar on a Saturday to have a few beers and I have my old clothes on and need a shave. Now, in walks two officers and they become suspicious of me because of my dress and they start to question me. Now, if I don't have any identification, or money, and say to them 'it's none of your business, or 'I'm not telling you anything,' then the officers will have good cause to run me in. You see what I'm driving at? The police have the duty to keep the community safe and protect it from undesirables, and we get plenty in this city."

Table 11 - Rating of arrestees, by race, according to personal appearance, speech patterns, and condition of home

	<u>White</u>	<u>Negro</u>
Fairly high	9%	6%
About medium	33	40
Fairly low	58	54

We were able to make an impressionistic judgment of the arrestees in our personal interviews with them. By combining the criteria of their personal appearance, their speech habits, and the condition of the homes where interviews took place, we estimated that more than half of both whites (58%) and of Negroes (54%) ranked "fairly low" in this regard. Whether this is cause to "run them in" seems a highly debatable question.

In summary then, we may say that the New Orleans residents who are arrested here are not a representative cross-section of the City's adult population. This is partly explained by the common generalization that law violation is not representatively distributed throughout the population either in kind or amount of offenses. A much more important explanation, however, which is supported by data throughout this report, is found in the selective arrest procedures employed by the police.

II

The Reputation of the Police

The public image of the New Orleans Police Department is largely a reflection of the manner in which the citizen observes and interprets the behavior of law enforcement officers. Many citizens complain about the police, but many also praise them and commend their work. Superintendent Joseph Giarrusso has shown great concern about this image, and frequently points out that the short-comings of a few members of the force should not be the basis of judgment about the large majority of conscientious and competent police officers.

When a patrolman was arrested for bribery and malfeasance in November, the Superintendent said, "the department will not tolerate misconduct of any type on the part of its personnel. I have constantly issued warnings to our men. I am determined that the few men who choose to commit acts of wrongdoing will be detected and suffer the consequences." Two months earlier the States-Item editorialized that "confidence in New Orleans' Police Department is heightened by the forthright action of Superintendent Joseph I. Giarrusso in uprooting asserted wrong doing within police ranks. Laboring under budgetary difficulties and related undermanning, the Police Department has come far since the morale-shattered days of the citizens' police probe."

It is fortunate that we have been able in the present study to assemble current data against which the improved police department can be measured. We can make this appraisal from three sources: the statements of interested citizens, the self-image provided by the police, and the observations or arrested persons and others connected with arrests. These are obviously different points of view, and we cannot expect to derive from them a unanimity of opinion.

In an attempt to weigh the balance between praise and blame, and to evaluate the good reputation against the bad reputation of the police, we asked Mr. Giarrusso to allow us to read and analyze the unsolicited letters that his department received in the course of one year. The Department itself provides a partial monthly report on this correspondence, and selects appropriate letters for publication in Our Beat, the policeman's monthly periodical. It distributes to the force a mimeographed

listing of the numbers of letters of commendation and appreciation, with a breakdown of the bureaus or districts, and of the names of individual officers who are praised. The Superintendent personally answers all of these letters, and directs that a copy of this correspondence be included in the "service jacket" of the respective policeman.

The Central File of the Department was opened to our inspection, and we found that the letters there run four to one in favor of the police. During the calendar year, from January to December, the police department placed in this file 1,235 letters of appreciation and only 301 letters of complaint. Among the twenty-four bureaus and districts, the traffic bureau consistently received the largest proportion (28%) of the commendations. Since the traffic bureau has the largest single component of manpower, and has contact with the greatest number of citizens in the course of its daily functions, this disproportion is to be expected. The volume of letters is highest during the Mardi Gras season and during the football season, and this again is especially true of the traffic bureau.

What kind of people write letters of praise to the police department, and what do they write about? The largest single category (46%) of laudatory letters is constituted of "thank you" notes that may be termed mainly commercial and institutional. They express gratitude to the police and commend the individual officers, for services rendered to a business group, carnival organization, professional convention, school or church. The K-9 Corps gives a demonstration, the Narcotics Division sends a lecturer, the Emergency Division explains its crash truck procedures, a motorcycle escort is provided for a parade. These are aspects of police work that are not always directly concerned with law enforcement or crime prevention, but are expected by the people, and viewed by the police as a kind of public relations function. Efforts along these lines have apparently been increased by the present administration.

The second largest (29%) set of letters comes from grateful citizens who think that the police are doing an efficient job and who usually describe the commendable behavior of a particular officer. "For the first time in my life," wrote one school teacher (C-737), "I was face to face with a professional law enforcement officer - not just a cop." Most of these communications refer to police work in investigations, arrests and accidents. One parent (C-714) even praised the policeman who had given his son a traffic ticket. "By handling this case in an understanding manner, intelligently and with real human feelings, he made the boy feel there is no percentage in being careless with the law."

Another class of letters (14%) expresses appreciation for the way the police act in emergencies and respond to people's needs beyond the call of duty. Many of these are concerned with accidents of various kinds in which the officers give solicitous aid and comfort to injured persons. One husband (C-823) wrote that "your men were very courteous and gave us excellent assistance in taking my wife to the hospital - which probably saved her life." Policemen give guidance to tourists, help a stranded motorist with car trouble or a flat tire. The crash truck of the Emergency Division seems to be the focus of much admiration and praise.

Still another category (9%) of appreciative comments thanks the department for routine, as well as extra, courtesy shown to visiting dignitaries, diplomats, government officials, politicians, police officials and agents from other cities and from departments of the federal government. A group of visiting sheriffs (C-816) from the Midwest wrote that "the kind, prompt and courteous manner of your officers was impeccable and did much to augment the pleasure of the convention trip." Agents of the FBI, the Justice Department and the Treasury Department, who have had to investigate cases in the City, are most conscientious in acknowledging assistance given to them by the New Orleans police.

Finally, there is a small proportion (2%) of what is clearly "organized mail," usually inspired by some church organization, or women's group. These are written individually, but are patterned on a formula distributed by the group to its members and friends. They praise the "wonderful work" of the police in their drive against indecent literature and movies, the immoral entertainment on Bourbon Street, juvenile delinquency, or homosexuality and the use of narcotics. These are the only letters that can be placed in the "solicited" category, but they are not requested by the police themselves.

The voluntary character of practically all the letters of appreciation is indicated by a downtown businessman (C-851) who confessed that "too often we, the general public, hear of the failings of a few policemen and too seldom do we learn of the fine everyday performance of the typical policeman." He was praising the integrity of a patrolman who found and returned to him his key ring, but refused to accept a reward. This kind of behavior inspired another businessman (C-865) to say that a better type of person is now being inducted into the department of police. "More and more gentlemen of proper breeding and exemplary character are being added now to the New Orleans police force."

These ringing words of praise constitute one view of the image of the New Orleans police department. In order to assay objectively the total image, and to obtain a balanced appraisal of the police, we turned from the commendatory letters to the complaint letters in the Central File at Police Headquarters. Here we discovered an interesting, if frustrating, contrast between the two types of correspondence from citizens. Not only were the letters of complaint much less numerous; they also failed to identify the police officers against whom the complaints were being lodged. When we raised a question about this apparent discrepancy we were informed that thorough investigations are always made of all complaints, that all of the letters blaming particular policemen are on file in the Police Bureau of Investigation, and that these could not be released for our scrutiny. This means also, of course, that there is no monthly mimeographed report of complaints (similar to that of commendations) distributed to the members of the department.

The relatively small number of letters of complaint that we were permitted to read dealt with a wide variety of topics: juveniles were damaging property in one neighborhood; parking regulations on some streets were being consistently violated; political posters and other advertisements were being put up in places where they should not be;

the traffic handling at certain corners should be improved; noisy people congregate late at night in front of some local taverns. These and other similar communications called to the attention of Superintendent Giarrusso undesirable situations that irked the citizens and that the police should look into.

There were some complaints about discourteous officers and inefficient police work, like that of the man (C-804) who had to hire his own private detective to recover a stolen car, and who excoriated the police for their laziness and incompetence. Yet, one searches in vain among these letters for the badge number or the name of the particular offending officer. Charges of uncouth and obscene language, of bribery and stealing, of harassment and rough handling, even of brutality, which sometimes adorn the headlines of New Orleans' newspapers, were not found, except in most general terms, in the letters made available to us.

In a sense then, our research attempt to utilize the citizens' unsolicited correspondence in the Central Police File, as a mirror for the police image, was a failure. We were not able to balance the positive with the negative, the compliments with the complaints. The communications in the Central File present the "good picture" of the police; the letters that might present the "bad picture" are securely locked up in the Police Bureau of Investigation and kept away from the researcher.

It is not the task of the social science researcher to sit in moral judgment of the persons and groups that he is studying, yet he cannot pursue his analysis without adequate data. The unwillingness of the police to reveal the negative aspects of their own behavior, except when a case "breaks" in public, is humanly understandable. Reputation is perhaps a more important asset for a law enforcement agency than it is for other public institutions. Police officials generally feel that they possess "from the inside" the means of taking care of complaints, of correcting mistakes, and of making any necessary reforms. This kind of decision may frustrate the inquisitive researcher, but it also prompts him to turn to other sources of information.

We were able to obtain then some informative interviews with both policemen and ex-policemen, whose realistic appraisal differs substantially from the image provided in the laudatory letters from citizens. One hard-working, intelligent and loyal member of the force (P-506) told us that "things are going to have to change from the inside. We've got a real good chief now, but he can't do everything by himself. With the complexity of today's life we need educated men, who are polite and courteous and honest, and who can understand that the people they're dealing with have problems too. Here in New Orleans we get the lowest pay in the nation, and it's lousy. So, the men we get on the force are either dedicated professionals or they're the type who just don't give a damn. One of these days this whole thing is going to blow up in a big scandal. They're going to catch a bunch of these guys out in the districts in a burglary ring, like they did in other cities, or some sharp team is going to do a survey of the police force and then the public will wake up and take action."

An official (P-507), deeply concerned about the training of police cadets, told us that "for a long time our problem with the police was one of poor attitudes. I'm one for stressing the importance of wholesome attitudes. The men need more in the area of

psychology. There's always danger of their becoming cynical and bitter in their constant dealing with the seamy side of life. I would say that a policeman's success or failure in his job depends largely on his outlook on life. Give me a recruit with good attitudes and we can make almost anything out of him. On the other hand, the fellow with the sour outlook, the perpetual griper, the type that makes snappy remarks to the citizens - he's the one who causes criticism by our citizenry. But these are negligible in number."

A constant supply of younger men is entering the police force to replace those who resign or are retired. We were told that "the Civil Service controls employment of police, so that the qualifications are as stringent as those for the FBI." This refers to the men who have joined the Department since 1955, when the full program of training was developed at the New Orleans Police Academy. These requirements specify height, weight, physical condition, age, education and intelligence. The applicant must also submit to a psychiatric interview and a battery of psychological tests. Approximately one out of ten is accepted, we were told, and out of every class of thirty to fifty trainees at the Academy there are one or two dropouts or dismissals.

A rough profile of the New Orleans policeman emerges from the study of a nine percent sample of the department who answered our background questionnaire. One fifth of them are the sons of city, state and federal employees; one fifth (19%) are the sons of white-collar clerical and sales persons. The remainder had fathers who were skilled craftsmen (23%) and semi-skilled or unskilled workers (38%). The younger policemen are more likely (42%) than the older (10%) to have fathers who had finished high school.

The present requirement is that the New Orleans policeman must have a high school education, or its equivalent. In our study sample we find that seven percent do not have a diploma of high school graduation. Two out of five (42%) say that they read the newspaper every day; and on the average all of them watch television 1.9 hours daily. Seven out of ten (69%) consider themselves fairly, or very, religious. They also indicate that they are strongly anti-Communist. Two out of five (42%) would not allow a Communist to be a clerk in a retail store, and more than half (53%) would remove from the Public Library a novel written by a Communist, regardless of the theme of the book.

Table 12 - Rating scale of selected personality dimensions derived from self-description of police

	<u>Low</u>	<u>Medium</u>	<u>High</u>
Dependable	14%	68	18
Ambitious	32%	59	9
Extrovert	38%	52	10
Intellectual	48%	48	4
Emotional	71%	28	1
Sophisticated	81%	19	0

The attempt to set up an objective scale of personality types, based on the subjective self-conception of the policeman, is admittedly only a rough insight into the kinds of men who are on the force in New Orleans. From a lengthy list of adjectives we asked the respondents to check off those which applied best to themselves. We found that these selections began to "cluster" and that these men did indeed consider themselves to be of a certain "type." Subsequent evidence in this study will show - if nothing more in this area - that policemen are anything but sophisticated and that they think of dependability as one of their main characteristics.

An interview with an ex-policeman (P-502) brought forth the following characterization: "These cops! I've got no respect for them as persons, but I've got the greatest respect for them as cops. Now that I'm out, I still appreciate them. Not as people; but when I was a cop there wasn't anything I wouldn't do for another cop. You got to protect your own kind. You ought to sit in a police car and ride around for six hours and see all the ---- they get. A cop is supposed to be everything: a priest, a doctor, a bus-driver, a car mechanic, a tourist guide. To some he's a bastard, and someone to hate; to others he's respected and looked up to as somebody important. He's got moods, and people don't know this, and they got moods. There's so much ---- he has to handle every day. And they wonder why the police are the way they are."

Finally, when we turn to the people who have had the closest contact with the police, those who were actually arrested during the past year, we find a wide range of opinion. Few of them violently hate the officers, but few of them are willing to heap great praise upon them. Besides an account of their particular experience, we asked them to give us a general rating of the New Orleans police force.

Table 13 - Racial comparison of the rating given to New Orleans Police Department by arrested persons.

	<u>White</u>	<u>Negro</u>
Very good, or pretty good	29%	14%
Mixture, good and bad	29	42
Very bad, or pretty bad	42	44

Certainly, no one is happy about being arrested, and we had expected in our interviews to hear many more expressions of antagonism against the police. Yet, only about four out of ten (43%) of these arrestees said that the police department is pretty bad, or very bad. At the other end of the scale, one fifth of them (21%) are willing to say that the police in New Orleans are pretty good, or very good. Negroes, who are the subject of much more police attention, are only half as likely (14%) as the whites (29%) to make a positive appraisal of the officers, yet they do not differ greatly from the whites in the proportion that disesteems the police. Whether or not the police themselves are disappointed with these opinions, perhaps citizens in general would have expected a much more negative reaction on the part of arrested people.

Table 14 - Racial comparison of arrestees' suggestions for the improvement of the New Orleans police force

	<u>White</u>	<u>Negro</u>
Treat all equally	34%	62%
Quit unnecessary arrests	27	25
Quit rough handling	21	33
Improve language	20	29
No suggestions	18	7

As a means of reaching more specific attitudes towards the peace officers, we asked the arrested persons what they feel should be done to improve the police department in this city. This approach has a negatively critical aspect too, because suggestions for improvement are an index to the areas where complaints are most numerous. It is an interesting contrast that the police we interviewed give top priority to higher pay and better training as the best means for improving the department. The arrestees focus much more sharply on the actual behavior of the police that needs improvement. Only one fifth (19%) of the white arrestees, and fewer of the Negroes (8%), suggested better training, although probably all of the other complaints can eventually be subsumed under this heading. About one eighth (12%) of the whites, and very few Negroes (2%), said that a better pay scale would improve the force.

The proportions in Table 14 total more than one hundred percent in each column because, although some arrestees had no suggestions to make, others made several suggestions. The most frequently mentioned complaint is that of unequal treatment, and while Negroes complain much more frequently (62%) of this problem, it is also the problem of most importance to the white arrestees (34%). This obviously reflects the discretionary power and practice of arrest on the part of the police, as already indicated in our comparative statistics on age, race and sex of arrested persons (Tables 1 & 2).

While the data of this study show that "round ups" and unnecessary arrests occur more frequently among Negroes than among whites, the Negro arrestees do not complain more (25%) about this than the white arrestees do (27%). Perhaps whites are more resentful of the unfairness of arrests for what they call minor violations, while the Negroes have probably become accustomed to this kind of police behavior. An example of such protest is that of one well-educated white man (A-112): "Before I knew what was happening I was locked up in a cell without even a second change to contact someone for parole. All my requests to the various police officers at this station were either unanswered or flippantly denied. Why should a person held on a traffic offense be subjected to such treatment, as though he were a common habitual criminal?"

There appears to be no doubt of the fact that Negroes are handled more roughly than whites when they are arrested, although the beating of arrestees is by no means confined to the Negro race. In these circumstances it is understandable that Negroes are more likely (33%) than whites (21%) to complain about police brutality. One Negro

arrestee gave the following opinion (A-219), "I wouldn't let them use brutality on people. I don't think it's right to force persons to say that they did something when they didn't. I think it's a rotten police force. There are a few good ones, but most of them are low-down. They hold a man in the district station as long as they want to and get him to say anything they want. Look at me now. I never robbed anybody, but I signed for it."

The public image of the police is also built up in part by the kind of language they use in the performance of their duty. Two out of ten of the white arrestees, and three out of ten of the Negroes (29%), feel that the department would be improved if the officers learned how to control their language. Rather than deny this allegation, one of our policeman interviewees (B-507) justified it. "Let's put it this way. When a policeman is dealing with lower-class whites or Negroes - they're both the same, he will treat them like lower-class people. This is not discrimination; the lower class demands a different type of behavior. For example, he will talk to them the way they speak. They don't understand any other language. The talk is rough, I admit, but the policeman must be tough to protect himself."

Obviously, the reputation of the New Orleans police is reflected in a multi-faceted image, differing from one segment of the citizenry to another. People who praise the police see them one way. The officers tend to think of themselves in another way. The people who have been arrested form their own impression of the department and its members. The rest of this report provides carefully gathered data against which any general or specific interpretation of the police image may be measured.

III

Who Gets the Breaks?

The Law Enforcement Code of Ethics, subscribed to by the International Association of Chiefs of Police, and presumably accepted as the norm of behavior for the ordinary policeman, contains this promise: "I will never act officiously or permit personal feelings, prejudice, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities."

Complete impartiality is probably an unattainable behavior ideal in any profession or occupation. The ideal is that law enforcement officers can and should treat all citizens with equal courtesy. We have already seen (Table 13) that the most needed improvement in the New Orleans police department is the suggestion that they try to treat all people equally. The main brunt of the evidence in the present study is that these policemen are far from reaching that ideal.

One attorney (L-416) who has dealt constantly with this problem, declares that "a policeman from a lower stratum, which most of them are, tends to regard a person of high status with respect, and someone of low status with contempt. This awareness and recognition of social status reflects the lack of professional quality because a good professional officer will handle a case and not an individual."

Another lawyer (L-422) feels that partiality to social status is almost in the "nature" of human relations. "I have the impression that people get treated by the police about the same way they are treated by other people. The bum and alkie is looked down upon by everyone, while the well-dressed, well-mannered person is treated with respect. The policeman then, at least subconsciously, has an 'appreciation' of the social, economic, educational status of the people with whom he is dealing in his daily work, and about whom he may have to make an arrest decision. Of course, everybody should be treated equally and with human dignity, but the facts of life are just not this way. It's almost as though the lower-class person who has been treated roughly all his life, doesn't expect to get deference and respect from the police. Nobody else gives it to him."

In the course of their daily work the peace officers come into contact with good people and bad people, with highly respectable citizens on the one hand, and with well-known hardened criminals on the other. About one-fourth (24%) of the adult resident arrestees have a police record of ten or more arrests, but they are all not habitual criminals. Many of these frequently apprehended people were picked up for vagrancy, loitering and suspicion. These kinds of reasons for arrest obviously indicate that persons of lower social status are more "arrestible" than other citizens.

A comparative analysis of the police statistics shows without any doubt that the officers make disproportionate arrests of males, young people and Negroes. Quite aside from the actual differential in law violations by sex, age and race, there is a strong persuasion that the police do look more favorably upon women than men, upon older than younger people, upon whites than Negroes. We asked our policemen respondents whether they were less willing to arrest these categories.

Table 15 - The extent to which police admit preferential attitudes by sex, age and race.

<u>Less willing to arrest:</u>	<u>Yes</u>	<u>No</u>	<u>Not Sure</u>
Women than men	18%	67	15
Older than younger people	6%	85	9
Whites than Negroes	3%	91	6

The most interesting aspect of their answers is that the stoutest denial is made at the point of race, where the discrimination is greatest. In contrast to this strong denial, only two-thirds (67%) of the respondents deny that policemen show partiality to women. One female arrestee (A-175) felt that they should be partial. "The officer was very abrupt and not friendly at all. Maybe that's their regular procedure, but I still say that the officers have no finesse in dealing with a woman."

The decision not to arrest is also a discretionary act on the part of the policeman. As one ex-officer (P-504) told us, "most police action is not arrest action but guidance and warning action." We have no way of knowing how often, or precisely why, the police let people off with a warning, avoid making the arrest, and escape a situation that is disagreeable both for them and for the prospective arrestee. "In general, the person with the higher social status is treated in a more gentlemanly fashion. These people are often almost immune to arrest, and the police will listen to what they have to say. But the lower class may just be kicked into the wagon."

By normal standards of human behavior the apprehending of law violators must be judged a relatively disagreeable activity. The conscientious policeman considers it his duty, never relishes it, and always finds it an unpleasant task. At times, perhaps, the peace officer realizes that this experience is also most disagreeable for the person who is being arrested. The extent to which this influences his decision is beyond our knowledge and data.

We do have evidence, however, that in one-eighth (12%) of the cases studied the arresting policeman was polite, courteous and friendly. The psychological explanation for this preferential treatment escapes our analysis, but the sociological reasons are quite apparent. By looking at the occupations, place of residence, and educational attainment of arrested persons, and then comparing these characteristics with our interview materials, we discover that there is a kind of preferential prejudice in favor of the socially advantaged arrestees. We already know from the police statistics that lower-class people are arrested proportionately more frequently than upper-class people. The question here is whether there is a class difference in police treatment of them.

Table 16 - Occupational comparison of verbal treatment given to arrestees by police

	<u>White-Collar</u>	<u>Laborer</u>
Courteous, polite	17%	8%
Professional, aloof	43	50
Abusive language	40	42

Table 17 - Occupational comparison of physical treatment given to arrestees by police

	<u>White-Collar</u>	<u>Laborer</u>
Quite decent	57%	32%
Professional, aloof	40	48
Rough, brutal	3	20

According to the arrestees we interviewed, the police are twice as likely (17%) to speak courteously to people in higher occupations as they are to those in unskilled jobs (8%). On the other hand, they are seven times more likely (20%) to handle a laborer roughly than they are to give this treatment to a person in white-collar or professional work (3%). In both of these items, presented in Tables 16 and 17, we asked not general opinions about the police, but the exact experience of the specific case of arrest.

In all of our interviews with arrested persons we asked whether the police were courteous and polite to them in both word and action, and we deliberately phrased this question in a positive way. Many more persons of all classes objected to the surly and abusive language of the officers than to their rough and brutal handling. The response from the upper-class people was in most instances the same. One arrestee, a college-bred matron (A-176) remarked: "they were excessively polite, so that it almost seemed ridiculous." She made a further judgment in these words: "I wouldn't like to think what might have happened if my husband were not a professional man and if I came from a lower-class neighborhood. I would have no doubt spent the night in jail, or worse."

Table 18 - Occupational comparison of time spent in cell of district station after arrest

	<u>White-Collar</u>	<u>Laborer</u>
Not at all	54%	18%
Less than six hours	23	28
Overnight	23	15
Longer than overnight	0	39

There is some indication in our interviews that the police consider it a mistake to lock up the better-class citizens. One of these, a professional man (A-112), was put in a cell, "the filthiest hole I have ever seen in my life." After almost six hours he was allowed to phone an important politician and was immediately released. He made furious complaints in writing, and showed us the several letters of apology he received from the police department. Besides these, he received also several phone calls of apology, with an invitation to visit the precinct and "note that the situation has been greatly improved."

Table 18 shows that more than half (54%) of the white-collar persons were able to arrange their release without spending any time in a cell, and none of them was kept in custody longer than overnight. On the other hand, more than half of the unskilled workers (54%) were kept in jail overnight or longer. The businessman or professional person has more friends to help him get a parole, more money to cover his bail, and perhaps knows his rights better and insists upon them more

These factors do not necessarily reflect preferential treatment by the police officers, but they do reflect the fact that the system itself works in favor of the more advantaged persons and against the underprivileged. The unskilled laborer who has neither contacts nor money, simply stays in the cell until his case is called. Those who were kept in a cell gave ample reasons, besides the desire for freedom, for not wanting to stay there. "This place isn't a f----- hotel," snarled an officer to one arrestee (A-238) who complained about the food. In spite of the daily attempt to clean up the cells, the most frequently mentioned complaint was the filthy conditions in the cell block. Overcrowding, poor food and hard bunks were also pointed out as undesirable conditions.

Aside from the question of arrests, people in the better residential areas of the City also get very quick response when they call for police aid. This fact has been demonstrated in numerous interviews and is indicated also in the unsolicited letters of commendation written by citizens to the police department. While we are unable to test scientifically the motivation for such preferential behavior on the part of the police, it has been suggested to us by one ex-officer (P-503) that there is more fear and caution, than respect and admiration, in these attitudes.

"The average policeman is embarrassed to present himself before an educated person. In a sense, he's afraid of him. He doesn't like him. He feels that these upper-class people look down on the policeman. You don't fool around with the rich

and the powerful, except maybe in traffic cases where you might have to make an arrest. But if you're in a police car, you don't cruise around too much in the better residential areas. You're liable to get involved. People will want you to do things for them. They'll question why you are there. They might complain to City Hall that the cops are pestering them."

The suspicion and resentment that the ordinary policeman feels toward the better-educated white people are seen in the remarks they make about "those stupid" college professors and students who run afoul of the law in New Orleans. Remarks of this kind are usually made about such persons, and not to them. There are times, however, when the police have an opportunity to show that they themselves are not so stupid. "For example, a well-dressed, well-educated person gets arrested. He's at the police station. This is a new experience for him, and he doesn't know what to do. So the desk sergeant is in a position to show that he knows all the ins and outs, all about the legal rights, the system of police administration, the way things get done. In other words, he has superior knowledge in a field where this better-educated person is ignorant. He may even be condescending without realizing it. This is a way of showing that he is a policeman, not because he's too dumb to be anything else, but that police work requires knowledge, intelligence and experience that other citizens do not have." (P-510)

In making a comparison with other kinds of work, the policeman probably rates his occupation somewhat higher than the general population would. Yet he does realize that certain kinds of work definitely carry higher prestige than his own. We asked our sample of officers to make a comparative rating of his own and other jobs, and found that the policeman feels his job is better than that of furniture mover, auto mechanic and bus driver. For most of the policemen the job of city fireman is most nearly like their own. They recognize that the pharmacist and the business executive have occupations of higher status. The low status of police work may have an effect upon the way officers treat citizens in higher or lower occupations, but this does not mean that they dislike their job. "The majority of policemen love their work. They don't really believe that it's hard work, but they don't want people to say that they are just dumb cops on a soft job." (P-503)

Table 19 - Officers' rating of police work as compared to other selected occupations.
Police work is:

	<u>Better than</u>	<u>About the same</u>	<u>Not as good as</u>
Furniture mover	85%	10	1
Auto mechanic	65%	27	5
Bus driver	57%	33	4
Bank teller	39%	37	19
City fireman	33%	58	4
High school teacher	15%	34	47
Druggist	13%	14	68
Business executive	10%	5	82

There are some instances in which a college graduate will not experience gentle and polite handling by the police. This is particularly the case with well-educated homosexuals. The tough attitude of the police toward this kind of violation, and the apparent public distaste for it, are sufficient to give the officers a margin of "social safety" against even the well-to-do pervert. One of these individuals (A-141) said that the police constantly called him names like "Fairy" and "Queen" and "Pansy" and he resented this. "I'd say they were all most discourteous to me, grossly so. It was all very embarrassing. They had me in a cell with some drunk, who was puking and urinating all over himself. I was sick to my stomach."

Table 20 - Officers' comparison of homosexuality with other selected offenses.

<u>Homosexuality is worse than:</u>	<u>Yes</u>	<u>No</u>	<u>Not Sure</u>
Bribing a police officer	54%	39	7
Assaulting an officer	49%	46	5
Burglary	41%	53	6
Miscegenation	30%	61	9
Armed robbery	34%	62	4
Sale of narcotics	10%	82	8

The police attitude toward homosexuals does not seem to be based upon a repugnance of the heinousness of this offense. The opinions in Table 20 show that the police believe a crime against nature is not worse, or more evil, than other offenses like the sale of narcotics, armed robbery, miscegenation and burglary. One may surmise then that the local culture defines a pervert as the kind of person who deserves no respect and has lost social status and esteem. The police feel then that they cannot be reprimanded for being rough on even an upper-class homosexual.

Another exception to this pattern of police subservience to the upper class is that of the educated Negro arrestee. When he is confronted with this kind of personality, the ordinary white policeman appears to be almost completely frustrated. He does not have an appreciation of the possibility that a Negro could be of higher social status than his own. He behaves accordingly. "At no time," complained one arrested Negro professional person (A-195) "were they polite or courteous. I was always called a Nigger. They never used my name, even though they knew it. They were harsh and rough. They used vulgar, profane and threatening language. The lower-rank patrolman made it a great joke that they had arrested an uppity Nigger."

The experienced policeman in New Orleans seems to develop a sense of discretion about whom to arrest and how to treat the different categories of arrestees. One of our informants (P-512) told us that "there is sometimes the fear that you are arresting and booking the wrong persons, the ones who can get you in trouble with the higher-ups and City Hall." Another said that "you can get involved in explanations with the authorities if you don't have a really good reason to arrest a person who has friends on the force, or influence in the City or State." (P-511)

Arrested persons sometimes express the belief that they would have been let off if they had some "connection" with the police force. For example, one arrestee (A-115) said: "When he was arresting me he asked me what business I was in, and when I told him that I worked for the ---- Company, he asked me if I knew his cousin ----- . I told him I knew him very well; we worked together. Perhaps if he knew this before he wrote out the charges I wouldn't have been taken in. But I think he took a different view of me when he saw that I was friends with his cousin. Anyway, after that he changed and was pretty nice to me."

As we have seen, some officers make more arrests than others, and some kinds of people are arrested more frequently than others. A clear case of preferential treatment is that of the policeman's decision not to arrest, but the reasons for this negative decision are not always clear. We were told (P-510), "for example, two people are fighting on the street, and the policeman is there. Both may be arrested, or only one, or neither. The decision on which to arrest may come from what the policeman saw and heard, or it may be that one of the fighters has a relative or friend on the force, and you don't arrest him." There is no available instrument for measuring the extent to which this kind of preferential decision occurs.

When the law officer swears that he will not let friendship influence his decisions he probably realized that there is a wide range of circumstances in which he has a choice to be friendly or unfriendly. His personal approach to his work and the human relations involved in it leads to a particular kind of preferential treatment of arrestees. Some of the older policemen tell the young rookie on the force: "Make friends, son. Try to be helpful. Your job doesn't mean that you have to hurt people."

An experienced policeman (P-503) told us what "making friends" means to many men on the force. "You're called on a complaint of wife beating. You don't know the fellow you're arresting; he doesn't give you any trouble, but you know he's a TV repairman. Instead of calling the wagon you put him in the car right away and take him in. You advise him to keep his mouth shut when he gets to the station. You ask him if he's got anybody to go his bond or parole him. If not, you call the radio dispatcher and ask him to arrange a parole for this man. Now, this kind of thing is done by the police. You are making friends. Why? Maybe the next time your TV isn't working you get this fellow to have a look at it. You know, a sort of exchange of personal favors."

The motivations of policemen, like those of men in other occupations, are undoubtedly multiple and complex. Selfishness in some instances does not exclude altruism in others. In all of our interviews we kept trying for the balanced view, for instances of positive, as well as negative, behavior on the part of the police. We were told (P-507) that "you have to keep in mind that the police often help the low-class offenders, giving them money, bringing them to A.A., saving them from freezing weather when they're dead drunk in the gutter." The fact is that records are not kept at the precinct stations on the large number of drunks who are "brought in to sleep it off" and then released the next morning. This is a means by which the police

offer temporary protection to helpless people.

In summary then, the data of this study demonstrate quite clearly that the police in New Orleans are partial to some categories of people more than to others. Those who "get the breaks," even if they have to be arrested, are unquestionably the better-dressed, better-educated persons of higher social and occupational status. Others who are friends or relatives of policemen, or who have connections with politicians and similar authorities, also tend to receive preferential treatment. The racial preference of the police is so obvious that it does not need repetition at this point. Acts of kindness in given circumstances are shown also by the police to helpless and unfortunate lower-class people.

IV

The Language is Abusive

The Code of Conduct of the New Orleans Department of Police stipulates that "members and employees shall at all times conduct themselves in a manner which is in keeping with the dignity of the Law Enforcement Profession." This regulation is then spelled out to say that the peace officers should always behave in a "civil manner" and a "courteous manner," and never in "a manner which may reflect discredit upon the Department of Police."

The way in which policemen talk to citizens, and the kind of language they use with arrestees, constitutes one of the areas that we are able to explore in the present study. That this is a problem of some concern is indicated by the public relations section of the department which constantly advises the law officers to "be neat, be courteous, be professional." It is seen in the occasional dicta that appear in Our Beat, like the following: "Courtesy is contagious. The police officer who makes it a practice of being courteous in all his dealings with the public can expect like treatment by the public."

Contrary to the admonitions of superiors, and the demands and expectations of the behavioral code, we were told by an ex-officer (P-504) that "the language of the police is terrible. They use the lowest of low terms. But when they use obscene language, they're reflecting the social class from which they came, and they're not using a special 'cops' jargon." Another reflective officer (P-512) put this in a different way, indicating that the police function, as understood by the men themselves, requires this kind of language. "The policeman thinks he has to talk with vulgarity and obscenity. You have a tough job, and you have to talk tough. No fancy words; no educated terminology - or they'll ridicule you. Just common, hard-boiled language. Don't talk or act sophisticated. This is part of the pattern of being a policeman, of the image that the police have of each other."

There is ample evidence that police officers can and do control their language in certain instances, and that the tough, foul and abusive talk is a function of their occupation (or of their conception of it) more than of their social class. One arrested person (A-144), who had been in the show-up several times in the basement of Police Headquarters, said that when a lady is present the language of the policemen is com-

pletely free of obscenity. In other instances, "they had an officer in charge there who'd say, 'O.K., you f----- bums, get up there and answer the questions.'" There are also many policemen who use this kind of language only "on the job" and never at home with their wife and children, or in the presence of other men who are not on the police force.

When we asked about the verbal treatment they received, more than four out of ten of the arrestees mentioned the indecent and objectionable language of the law enforcement officers. One Negro male (A-238), who had a prison record and presumably had associated with the lowest criminal element, declared that "I never heard curse words like what I heard in the station houses by the police. They always feel that all Negroes are the same and should be treated like dogs. One of them said, 'you niggers want to eat and sleep with us whites, don't you. You black f---- belong in the sewer, that's what.'"

Table 21 - Racial comparison of verbal treatment given to arrested persons by police

	<u>White</u>	<u>Negro</u>
Courteous, polite	19%	7%
Professional, aloof	40	47
Tough talk	33	23
Obscenity	21	30
Racist terms	0	33

Our interviewees also inform us, as demonstrated in Table 21, that this "typical" police language is employed in a selective manner, depending upon the kind of person they are arresting. This is an important point in this discussion, where we are analyzing both preferential and prejudicial treatment of arrested persons. More than half (56%) of all arrestees interviewed said that there was nothing objectionable in the language that the police used in their case. The racial difference in this regard is not statistically significant, but more of the whites (59%) than of the Negroes (54%) said that the police language was not objectionable. There was, however, a large sex difference in that more of the males (57%) than of the females (43%) found nothing offensive in the language of the arresting officers.

Table 22 - Sex comparison of verbal treatment given to arrested persons by police

	<u>Male</u>	<u>Female</u>
Courteous, polite	11%	17%
Professional, aloof	46	26
Tough talk	25	44
Obscenity	25	35
Racist terms	19	22

While the police are slower to arrest women than men, it is probably true that women are more sensitive than men to vulgar language, less accustomed to it, and more likely to complain about it. More of the females mentioned the threatening and

tough talk than mentioned other kinds of objectionable language. It must be noted that the columns in Tables 21 and 22 total more than one hundred percent because some of the interviewees complained about more than one type of police talk. Women were also proportionately more likely than men to object to lewd and obscene remarks by the police.

In the racial comparison of these interviewee experiences the white arrestees complained more (33%) about the tough and abusive talk than about the obscene language (21%) used by the police. The Negro arrestees, on the other hand, object most to the disagreeable racist terms (33%), secondly to the obscenity (30%), and thirdly to the tough talk (23%) of the law officers. Here again, the interpretation revolves around not only the factual police behavior but also the sensitivities of the arrested persons. Let us look separately at each of these categories of police language.

Tough Talk. One white male traffic arrestee (A-115) said that the arresting officer was quite civil and polite, especially after he discovered that he was a cousin of the man's business associate. He added, however, that "the desk sergeant was in my estimation the most arrogant, impudent, domineering, sarcastic young know-it-all I have ever met. He is the one who soured me on the police." Another white man (A-148), brought in for disturbing the peace, said "they treated me like a subordinate; they were sarcastic and impolite. They treated me like dirt, and told me when I could talk and when I couldn't. They said 'you shut your mouth, or we'll shut it for you.'"

There is a certain irony in the case of the Negro woman (A-294) who was arrested for obscenity and assaulting an officer. "They did some awful cussing the whole time they were there. They said to me 'come on, you black c-----bitch, you're under arrest. If you try to escape, we'll blow your head off.'" In another instance a mature white woman (A-184) said that she was humiliated and terrified by the police "yelling at me and calling me a crook in front of all those people in the store." Sarcasm seems to be a part of the language. A mature Negro male (A-198) with a high school education, asked the arresting officer to let him read the traffic charges and was told, "don't get smart with this readin' stuff; what do you think, you're educated or something?"

Threatening language also comes under this heading of tough talk. A young Negro male (A-222), who had a stick in his hand when the police came upon him, was told, "if you don't put that stick down, we'll blow your brains out." A white man (A-128) felt that the police were deliberately trying to frighten him. "After they arrested me they put the cuffs on me with my hands behind my back. Then one of them said to me, 'O.K., you little bastard, start running 'cause I'm gonna shoot you and say you tried to get away. Go on.' Then he cocked his pistol and he pointed it at my head. When I heard that click I thought for sure he'd shoot me on the spot."

The reason why the police use threatening and abusive language is not clear in every case. One white male (A-146), who has a record of arrests, said that "this policeman felt that I was muscling in on his girl friend. He took me in a squad car and said 'if I see you around this neighborhood again I'll shoot you and say you tried to escape.' This guy meant it, and that scared me. He was going with some woman I know and he wanted me out of the way."

It is apparently accepted, if not common, police practice to make threats in order to obtain a signed statement, or confession, from a prisoner. One officer (P-506) told us candidly "I myself use all kinds of different methods. Sometimes you can get a lot more out of a man by being nice than by saying, 'you son of a bitch, you better talk.' But there are some of these people we deal with who would ---- all over you if you used that calm, civil approach. Some of these guys, that's all they understand. If you don't get tough with them, you'll never get to first base."

Threats are of many kinds. A young white man (A-123) who refused to implicate others in a serious crime, said that "after the beating they told me they were going to put me in a cell with three of the worst dope addicts they had in the back and tell them I was the stool pigeon that got them in there. The officers told me I wouldn't last the night with them, and they wouldn't help me no how." To another man (A-153), picked up on a charge of lottery selling, they said, "Look, bum, if you don't tell us a confession, we'll keep you in here for seventy-two hours."

Sometimes two policemen, working as a pair, take opposite roles. As a young Negro woman (A-291) told us, "the one officer was polite and said he would bring us home and talk to our parents. The other policeman was nasty and dirty. He said 'naw, we gonna arrest the bitches.'" The procedure was explained to us by an experienced officer (P-501) as follows: "Well, we stopped this nigger who was walking along in this white section and he looked like trouble. So I started playing the bad guy. You know that happens when two officers are working in a pair. One plays it nice to the suspect, while the other tries to take a punch at him or threatens to run him in for the night, and the good guy officer pretends to restrain him and in this way gets more information out of the suspect."

The policemen themselves advise that this technique is more effective with younger persons, and that it is more useful in the questioning sessions at the station than it is in actual arrest work. When they are trying to get confessions from suspects they find that some people are more affected by kindness than by threats. Another officer (P-506) said, "but, you know, sometimes you have to get down on the same level as the people you're dealing with. For example, although I don't approve of it, I have to grab a guy and say, 'O. K., you m----- f-----, sit down on that chair and come clean.'"

Obscenity. The extent to which the police officers use obscenity in dealing with arrested persons can be measured by the fact that one fourth (26%) of our interviewees mentioned it. Table 21 shows that it was used proportionately more with the Negroes (30%) than with whites (21%), and Table 22 shows that women (35%) complained about obscenity more than men (25%).

The degree of sordidness in such police language, however, must be left to the imagination of the reader of this report. Terms like "bastard" and "son of a bitch" are relatively decent when compared with the actual language reported in our interviews. One Negro woman (A-298) with a police record, said to our interviewer, "Oh, honey, they call you everything but a child of God." Only after some assurance would she spell out the police vulgarities and obscenities. The vilest language that can be heard among the lowest "dregs" of humanity seems to come easily to the lips of the ordinary police-

man. Common terms, used by and about sexual perverts, are added to those describing sexual intercourse between son and mother.

Using a prejudicial norm of comparison, an attorney (L-411) declared that "there's more cursing and swearing, vulgarity and obscenity, in a district station than you'll hear in a nigger bar." Some police districts are more infamous than others in this regard, and the language is selectively used. Obscenity is used more freely with some arrestees than with others.

Table 23 - Occupational comparison of verbal treatment given to arrestees by police

	<u>White-Collar</u>	<u>Laborer</u>
Courteous, polite	17%	8%
Professional, aloof	43	50
Tough talk	30	18
Obscenity	13	27
Racist terms	7	21

We have seen in Table 16 that "abusive" language is used by the police in about the same proportion, two out of five, with both white-collar and unskilled workers. When we analyze this term more carefully, as in Table 23, we find that the unskilled laborer is twice as likely (27%) as the white-collar worker (13%) to complain about the vulgar and obscene language of the police. When we classify the arrestees, as in Table 7, on a scale from most to least law-abiding, we find that a very large proportion (47%) of the latter say that the officers of the law spoke obscenely to them. It appears, in general, that the police have less patience with, and less respect for, persons of this class. Perhaps the practical behavioral code of the police, as contrasted to their expected code, allows such individuals to be placed outside the expectations of common courtesy and respect.

Table 24 - Distribution of verbal treatment by the police on the rating of law-abidingness

	<u>Fairly High</u>	<u>About Medium</u>	<u>Fairly Low</u>
Courteous, polite	18%	9%	5%
Professional, aloof	44	54	35
Tough talk	25	21	35
Obscenity	17	18	47
Racist terms	13	18	30

Some of the interviewees were reluctant to repeat the exact words of the language the officers had used with them. They felt that this was not "fitting" language for our interviewers to hear. Others had no hesitation to employ these vulgar terms and seemed to be as expert and practiced in their usage as they say the police are. One frequently arrested white man (A-160) remarked that the police "always call you a winehead m-----f-----". They say that like you say good morning." Still another white male (A-104) objected to being called a "bastard" by a policeman at the station house, and claims that

he retorted with the supreme insult: "yeah, but my mother wasn't a nigger whore like yours." He declared that he "got away with this" and does not have to "take any of that ---- from the cops" because he has two close relatives on the police force.

Racist Terms. It is clear that the only complaint about racist language came from the Negro arrestees, one third of whom say that the police insulted them in this way. The better educated and younger Negro bitterly resents being called "boy" or "girl" by any white person. Furthermore, we found no instance in our interviews in which a white policeman used the titles, "Mr.", "Mrs." or "Miss" in reference to a Negro. There were, however, numerous instances in which they used these titles of respect for white arrestees.

Police officers generally are sensitive to terms like "cop" or "flatfoot" in reference to themselves. Yet, one of them (P-507) told us that "we need more Negroes on the force, but we can't get them. Many of them fail to meet the qualifications. Some of them are so sensitive about racial terms, like 'nigger' that they are bound to run into trouble. If they can forget their feelings and learn to take abuse, they can be very helpful on the force."

We do not have enough interviews with police officers to judge whether they usually employ racist terms in talking about Negroes, or whether the following description by a white officer (P-501) is typical. "So I started to take a punch at this jig, and he faints back before I even hit him, and you'd never guess what the black bastard had on him. When this jig goes back a small gun fell out of his belt and clanked on the sidewalk. If we were on the grass we never would have heard it. Well, anyway, that's all I needed. I took that black bastard up behind some trees and beat the hell out of him. Now, you know he was up to no good with that gun." This is the same policeman who told us, "I'm not sadistic like some of the other guys I work with, you know, pistol whipping and all that."

Another officer (P-504) explained, more judiciously, that "Negroes expect white officers to discriminate, and any discourtesy reinforces this conviction and lessens the possibility of cooperation between Negroes and white policemen." He said further that "in court, Negroes are treated in an Amos-and-Andy fashion. This discrimination leads to further moral decadence among Negroes." He feels that the policeman is simply the "channel of the general white hostility against the Negro. Most white police are not deliberately and consciously abusive, or discriminatory, but are always acting out what the majority of whites in New Orleans feel about Negroes."

A young Negro male (A-196), arrested for reckless driving by a plain clothes man, asked to look at the latter's credentials as an officer of the law. When this was related to the officers who drove up in a squad car, one of the uniformed policemen said "you should have shot the nigger." Another young Negro (A-204), who was arrested and abused by a Negro policeman, said that the white officers treated him well enough, but that "the big, fat, black bastard of a cop called me a nigger, and he was so black you could hardly see him in the dark."

The police demand a subservience from Negroes which they apparently do not expect from white arrestees. When one of the Negro arrestees (A-206) answered a simple

"yes" to an officer's question, he was slapped and told, "let me hear you say, 'yes, Sir, ' nigger." Racist terminology is often combined with threats against Negroes. One man (A-252) with a police record was warned, "you f----- nigger, you better get out of town or we'll wind up killing you." He said further that "where a colored man's concerned, the police department is awful. It seems they're mad about the demonstrations and the integration we're trying to get. One of them said to me, 'I'm trying to send all you niggers to prison, 'cause that'll be less niggers we'll have voting.'"

In spite of such evidence, a New Orleans peace officer told us in all seriousness (P-507), "I would not agree that there is racism among our policemen. As proof, I would cite the manner in which the police conducted themselves during the school integration crisis, when they took a lot of abuse from the whites. As a police officer, I feel that I have a better than average insight into the Negro problem. Negroes are treated like any other law-breakers. There is no difference in the police handling of Negroes."

One final aspect of the "conversation" between policemen and law violators may be mentioned here. Regardless of race, sex or age, there is a frequent complaint by arrestees that the officers "won't listen to you;" that they "won't let you talk or explain what happened." According to the Code of Criminal Procedure (Title 5, art. 18, Louisiana State Law Institute, of May 15, 1959), "the peace officer shall inform the person to be arrested of his intent to arrest, of his authority, and of the cause of the arrest." Several of the interviewees said they were told to "shut up," and could not discover why they had been arrested even after being booked at the police station.

Table 25 - Racial distribution of responses to question whether arrestee was informed of his rights.

	<u>White</u>	<u>Negro</u>
Specifically informed	13%	13%
Already knew his rights	44	27
Neither knew nor was informed	43	60

Except for experienced arrestees and former prisoners who feel that "the less you say, the better off you are," most persons are emotionally disturbed, excited or angry when they are brought to the police station for booking. One out of five (19%) of those who, according to the police records, was being arrested for the first time, said that they were specifically informed of their rights, while two out of five (41%) of them said that they did not know their rights and were not informed of them.

Several years ago the Criminal Bar Association of Orleans Parish insisted that a printed list of the Constitutional rights of arrested persons be posted in every district police station. By 1963 some of the station houses had lost or removed this sign. Where it does exist, the individual may not notice it in his excitement, and the police apparently do not feel bound to inform him that he has the right to consult a lawyer, to use the telephone, to obtain bail, and to remain silent. More than two out of five (43%)

white arrestees, and three out of five Negroes, as we see in Table 25, said that they neither knew their rights nor were informed of them.

Table 26 - Racial distribution of the use of telephone by arrested persons

	<u>White</u>	<u>Negro</u>
Used the telephone	67%	64%
Did not need phone call	15	17
Not permitted to phone	18	19

The need of an arrested person to communicate with someone who may assist him is recognized as a Constitutional right in the American society. The police refusal to allow a telephone call was mentioned by only about one fifth of the arrestees in this study. Because of the type of charges brought against these suspects, the police appear to use a technique of "incommunicado." Most of those who were denied the phone were charged with, or under investigation for, serious offenses like attempted murder, narcotics, armed robbery, burglary, aggravated assault. Preventing such people from making a phone call seems to be a deliberate tactic of the police, even though they may need more help than others precisely because of the seriousness of the charges brought against them.

The tactic of "investigation" is frequently concealed under the much-discussed "107" vagrancy charge. Suspected persons are arrested for loitering or having no visible means of support, and then held for seventy-two hours to give the police time to "check them out." An attorney (L-426) told us that "it is against the law to arrest and hold someone on suspicion in order to investigate him for possible other crimes." Another lawyer (L-421), however, felt that holding a prisoner like this was a matter of police judgment and should not be criticized because "you can't always follow the books rigidly." While the police are exercising their "judgment" the rights of citizens are being violated.

The specific data of this study, however, do not support the common allegation that the New Orleans police always and indiscriminately use foul and abusive language with arrested persons. The sociological significance of these findings is the fact that only certain kinds of people are the objects of abusive, tough and obscene language. The courteous manner is employed with some people, and the discourteous with others. This is police discrimination and unequal treatment of citizens, and is certainly a violation of the ideal of professional behavior required by the officers' Code of Conduct.

V

Informal Thievery

There is no article in the Policeman's Code of Conduct that expressly prohibits stealing from the citizens. The assumption must surely be made that this kind of behavior would never enter the mind of a law enforcement officer. Nevertheless, the New Orleans police are warned to "guard themselves against corrupt influences and practices." They are instructed that "they shall not accept, or offer to accept, directly or indirectly, anything of apparent, present or prospective value, which may influence them in the performance of their duties."

What is said here in this regard must be viewed in the light of constant temptations that confront the peace officer in a city like New Orleans. An experienced member of the department (P-507) reminded us that "police work is not easy. A policeman's job is loaded with many more temptations than the average man's job. It's not the kind of work for one who lacks self-control. A man must be willing and able to resist all types of temptations: women, drink, and especially theft. There are so very many opportunities to steal without others knowing about it. Because he is a policeman he is in a position to cover up better than other people."

The internal effort of the Department to eradicate among its personnel stealing, extortion, graft, payoffs, and similar misbehavior, has been greater during the year of this study than at any time in the recent past. One lawyer informant (L-427) who has long worked closely with the police, believes that "Giarrusso and Trosclair have done more to clean up police stealing and graft than all of the previous police administrations put together. And most of the officers feel good about this." A policeman (P-511) told us that "Major Trosclair is incorruptible; and he's ruthless. He'll hound you down any time of the day or night if he has the least suspicion of you."

Since this study began, a series of publicized incidents of police corruption has emphasized two facts. The first is that a certain amount of stealing occurs among the New Orleans police, and the second is that a genuine effort is being made to stamp it out. When four officers were recently taken into custody on charges of operating a protection racket, the Police Superintendent declared that this was a most serious matter because it "could easily have spread into a broader system of payoffs." Earlier in the year, when two patrolmen were caught in the act of extor-

tion and public bribery, he made a public statement in which he said, "it is unfortunate that a case such as this creates, in the public mind, a bad image of all police officers. It is regrettable that a few officers will succumb to temptation and thereby blacken the reputation of the majority of fine men and women who serve in law enforcement."

The Police Bureau of Investigation has acted carefully and efficiently on complaints made about police kickbacks and extortion and the actual "rolling of drunks. As a matter of fact, elaborate traps and stake-outs were arranged to gather irrefutable evidence on policemen suspected of this kind of dishonesty. Cynics have suggested that few officers could have resisted these traps because their income is too low and the opportunities too numerous to make a few "quick" dollars.

One frequently arrested man (A-160), certainly a cynic, poured out his resentment against the police on this matter. "Fifty percent of them are thieves. When I say they're thieves, I don't mean breaking in and robbing houses. I mean taking money from people they arrest. Tangier, Tiajuana, Juarez, Singapore, Calcutta, Macao - the police in those places are angels compared to these in New Orleans. The police in this town have been pirates since the days of Jean Lafitte. They even know when the old pensioners get their checks; and they watch till you're pretty well loaded, then they shake you down. And what can you do?"

Table 27 - Relative judgment by policemen of the immorality of selected activities

	<u>Seri- ously wrong</u>	<u>Some- what wrong</u>	<u>Nothing wrong with this</u>
Taking "legitimate graft" in public office	72%	23	5
Giving money to policemen to avoid ticket	70%	27	3
Cheating on an examination for promotion	66%	31	3
Discrimination against minority people	54%	36	10
Overestimating damage for an insurance report	43%	52	5

We attempted to discover the relative sense of morality among policemen by asking them to make judgments about the degree of "wrongdoing" involved in various selected kinds of behavior. The results, in Table 27, indicate that most officers consider "seriously wrong" those actions which involve dishonesty on the part of public servants. We could hardly expect less from law enforcement officers, and there is no doubt that temptations to wrong-doing are recognized as such, especially when they involve graft and kickbacks.

The great majority of arrestees interviewed for this study had no complaint to make about police dishonesty. The record of these interviews shows a minority of

arrested persons who claim to have been victimized in this fashion, and a minority of the arresting officers against whom they make this complaint. There emerges, however, a kind of pattern of methods and situations in which stealing is done, as well as types of people from whom the police steal. The obvious pattern is that the act must be "safe and clean." The crooked policeman does not take a chance when he is paired with an honest policeman or with an officer whom he does not know well. The latter may be a "spy" from the Bureau of Police Investigation. He does not take a chance on any arrestee who can make his complaint "stick" or who may cause trouble with higher authorities on the force.

The very nature of police work, and the opportunities it provides to cover up dishonesty, make difficult a complete and scientific survey of this area. Like a professional thief, the stealing officer tries to operate in circumstances in which he cannot be caught. Since he is a law enforcement officer, he is in a strategic position of advantage over his victim. The rights of the little man who has no recourse, of the drunk and the repeater, can be violated almost with impunity. The very people who are already at a social disadvantage in the community lack protection against the very public servants who have sworn that "they shall not exercise their police authority for personal privilege or gain."

One out of seven of the interviewed arrestees (14%) said that the police had stolen from them in this most recent arrest. A larger proportion of the whites (16%) than of the Negroes (11%) made this allegation. Most of the described misbehavior should probably be termed larceny, although there are also indications of robbery through fear or threats, of fraud through deception, and of extortion and bribery.

The picayune nature of some of these offenses is seen in the words of a young Negro (A-213): "After I was booked I asked the doorman to give me change for a quarter because I wanted to call my mother. I gave him the quarter and he gave me fifteen cents back. I didn't say anything about it, but the two officers that arrested me told him to give me my money back. He said we had made a deal - a quarter for fifteen cents change. He still didn't give me my ten cents."

A frequently arrested white man (A-134) says that he "often had to bribe the doorman to let him make a phone call." Another white repeater (A-149) told us, "listen, when they get you down there, lots of times they never let you call. I've seen guys begging the doorman for two days to make a call, and they just walk past your cell. I give them a dollar or a pack of cigarets to let me make a call." A Negro male (A-242) with a police record indicates, however, that it is not always this way. "I asked if I could make a phone call, and they told me yes. You know that some of them want you to pay them for making a phone call, or buying you a pack of cigarets, and things like that. So I offered to pay him to let me use the phone and he refused the money. He said it was all right; I didn't have to pay him."

Also on the positive side was the experience of a white man (A-168) who said, "I was booked, and then one of the officers gave me a cigaret, and he was very helpful about making a call. He pointed out the phone and offered me a nickel."

A Negro man (A-199) who had other complaints about the police, said that "the officer asked me if I wanted to make a phone call, and I said yes I want to make two calls. The one who locked me up helped me to get the right number in the book."

Such kindness on the part of some peace officers is offset by the behavior of others. In some instances the police appropriate the personal belongings of the arrested person. A white male (A-144), well experienced in the ways of the police, exclaimed, "and steal things! Wow! These police are experts, and if you kick you get your teeth bashed in for it. When you're arrested they take your belt and money, and if you ask for a receipt they'll give you a punch in the face instead. The last time I didn't get my belt back because some officer liked it." A Negro youth (A-186) had a similar complaint and said, "some of them take things from you. When I was there I saw them take a wallet that had one of those fold-out picture holders from a cat I know. They told him 'you don't need this anyway.'" Petty larceny was also committed at the expense of a mature Negro (A-286). "Down at the station they took all my stuff, and I had this little pen knife which means a lot to me. And this one officer says, 'say, I've been looking for one of these,' and he took it and I never got it back."

One of the regulations in booking a prisoner is that a "list of any property taken from him" should be included in the record. An ingenious method of handling this entry, and of stealing in the process, was described for us by one often arrested person (A-128). "They took my money and had me sign a receipt of 13.20 that I had on me. When I was released they gave me back \$3.20. They put a dollar sign over the one, and kept themselves ten dollars." Another man (A-144) claims that they refused to return his twenty-seven dollars because he had not signed a receipt. Still another (A-167) declares that the police stole fourteen dollars from him, and another (A-268) that they "took thirty-eight dollars of my money they were going to use 'for evidence' and let me keep two dollars for myself."

A young repeater (A-217) who tells that he had previously had his money stolen by the police, said that "after the first time I hide my money in my socks and don't take my shoes off." One arrestee (A-150), who claims that he is "making twice as much as the policemen make," says that he "can't see how they can live on what they make. They seem to be getting extra money from somewhere. I saw them take money off a drunk. My wife had a car accident and had to be taken to the hospital for treatment. The cops arrested her, and she had forty-one dollars in her purse. When it was all over and they gave it back to her, it had only one dollar in it."

Several interviewees suggested that a fairly steady source of income for some unconscionable officers is the rolling of drunks (A-160). "When they bring you in drunk, the doorman shakes you down, and him and the arresting officers split it." A white man of lower-class occupation (A-146) told us what happened to him after coming out of a bar late at night. "I had eighty bucks tucked away in my pants and I was pretty high. I was waiting for a cab when these officers came up and searched me. They said 'if you're waiting for a cab, you better get your f----- ass in one soon, or you'll be down in jail for loitering.' When they got back in the police car, I felt for the money and it was gone. I knew they took it but if I raised a complaint

down at headquarters I know they'd find me and beat hell out of me, so I just let it go. I got a police record and my word wouldn't mean anything against theirs."

The person who is drunk, or semi-drunk, is an easy victim for the unscrupulous policeman because his complaints are interpreted as the mistaken memory of an irresponsible person. If he has a record, or is already afraid of the police, he is also a "safe" person to rob since he is unlikely to lodge a complaint. There is still another kind of helpless victim - the individual suspected of having stolen goods or narcotics on the premises, and against whom the police have a search warrant.

In one instance (A-137) we were told, "they came to my house after midnight on the pretext that I had stolen goods here. As soon as they got in they began searching the place. They ripped and tore everything they laid hands on. They pulled the drawers out and strewed everything on the floor. They said I had stolen items. They took my TV, my wife's rings, and a lot of other stuff that I have yet to get back. One detective helped himself to almost a case of whiskey, but left the opened bottles. I had my rent money there in an envelope and one of these officers helped himself to it. Now they claim they never saw it. I guess because they're policemen they can help themselves to anything they want to take."

In instances where alleged stolen goods are removed by officers from the home or shop of a suspected citizen, they are supposed to be taken to the police station and there entered on the property list. The investigating officers then attempt to find the lawful owner of the goods by matching the complaint reports made to the police. When this has been done, it is clear that the arrested person is lying when he claims that these items were his own property, stolen from him by the police. The important point here, however, is that other items "disappear," like the rent money and the whiskey, which are not entered on the property list at the police station. Here again, if a question arises, it is the policeman's word against that of a known or alleged burglar or thief.

The police raid for suspected narcotics is a still safer and more open opportunity for theft with immunity by the officers. A Negro male (A-245) described the situation as follows: "I was here in the house and these cops came in and attacked me - grabbed me by the throat and lifted me off the floor. They had no search warrant, but they tore my house to bits. They made me sit down and don't do anything. My wife was frightened 'cause she never seen anything like that before. They took full control of my house - tore it to pieces; they upset everything. I had some money put away; thirty-five dollars of it was taken by one cop. The other one took sixty dollars off my person. After they tore the house up they arrested me and my wife. She was real upset about it. It was her first time going to jail." It should be noted that the police record on this case says that the search produced no results, and the affidavit was refused.

Another kind of police dishonesty involves forms of extortion and bribery. A soft-spoken young Negro (A-190), who had no record of previous arrest, told us the following: "I had money but they wouldnt' let me bail myself out. That morning, about 3:30,

a fellow who wore plain clothes came up to the cells and asked, 'who wants to get out?' I answered 'I do.' He asked 'do you have any money?' I said, 'yes.' He told me to wait till he could get the keys. When he came back I gave him what he asked for - ten dollars. He sent me to the desk and a different desk sergeant gave me my things and let me go." In this instance the officers could safely make the assumption that the young man had no "connections" through whom he could have been released earlier in the night.

The case of a reputable white working man (A-145), who was going home from his job late at night, involved a plainclothes man who smelled of liquor. "He finally identified himself and after asking me a lot of insulting questions, he said, 'start running so I can shoot the hell out of you.' He sounded dead serious, so I began to get scared. Then he said, 'O. K., give me twenty-five dollars and I'll let you go.' I told him I had no money, so he started asking me the same questions all over again." Later, while this victim was being booked at the station, he "overheard this officer say to one of the others, 'if I could have got the twenty-five dollars off him, I'd be over at the ----- Club right now.'"

A man who had picked up a prostitute in his car was parked on a dark street late at night when the police came by to investigate. (A-166) "I got out and tried to talk to them. They told me that what I was doing was against the law and said how about leaving them some breakfast money. I said all I had was five dollars, and they said, 'Hell, that's not enough for two men.' Finally, I said I could go home and get up ten dollars. They said all right and for me to leave it on the back seat of the car for them, and they would forget what happened." According to this man's story, the two policemen then "wanted to get to the woman too." This resulted in a loud and boisterous argument, for which he was then arrested.

We did not specifically enquire about routine or organized "graft" in the interviews we made, and there are some indications that this practice is "no longer as bad as it used to be." Yet, when we asked for suggestions that would improve the police department, one woman arrestee (A-180), living in a lower-class neighborhood said, "I'd stop the pay-offs that a lot of bars in this section make to the police. Some of these places even have narcotics going on, and they pay the police off."

One neatly dressed arrestee (A-236) who said that he had visited many other cities in this country, declared that "this is the only city I've been in where a person can buy the police. I actually saw them collecting at a bar on ----- Street." We do not have data to show whether this is a regular or sporadic police practice. Yet, among other suggestions for the improvement of the police department, a Negro (A-226) said, "another thing is to stop pulling raids on Negro clubs and bars. Why, I know a place, the ----- Club, that even pays protection, and the police still come in and pull everyone to jail."

A white businessman (A-170) involved in charges that were later dismissed, and who had formerly lived in another large city, said "there is something that has shocked me about these New Orleans police. I'm getting used to it now, but it's the graft these officers take. At my place of business the officers come around every holiday

with their hands out. 'Look, we don't get paid much, and you could use some extra protection here at your place.' This is the pitch. It's really something. They come right into my office and ask for money, ten to twenty-five dollars. It used to be just a few holidays a year, but now it's Thanksgiving, the Fourth of July, and God knows what else."

This same man reported a robbery recently in his place of business. The policemen came, spent two hours taking pictures and making an investigation, and then promised to look further into the matter. When they had gone, an additional fourteen dollars in change were also missing which, he said, could not have been taken by anyone but the investigating officers. "I spoke to the head of detectives about this and he said, 'that's terrible, but none of my men would do that.' And that was the end of it."

One of our Negro interviewees (A-274), who was difficult to locate, was also reluctant at first to identify himself. Our interviewer reports: "I asked him why he first refused to tell me who he was, and he said that a guy came in here asking for him and when he told him his name, the guy turned out to be a police officer in plain clothes. The fellow sold him twenty-five dollars worth of tickets to the Policemen's Ball, and since the Ball was for whites only, the tickets were useless to him."

The manager of a large apartment complex (O-605) takes a different view of extra pay for extra police service. "I have four or five officers who do additional service for me on their off-hours. I usually give them five to ten dollars for such work. This is not a gift to them, and certainly not graft. There's no moral question to this transaction, because the only thing I want is some extra help and I'm willing to pay for it. Some of them don't come around for the money, and they can't have much brains if they can't recall that there is additional remuneration waiting for them here."

In reading over all of this evidence, one must be careful not to reach the conclusion that the New Orleans Police Department is "graft ridden." In the great majority (86%) of our interviews with arrested people there are no allegations of police thievery. Certainly, the current investigations by police authorities show that the remaining minority is being sought out for correction. Nevertheless, there exists a pattern of stealing from the helpless, a discrimination against those from whom it is safe to steal. One self-styled "police character" (A-263) told us, "they searched my house and stole my money and my thirty-five dollar shirts. Afterwards I saw them wearing them." Another experienced arrestee (A-238), with a long record, declared that "if they know they got a case against you, you never get your money back."

This man also claims to have been successful in paying off several officers to get him out of trouble, and "they were honest and kept their word. But there are others who take your money and then do nothing for you. If you yell, they say you bribed them and they were just waiting to make a case out of it." Police thievery, where it occurs in New Orleans, is neither random nor indiscriminate. It is limited and highly selective.

One gets the impression from these data that in the war against crime the police officers select their enemies with care: people with arrest records who "need" to be

harassed, Negroes who are somehow a symbolic threat to the status quo, lower-class persons who have no means of protecting themselves. As is the case with the soldiers of an invading army, who have risked their lives in overcoming the enemy, a certain amount of informal looting and surreptitious thievery seems to be "expected."

Sexual Aggression

The man in uniform is apparently attractive to many females, and it may be that the brave, handsome policeman suffers as many temptations as military personnel are said to endure. Visitors to the City have commented on the stalwart, clean appearance of the New Orleans police, especially in the various demonstrations and parades in which they participate. One of our young female arrestees (A-179), however, suggested that the way to improve the department is "to get some more good-looking men on the force." A lawyer (L-401) told us on the other hand of a homosexual who was entrapped by plain clothes men and complained to the judge: "you have such nice looking boys on the force that I can't stay away from them."

We have already noted (P-507) that self control is one of the essential qualities of a police officer, and that women are among his serious temptations. A recently resigned policeman (P-502) told us, "these broads are throwing themselves at you all the time. You get a couple of girls going, maybe two, three, and it costs. Most of the cops I know are in debt, and this is why. Now, I'm not married and don't have to worry about the extra cost of a family. I rented an apartment with another guy on the force. It cost us forty dollars a month, and we shared all expenses. I don't know how these married guys can do it. It costs something, and they're paying for girls."

Probably any profession or occupation contains individual men who are unfaithful to their wives, and it would be unfair to suggest that this is a regular pattern of misbehavior, peculiar to New Orleans policemen. Nevertheless, this former officer recommended that we talk with the manager of a large apartment house. Here we learned in some detail of the scandalous behavior of two policemen, since discharged from the force, whose "kept" women they represented to the manager as their wives. (O-605) Even as we are preparing this report the newspapers carry an account of the young officer, estranged from his wife, shot and killed by his girl friend in her apartment. These are, of course, the private affairs of the individual and are not directly related to his public function as a law enforcement officer.

We have seen from the official police statistics (Table 2) that females are less likely to be arrested than males - there were nine times as many men as women arrested. There are some officers who think (Table 15) that the police are less willing

to arrest women than men. We see also in Table 28 that a much higher proportion of males (80%) than of females (57%) are confined to cells after arrest, and remain there longer.

Table 28 - Distribution, by sex, of time spent in cell of district station after arrest

	<u>Male</u>	<u>Female</u>
Not at all	20%	43%
Less than six hours	29	30
Overnight	16	9
Longer than overnight	35	18

A minority of sixteen percent, or about one out of every six women who were arrested and booked, claim that they were sexually molested or propositioned by the police officers. As in other aspects of this study, we checked the data from such interviews with lawyers, police and others who are knowledgeable about police relations. Said one (P-504), "sexual exploitation of female prisoners is quite common. Of course, it is a class phenomenon. The women involved are not very intelligent."

A lawyer informant (L-407) told us of a female client who was arrested this year for public drunkenness. "On the way to the station, one officer took the girl's ring. She was held at the station for twenty-four hours during which time she was forced to undergo molesting and sexual advances by the officers. At one time, two of them took her into a small room and physically tried to force themselves on her. When she was finally released she found that sixty dollars had been taken from her purse by the police."

This kind of misconduct may occur also after the arrest but before the woman is brought to the station, even though, according to police regulations, the officer is obliged "promptly to conduct the person arrested to the nearest jail or police station and cause him to be booked." The following was related to us by a female arrestee (A-178): "I was in a bar with my husband and we were both pretty drunk. The police came in and I said something to them like, 'aw, go to hell.' So, one officer arrested me and took me out to the squad car. Then several of them I didn't know drove me around the lake and made passes at me. They figured they'd get a f--- off of me, and I'd never know because I was so drunk."

Another young white woman (A-179) who was taken in a raid on a bar, where she was "innocently having a drink with my girl friend," said that the arresting officers treated them fairly enough, but that they received different treatment at the police station. "While my girl friend and I were sitting on this bench there, I decided I had to go to the bathroom, so I asked the doorman. He said he'd have to walk me there, so I started out with him. When he got me in the back he said, 'hey, baby, how about letting me get a little. We can go in this empty room to do it.' I told him he must be crazy to get an idea like that. Then he says, 'come on, I want to get a f--- off you. Let's go.' Man, I told him if he touched me I'd tear his ----- off. I don't take that s--- from anybody."

A young woman (A-181) who had been arrested so often for loitering, vagrancy and B-drinking, that she lost count of the number of times, said that "after you get arrested a few times they have your name down and all the new rookies first getting on the beat pick you up because you're a type and not a person any more." She added that "it happens plenty that the officers make advances and propositions to a girl like me. Sure, they tell you that they'll drop everything if you do what they want, but I know better than that. If you f--- with them, you'll still be in jail after it's over; and if you don't you will still be in jail. So, where are you?"

In spite of these cynical remarks, there appear to be some policemen who honor their promise of release to the women ready to comply with their request. (A-238) "When I was in the ----- district last fall I saw how they treat girls. They bring them in for drunk, or loitering, or something, and then one of the police officers would come back there and f--- any female that would let him; then they'd let the girl go. They'd use colored girls too. If they see a good looking colored girl, they'd be back there calling her 'honey this' and 'honey that.' If the colored woman wasn't good looking, then the officer would let her give them a b--- job, and then let her go."

One young Negro woman, who had been arrested several times (A-292) says that she had more trouble with Negro policemen than with whites. "I pleaded not guilty in court and tried to make a statement, but this Negro policeman hit me on my backside. He didn't want me to defend myself. My friends say that if you go with them, both the white and the Negro police, they'll set you free. I'd be afraid they'd make me get caught if I did it. But my friends that did it still got time in jail. I don't think there's no justice when your own color let you down. They wait till they get you in the back of the precinct, and ask you if you're married, and if you like to do it, and don't you want to do it, and stuff like that. One policeman gave me whiskey back there, but I wouldn't do it with him. It's all a racket."

Not all female arrestees, even those who are propositioned, make sweeping statements of this kind. One Negro woman (A-289) commented about the police, "some of them are very nice and kind; and some of them are just mean and hateful. And they take advantage of women too. When I was sitting down in court waiting to go to the house of detention, one of them said to me, 'we're going to make you queen for five days.' and when I got there I found out what he meant. But I wouldn't let them touch me." This woman prided herself that she looks much younger than her years and that she got along very well with the police. "I went in like a lady," she said, "and I came out like a lady. Not in all cases are you treated like that. In some you are treated bad."

Molesting a female arrestee sexually does not always mean the attempt at, or the achievement of, intercourse. In some instances it reflects a kind of juvenile prurency, as in the following case (A-295): "They were too fresh all the time and they said all kinds of dirty things to the other girl. She was arrested for prostitution, and she didn't have any panties on. So they kept coming back to talk to her."

They thought it was a lot of fun to show each other what was under her skirt." Another young woman (A-291) resented the way they tried to "handle" her. "They searched me but not the other girls. They treat you any way they want to, and they keep putting their hands on you where you don't want them to."

None of the female arrestees admitted that she herself had initiated the sex relationship with the policeman, or had offered to "make a bargain" so that the officer would help her to get out of jail. The statement that women "throw themselves" at the man in uniform may or may not be applicable inside the police station or jail, as it is said to be outside. There is no doubt, however, that these incarcerated women are largely at the mercy of any unscrupulous policeman who will cautiously avoid a compromising situation that would involve detection by superior officers.

It is for these reasons that respectable Negro women are in dread of the New Orleans police. They know that they are more vulnerable than white women, and they have heard, or read, tales of what goes on in police stations. The officers do not make quite the same distinction between respectable and "loose" Negro women, as they do in regard to white women. Yet, they deliberately lay plans to entice and entrap Negro females to commit acts of immorality.

Negro men, called "stool pigeons" by their victims, are employed by the vice squad for this purpose. (L-421) "One woman, the mother of four children, was propositioned by three men. They followed her into her home, holding out ten dollars to her. Once inside the house, vice officers came on the scene and arrested the woman for soliciting and offering to commit prostitution. It was proven in court that the men were working for the vice squad and admitted 'going up and down Rampart Street, offering ten dollars to any woman who looked like a good prospect.' The judge dismissed the case." The same kind of entrapment occurs (A-283) when the "employee" of the vice squad frequents a bar, lures a woman with ten dollars to a boarding house for immoral purposes, and then causes the arrest of both the woman and the manager or proprietor of the house.

Entrapment seems to be more practiced and more effective in sex offenses than in any other kinds of violations. This is indicated also in arrests for homosexuality. A lawyer (L-420) told of his client, a young man, who was "loitering in the men's room of a bar when three vice officers, wearing beards and sandals entered, playing the role of beatniks. One of the officers began to commit an indecent act in an effort to engage the youth in crime. When the youth responded the officers arrested him. Outside in the police car, they tried to shake the subject down for two hundred dollars in return for forgetting the charge."

If sexual immorality is as widespread as it is reputed to be in New Orleans, the police practice of entrapment seems to be quite unnecessary in such cases. The police record shows that white women, more than Negro women, are arrested for sex offenses, including the vice violations that have occurred in the Bourbon Street "strip joints." There are cases of Negro transvestites, but more of white homosexuals. Why this racial differential occurs in sex arrests is not clear. It may be that the sensibilities of the white policeman are more offended by sexual promiscuity among white people,

and that he "expects" and is not annoyed by, such behavior among Negroes. It is a general and constant complaint among Negro leaders that the New Orleans police department is not greatly concerned about law violations and immorality that are confined to the Negro community.

While both homosexuality by men and prostitution by women are violations against the law, it is interesting to note that the police tend to think of the former as a sickness and of the latter as an immorality. Yet, police treatment of homosexuals is harsher than it is of prostitutes. We have seen in Table 20, that the police do not consider a crime against nature "worse" than burglary, miscegenation, armed robbery, and the sale of narcotics. The scientific interpretation of inconsistencies in this regard must probably be left to the psychologist, but the fact of discrimination against these unfortunate kinds of people is of prime concern to the social worker.

Table 29 - Opinions of police on whether selected types of misconduct are illness or immorality

	<u>More an illness</u>	<u>More an evil act</u>	<u>It is both</u>
Drunkenness	77%	8	12
Male homosexuality	71%	9	19
Gambling	53%	29	14
Taking narcotics	47%	14	38
Prostitution	15%	63	20

The effective relationship of the police department to the underworld of vice requires that the police know what is going on, and where. Whether, when, and where, to make arrests, or to delay them, is part of the discretionary function of the police. In the area where he works, any alert officer soon learns to recognize professional prostitutes, and the places where they are available. It is to the advantage of these girls to have the police on their side. They are probably not as often subject to extortion as homosexuals are, but the prostitute who wants to stay in business seems to have little alternative except to cooperate with an unscrupulous policeman who may want her or may be willing to protect her.

Yet, prostitutes are naturally reticent about such extra-legal arrangements. They need and expect protection, and do not seem to mind paying the price for it. Two women (A-185) who were charged with prostitution said that "the D. A. got a tip about this place. You know the word gets around about our business; otherwise we'd have no customers. These police know all the spots and just what's going on everywhere. But all this police business has been aggravated by Garrison and the political dealing. It's not as good as it was years ago."

It seems an important contrast that the only arrestees who dislike the District Attorney James Garrison were those who were charged with sex offenses. They feel that his office has brought extra pressure on the police during the current year and

that this has needlessly interfered with their lives. On the other hand, the arrestees who approve of Garrison say that he deserves credit for decreasing the amount of police brutality in New Orleans.

Arrests for prostitution almost always involve opposite stories in the police report and the arrestee interview. The arrested woman usually says that the plain clothes man accosts her, or comes into her place, and offers to buy her services. Then, after paying her with marked money, and only after committing the act, does he identify himself and make the arrest. The police report, on the other hand, always says that the officer was propositioned by the woman, who accepts the marked money and begins to undress, and is at that point arrested.

As in other forms of police behavior discussed in this study, the data on sexual aggression by the police seems to pertain to a minority of officers. The absence of police women to guard female prisoners seems to make the precinct cells the main location for this kind of misconduct. As we have seen, complaints about misbehavior of this type are made by one out of six women arrestees, which means that most arrests of females are conducted in a routine, professional fashion. The evidence indicates, however, that certain categories of women are victimized more than others. Whether or not they are sexually immoral and guilty, their right to personal and physical integrity is thus violated. The personal rights of homosexuals seem to be even more flagrantly disregarded.

VII

Who Gets Beat Up?

The focus of greatest attention in the most recent civil rights demonstrations has been the brutal manner in which the police disperse pickets, marchers and demonstrators and handle arrestees. New Orleans has witnessed such demonstrations, and the manner in which the police supervised them has been cited to us (P-507) as evidence that the city police are neither racist or brutal. In the mass arrests of pickets and demonstrators, a judge informed us (L-426), "the officers have been very cooperative and showed no animosity to the colored."

The issue of police brutality in New Orleans was widely publicized last May when the District Attorney brought charges against nine policemen, whom the Police Superintendent refused to suspend. At that time an Assistant in the District Attorney's office said that "we are intent upon abolishing the custom of brutality in this city and making sure that fear and terror are not part of our law enforcement process." A questionnaire on their Constitutional rights, asking if they had been "beaten or threatened," was distributed to the inmates of the parish prison. The Times-Picayune prejudicially and erroneously editorialized that "if practically all prisoners being held don't reply in the affirmative, it seems to us, this poll won't run true to form."

Table 30 - Race and sex distribution of physical handling by the police, as reported by arrestees

	<u>White</u>	<u>Negro</u>	<u>Male</u>	<u>Female</u>
Gentle or easy	59%	20%	35%	48%
Professional	23	57	43	43
Slapping or pushing	12	18	18	4
Punching or beating	21	16	19	9

As a matter of fact, the data from our interviews show that the great majority (79%) of arrestees do not complain about rough handling by the police. This, of course, comes from a representative and objective sample of arrested persons, and not simply from those cases that have been headlined in the newspapers. It would have been a

simple matter for us to seek out complaints of brutality, or to contact the lawyers of New Orleans for a list of people allegedly manhandled by the law enforcement officers. It is a more difficult approach, and much more reliable, to obtain the factual, balanced description of police treatment, good, indifferent, and bad.

One law officer (P-507) gave his opinion as follows: "I do not condone brutality or unnecessary rough actions. Remember, there are times when a policeman's behavior may be misconstrued. Once in a while the arrestee must be 'forced.' But I have never seen our officers use brutality." Another policeman (P-504) had different experiences. "I have seen some brutality and heard about more. Of course, it must be remembered that when a policeman attempts to make an arrest, he must win. If he loses the struggle he is through; he has lost everything. So, the police use roughness as a defense mechanism."

The judge too (L-424) can tell when rough handling has taken place, "usually from what is said and sometimes from the type of charges, such as resisting arrest and assault on the officer. If I see that a man has been used as a punching bag by the police, I weigh this in his favor. There are certain sadistic and brutal officers on the force today, and they should be removed, but that's not my job." As an example, he added, "I was recently going through the ----- District, and I saw a Negro spread out on the floor with several officers over him. There was something like mud on the Negro's arm, and when I looked closer I could see it was cigar ashes where they had been burning the man."

One arrestee (A-140), who was booked on a serious charge and was a repeater, told us how his lawyer forestalled any rough handling of his client in jail. "He came down here and had the police bring me and the other guy out, and told us to take our clothes off and turn around in front of him. We did, and then he told the officers, 'look boys, there's not a mark on these men. I'm coming down here every other day, and if I find one beating mark on them, you're in for trouble.' Man, he had them in a corner, didn't he?"

An attorney (L-419) who said that he had witnessed brutality, declared that "it is a vicious circle, because the young policeman is put on the job to learn from the old ones and he soon finds that knocking prisoners around is the order of the day and he must do this to become a successful officer." An example of this "learning process" was described to us by an oft-arrested man (A-268). "This one detective told me to take my pants down. I thought they were going to search me. When I did, he punched me in the stomach and then whipped me real bad with black jacks and saps. He said he wanted to show the rookies how to beat a person and how to treat a man like me."

The incidents related to us by arrestees are contemporary and are not references to the past when the department was reputed to be "real bad." Nevertheless, said one Negro repeater to us (A-264), "things are sure getting better. When I was arrested nine years ago it was terrible. They beat me and kicked me all over the First District; right out in public, too. But since Garrison came in they stopped a lot of brutality. From my case, they didn't touch us at all, and from what I heard it's dying down a lot."

Take it from me. I been around. If they do it now at all, it's got to be real secret-like."

Another Negro (A-248) who was beaten, kicked and knocked unconscious on the street, said that "these days the police are more sneaky about it. They beat me outside on the street, but now they mostly get you inside the jail and no one knows about it. But they're still doing a lot of beating as far as I'm concerned." Still another Negro (A-231) who had been often arrested and often beaten, said that on his last arrest, the one about which we questioned him, "they handled me gentle. Since Garrison's in, they don't kick Negroes around like they used to."

Some arrestees, who were not themselves manhandled, say that they witnessed police brutality. (A-180) "I saw the officers beat two men just down on the corner last week. This fat policeman jumped out of the squad car when he saw two men fighting, and instead of trying to stop the fight, he just waded in and started punching right and left. He and the other officer knocked the men down with judo chops." Another arrestee (A-250) told what happened to a man in broad daylight on the street just two weeks prior to the interview. "They really messed him up and did him bad. They jugged a stick down his throat to make him puke up something they said he swallowed. Five policemen beat him at the same time." In explaining this kind of action, police told us (P-509) that drug addicts sometimes try to swallow the evidence.

The law officers' Code of Conduct says that "they shall not use force or violence upon the person of another unless it is justifiable in self-defense, or defense of another, or reasonable and necessary to make an arrest or prevent a felony." Policemen carry weapons, and everyone understands that these weapons must sometimes be used. One officer (P-501) who said he is not sadistic like "some of the other guys," but that he sometimes "has to beat up on jigs," explains the use of weapons. "You've got to know how to use the tools of your trade, right? If a plumber or electrician came to your house and didn't know how to use their tools, you wouldn't think too much of them, would you? Well, it's the same thing with the police."

On the other hand, another officer (P-508) says he dislikes to carry a gun, even on duty, "because you can get excited and shoot someone before you know what's coming off." He was critical of some policemen who wear their guns when they are not on duty, "even when they're washing their car, or going to the corner store for a newspaper." A lawyer (L-416) who is a keen analyst of police behavior, remarked that "a professional policeman is at home with his gun. I have found that the more an officer knows how to use his gun the less he will use it. The reverse is true in New Orleans because many officers do not have confidence in themselves or their guns. The result is that the arresting officer will use it for self preservation because he lacks the emotional stability to handle the situation." Yet, we have seen in Table 12 that dependability, or emotional stability, is the personal characteristic that most policemen think they possess.

In the analysis of the data of this study we are able to discern certain patterns of

police brutality in New Orleans. These can be formulated as answers to the following questions: (a) What is the extent, or amount, of brutality? (b) Who makes use of it in police work? (c) Who are the victims? (d) Where does it occur?

The amount of police brutality in New Orleans seems to be grossly exaggerated, but this kind of statement probably depends upon the standard of conduct that the citizen expects from law enforcement officers. One out of five (21%) of the arrested persons claimed that they had been physically mistreated by the peace officers. Wherever the matching police record of the arrest admits the use of force, this is reported as a necessary action to subdue the prisoner. If one accepts the policeman's version of the arrest, it may be said that unreasonable and unnecessary brutality was employed in less than one out of five cases.

On the other hand, the actual incidence of police brutality may be higher than this, because some of the interviewees were afraid to talk about it. (A-161) "Look, do you expect me to stick my neck out and say something bad about the police? Not on your life! How do I really know who you are? What they did to me was worse than a beating or punching around." Another man (P-160), says our reporter, "was quite frightened over the possibility of police retaliation, and I had to reassure him all during the interview of the confidential nature of this information." Still another (A-149), who complained bitterly that police treatment in New Orleans "is just like Russia, or worse," added that "many of the fellows around here won't talk about it. They're too scared."

The statistics we have gathered on police brutality in this study are certainly more accurate than any yet released to the public. The Police Bureau of Investigation has in its files the complaints that have been made in this regard, but these are carefully guarded from "outside" eyes. Furthermore, an unknown number of victims do not register their complaints of police handling with the police themselves. On the testimony of experienced arrestees, however, it can be stated with some assurance that the New Orleans police are now not so brutal as they used to be. Perhaps this is a small compliment to the present force. Even those who say (A-287) that "the whole department is as rotten as a bag of rotten potatoes," or that (A-247) "ninety percent of the cops are thugs," do not claim that the situation is getting worse.

The excellent study, directed by Aaron Kohn in 1953-54, did not provide a quantitative norm against which we can measure current brutality or the type of officer guilty of it. Policemen themselves admit that there are "some" sadistic personalities on the force, whose behavior they do not approve and who ought to be dismissed. It may be expected that the psychological tests administered to applicants and cadets at the Police Training Academy would prevent such personalities from police employment, but the opinion of the arrestees generally is that the younger and newer officers are the "worst" in this regard.

Whether or not an officer grows more patient and kindly as he gets older, we have been told (L-419) (A-268) that in some instances the more experienced officer gives

lessons in brutality to young policemen. Yet the younger men are singled out by arrestees as the "most rough and tough." As one man (A-164) said, "you put a gun and a badge on these young punks, and they think they're Wyatt Earp." Another man (A-127) vented his anger with a threat. "I'd like to catch some of those young cops out of uniform, I'd sure beat hell out of them." In another case (A-187) it was probably the rashness of youth, or great confidence in his own toughness, that prompted a policeman to offer to fight a prospective arrestee. "I'll let you go if you can beat me." An older officer intervened to prevent this spectacle.

One officer (P-511) explained to us that "there's a difference between the old pro, who's comfortably settled in a job that doesn't demand much from him, and the eager young rookie, who really wants to go places. Some of the young men look like they're afraid to get the reputation of being soft on criminals and law breakers. They don't care if the D. A.'s office makes a phone call about them. They don't care if City Hall or the politicians object to what they're doing."

The public records at Police Headquarters, and often the daily newspapers, provided the names of the arresting officers in all of the cases we studied. Other policemen, however, also came in contact with the arrestees: wagon drivers, desk sergeants, doormen and detectives. We asked the interviewees to identify and name the officers who treated them most kindly, and also those who treated them most roughly. The subsequent listing provides a roster of both "reputable" and "disreputable" policemen on the New Orleans force, but it is neither complete, nor well-balanced. Some people refused to tell all they knew, like the repeater (A-153) who said, "Yes, I know a lot of them, but I'll only give you the names of the good ones. I don't want to get in trouble." The only reason for refusal to give names of policemen was in every instance the expressed fear of further police brutality in reprisal.

It is important to note that some individual officers are on both lists, the good and the bad, which means that the same officer is kind to some people and brutal to others. This adaptation of police behavior is in accord with the candid remarks of one officer (P-501) who told us that "a lot has to do with just who you're dealing with. Now, with some upper-crust people, you've got to watch out, but take some of the scum we have to deal with. Man, I don't care who it is, some jig or a white person, you've got to be tough."

A prime example of this ambivalent and discriminatory police behavior is contained in our data. It is difficult to realize that the same officer conducted himself so differently in the two following cases. A mature white woman (O-604), whose grown daughter was arrested in a street brawl, came to the police station, frightened and crying and carrying on (as she described herself.) "That nice Lieutenant put his arm around me and said, 'now, Mom, pull yourself together or you won't be able to help at all.' He even offered me coffee too. After I calmed down, he asked me if I knew any politicians who could help out. He suggested some names that I could call and asked me if I needed money to make the phone call."

A Negro woman (A-293) came voluntarily to the same station when she heard that

the police wanted to question her about a crime charged to her husband. This same Lieutenant "beat me after he started to question me. He kept slapping my face, and beat me with the back of his fist in my stomach. Then another one started on me. They called me a black bitch and a nigger bastard and worse names every time they asked me a question, and they kept beating me in the stomach." This woman maintains that she did not know anything about her husband's alleged crime and could not give the police the information they wanted. It is a matter of police record in this case that she was released after three days because of lack of evidence.

The third question we may answer from these data is: who are the victims of police brutality? It would be inaccurate to suggest that the New Orleans police indiscriminately man-handle one out of five persons they arrest, or that the police discriminately beat up only colored people. In a moment of candor an officer (P-512) told us that "the whites get it too when they deserve it." From Table 30 we derive the fact that more Negroes (23%) than whites (18%), and more males (22%) than females (9%), claim that they were slapped, pushed, punched or beaten by the police. The columns in this Table total more than one hundred percent each because some of the arrestees suffered more than one type of harsh treatment.

One generalization that is fairly clear is that the people who get beaten up are most often repeated offenders in serious crimes, ex-convicts, or persons who are suspected of having some knowledge of crimes under investigation. The data arranged in Table 31 indicate that the least law-abiding people are more than twice as likely (33%) as the most law-abiding (15%) to say that they have been physically mistreated by the police. Since they have had more arrest experience they are also better known to the police in New Orleans.

Table 31 - Distribution of physical treatment by the police on the rating of law-abidingness

	<u>Fairly High</u>	<u>About Medium</u>	<u>Fairly Low</u>
Gentle or easy	46%	37%	21%
Professional	39	41	46
Slapping or pushing	12	13	28
Punching or beating	7	20	33

Scientific caution must be used in judging whether these statistics are higher or lower than the actual distribution of physical maltreatment by police. One attorney (L-418) says impressionistically that "only the worst type of criminals claim police mistreatment." This is not true; nor is it true what another attorney (L-417) said, that "Negroes are the only ones who complain of police treatment; and they can never pay a fee." This latter remark was added as an explanation of the fact that this lawyer "takes only paying clients."

Another, and more realistic attorney (L-419), however, warned us that there may be a relative element in our study that may lead us to underestimate the amount of

police brutality to Negroes. "This is the fact that Negroes tend to regard a moderate amount of brutality as standard and expected treatment, and may not remember it as anything worth mentioning. Often a Negro will say of a policeman, 'Oh, he's all right. Sure, he's rough and punches you around a little, but he doesn't hit you with the stick or with his gun.'"

Sometimes "mistakes" are made by sadistic and gun-happy individual officers whom the majority of policemen seem to deplore. One such mistake was made by an officer in plain clothes who had been drinking and who assaulted a white man late at night. This victim (A-145) is willing to have anything he says "printed in the newspapers." After various other threats and insults, "this officer came over to me and said, 'I bet you're a queer,' and hit me across the face with his ringed hand. I felt as though my nose was broken. Finally, two uniformed policemen arrived, who were much nicer than this man, and they didn't seem to know what they should arrest me for." An interesting aftermath of this case was the advice given to the victim by two superior police officers who suggested that he prefer charges against the offending policeman. They too, felt that the officer's conduct was intolerable.

In dealing with arrested persons who have a police record and who are thought to be involved in other serious crimes, the officers are often deliberately and purposefully brutal. One white man (A-146), arrested for investigation of burglary, said "I was questioned by three officers and two detectives. They tried to get me to sign this statement that I stole some stuff and if I did they'd see that it went light with me. I told them that I wouldn't sign nothing, so they beat me pretty bad. They took this big club and hit me on the side of the head. They punched me in the sides and in the stomach a lot. They knocked me unconscious and I blacked out."

Another white man (A-123) who was brought in for attempted murder, said that "they wanted me to sign this confession, but I wouldn't do it. About seven of them had me in this room out in back of the cells. One of them hit me in the face with his fist and cut my mouth open. They talked to me for a while, then they beat me for a while. Some of them punched me in the stomach and in the sides till I couldn't stand up any more. When I fell down on the floor, they kicked me around the room."

These descriptions by white arrestees can be matched by those of Negroes. One man (A-238), who had served a sentence in the penitentiary, told us that on this arrest "they got me out of the cell and brought me to a little room in the back. They wanted me to sign a paper that I broke into this house and stole stuff. I said I wouldn't do it. Man, then they began to wale on me. They got me standing up against the wall and two officers took clubs and beat me on the sides and then on the legs. I fell down a couple of times and they kicked me in the stomach and in the back. They were ready to send me back to the cell, and this one officer said to me, 'hey, nigger, I bet you never got hit by a prize fighter, did you?' I said, 'No, Sir.' and tried to walk by him. That's when he smashed me right in the face and knocked me across a table."

Another Negro male (A-231), who also has a prison record, was allegedly implicated in car thefts. He told us that "they liked to kill me. They asked me a few ques-

tions. I answered them. Two of the policemen started beating and kicking me. They kept calling me nigger, black bastard, and a lot of other things that I wouldn't repeat to you. Most of the time they hit me in the stomach with the point of a billy club. They kept asking me about people I don't know anything about. Then they knocked me out."

Let us turn now to the final question of when and where police brutality takes place. Most of the time, says one law officer (P-510), "the handling gets defined at the point of arrest. The driver sees what's happening, and if the arrestee goes quietly, the relationship will probably continue that way right on through at the station. But if the arresting officer says something like, 'take this f-----son of a bitch in.' and then throws him in the wagon, the cue is given for the handling of the prisoner, who probably gets rough treatment all the way through."

When the arrest occurs in the open where people are present, the current pattern in New Orleans seems to be restraint from police brutality. Yet, there are exceptions, as told by the young Negro (A-216) who was arrested by a Negro policeman before large numbers of people at an athletic contest. "The officer hit me in my side with his billy; then he hit me on my head with his billy and knocked me out. The vice squad officers, who were white, questioned me at the station, but they didn't beat me; and I couldn't tell them much because my head was swollen bad where the arresting officer hit me."

Another assault by the police in the open street was made one early morning on a Negro (A-248) who was accosted and asked for his identification. "They said to me, 'Nigger, if you ain't working, you're stealing.' When I told them I wasn't stealing, one of them said, 'look, this nigger's got a smart lip on him.' and he punched me up against the police car and slapped me across the face. I put my hands up to protect myself and one of them said, 'this nigger's got some fight in him.' They punched me till I went down on the ground. Then one of them kicked me in the stomach, and the other one hit me over the head with a set of handcuffs. Man, I saw stars. I don't know what happened after that." The police report on this case says that the man walked around the station in a dazed and irrational condition, but that it was not thought necessary to give him hospital treatment.

Although public brutality of this kind at the scene of arrest seems to be diminishing among New Orleans police, there are other instances of indoor manhandling when the arrest occurs. One white man (A-137), whose lawyer told us "there was no mistreatment of this man because I had him paroled several hours after he was arrested," gave us a different story. "When they started searching my house, one of them told me to sit down and keep my mouth shut. But they were destroying my house. They were stealing my property. Every time I got up to tell them they were taking my own property, this one officer kept giving me a real belt in the stomach with a big five-cell flashlight, and knocking me down in the chair again."

The next phase of the arrest process is the ride to the police station. About one fifth of the arrestees said that they were taken to the station in the wagon, which means that the person is locked in the back out of contact with the officer driver. The wagon

is called if the number of arrestees being taken in is too large for the squad car, if the person is particularly dirty or drunk, or if the officer thinks he is going "to give trouble." The police wagon is also a symbol of authority in the neighborhood and draws more derogatory attention to the arrestee than occurs when he is quietly placed in a squad car.

The largest majority of our interviewees were taken to the station in a police squad car, and in this situation some of them were liable to police brutality. If there are only one or two arrestees, and they are properly subdued, they sit in the back of the car with one officer while the other drives. "On the way to the station in the squad car," said one young Negro (A-218), "the policeman in the back kept hitting us on our legs with his club, and also punching us in the ribs. He had the handcuffs on us, and we couldn't do anything anyway.

With the pressure on the police to eliminate public brutality, and to get away from the eyes of superior officers at the station, the police car is sometimes used as a convenient place for beating of prisoners. A young man (A-219) with a police record, suspected of having information about a series of armed robberies, was regularly removed from his cell between two and three o'clock in the morning. For almost a week, he says, he was "taken for a ride out to the lake front in the police car and beaten, punched and slapped. They wanted addresses of people I didn't even know. They wanted a confession for things I didn't do. Well, I wouldn't sign a statement at first, but they kept up the beatings night after night. Finally, I couldn't take it any more. I told them I'd sign the statement for robbery and theft. Man, let me tell you it was torture during that time. When I got out of that ----- district, I looked like I was double-jointed."

Some station houses are worse than others. On the norms of brutality, arrestees and also attorneys who have been involved in police handling were able to provide for us a rating of these precinct stations from "best to worst". But there has been much shifting of police personnel with the establishment of the seventh district, so that the pattern of brutality may have shifted with them. An experienced arrestee (A-238) named two of the precincts and described them as "slaughter houses." In another district a man (A-234) was told "I wish we could beat it out of you, but we can't do that any more because Garrison passed some kind of law." Such caution was not exhibited in still another precinct station, where an arrestee (A-133) saw the following incident: "The desk sergeant came out from behind the partition with a club, smashed him on the head and down he went."

Most of the instances of police brutality described to us in the interviews occur in the precinct stations and jails, and there is no need to multiply the evidence here. Yet, one of the "safest" places for rough handling by the police is at the line-up, or show-up, in the basement of central Headquarters. This "school," as the officers call it, is held in a semi-dark room, (O-608) the door of which is marked "For Police Only." A show-up may be held any time of the day if there is need for it, as when victims of crimes are asked to identify suspects. Arrestees are regularly brought in twice a day, at eight in the morning and four in the afternoon, from all the district lockups, to be questioned and identified by detectives.

One arrestee (A-256) remarked, "they shouldn't be so brutal. At the parish prison there's a big burly bastard that hits you in the stomach when you come off the steps at a line-up. He really tries to knock the p--- out of you. If you need somebody to testify against him, I'll damn sure testify." Said one white man (A-144) with a prison record, "down at the show-up there's this big cop in charge of it, and when they line you up if you don't move as fast as he likes he punches you in the face or stomach. A lot of people get confused and frightened when they're in the show-up for the first time. But they got this big bully there saying 'move your f----- --- or I'll give you something to move about,' and then he gives you a punch."

A Negro woman (A-298), who has a long record of arrests, helped to confirm what other arrestees had told us about the show-up of prisoners in the basement of Police Headquarters. "They slap you and kick you when you're in the line-up, right when you're coming off the stage. And those behind the screen, the detectives, I guess - while you up there on the stage, they be calling you nigger, black bitch, and everything just like those policemen do. They ain't no better. They cuss all over the place. Anything that comes to their mind. All those police that be standing around the wall; they be calling you all out your name too." This woman claims she is being harassed because of her record, and does not dare walk on the streets between three and eleven in the evening, when a certain officer is on duty, who "says he's going to run me out of his district."

When all of these data are assembled and interpreted, there can remain no doubt that the tactics of terror are used by some policemen, and that the rights of some arrestees are abused. When force is justified in arresting, restraining and subduing recalcitrant law violators, there can be no complaint about police brutality. But this study shows much more: people who are ready to submit are punched senseless; people who are helplessly handcuffed are hit with clubs; people who are surrounded by policemen in a jail or at a show-up are cuffed and abused.

Explanations for such police brutality are never clear-cut, nor completely satisfactory. They point to two levels: the officer as a person and the department as a system. Certain psychological abnormalities are discernible in types of policemen. There are those who nurture a kind of juvenile image of themselves as hardboiled, strong scourges of arrestees, who want to prove that they are tougher than any hardened criminal. There are also sadistic personalities who take pleasure in hurting people. Neither of these is fit for police work, but while the department is debating their dismissal, citizens are suffering their brutality.

The system of arrestee handling allows brutality because it is punitive and investigatory. Judges no longer sentence offenders to whippings and beatings as a punishment, but the police take it upon themselves to mete out this punishment. This is, of course, an encroachment on the rights of citizens, innocent or guilty. The systematic investigation and questioning of prisoners, in which the police deliberately, calculatedly and purposively beat suspects, is also a flagrant invasion of human rights. The fact that the New Orleans police do not treat all arrestees "equally bad" simply highlights the selective and discriminatory practices that have been the burden of this study.

VIII

Recommendations

1. To replace the present scattered system of precinct lock-ups, there should be established a Central Lock-Up, to which persons apprehended by the police would be immediately delivered.
 - a) This would reduce the number of individual and different police officers handling arrestees, and thus make possible a more skilled and professional service.
 - b) It would especially provide competent, trained and professional police matrons for dealing with, and the protection of, female arrestees.
 - c) The higher-ranking and more responsible police personnel at a Central Lock-Up would be expected to reduce the incidence of rough and brutal treatment of arrestees.
 - d) There should be available at this Lock-Up competent medical and psychiatric personnel to diagnose doubtful cases of sick or disturbed prisoners.
 - e) The whole "booking" process would be more promptly expedited, and also allow more efficiency in the immediate photographing and fingerprinting of arrestees.
 - f) There would be more reliable accounting of valuables and property removed from prisoners during incarceration.
2. Provisions should be made for the twenty-four hour services of Committing Magistrates.
 - a) This magistrate, or judge, could determine immediately whether there were "reasonable" grounds for the arrest.
 - b) He could ascertain the physical condition of the arrestee and the explanation of any bruises or marks on him.

- c) The magistrate would decide whether parole should be granted and to whom the individual should be paroled.
 - d) He would also determine whether a bond may be posted and the amount of the bond.
 - e) This prompt arraignment before a court will equalize the treatment of arrestees to whom the judicial process is meaningless if they have neither money nor connections.
 - f) Either through this committing magistrate, or some other arrangement, there ought to be an easier and safer complaint system directly to the Superintendent of Police. An instruction sheet, filled out with the assistance of a non-police social worker, should allow every arrestee to check off the quality of police treatment in his case.
3. The professionalization of police handling of citizens requires certain changes and improvements within the Department.
- a) The cadet program at the Police Academy should be improved and intensified, and later supplemented by "refresher" courses and in-service training, particularly in the area of minority relations.
 - b) Rigid principles of equal opportunity should be applied in the recruitment, training, functioning and promotion of Negro policemen and police women. Racial discrimination within the Department is one of the in-built obstacles to the proper handling of arrestees and prisoners.
 - c) There should be periodic testing, by intensive psychiatric and psychological examination, of all personnel who make arrests and handle prisoners. The emotional demands of the police profession require this check-up for the continued efficiency of individual officers and for the protection of the people they deal with.
 - d) Particular attention should be paid to improving the performance of the "second echelon" of sergeants and lieutenants, who necessarily act as models and mentors for the younger officers. It appears that many of the unfavorable happenings related in this report could have been avoided if these men had set and maintained a professional pattern of arrestee handling.
 - e) Police personnel in the higher ranks should be encouraged and trained to relate to the community in their citizen roles. Command officers should be not merely aloof guardians of the community, but the peers of people in other professions and businesses, who are active in various civic organizations.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. William L. Taylor
Staff Director-designate

DATE: May 27, 1965

FROM : Acting General Counsel

SUBJECT: Report, Minnesota SAC, on police and community relations.

We have reviewed the SAC report. It is our opinion that there are no legal objections to disclosing the data contained therein.

Mr. Littlejohn has advised me that there have been reports of recent changes in the communities which might affect the usefulness of the report. For example, it has been reported that members of minority groups are being actively recruited by the police departments in the Twin Cities; that the number of Negroes on the Minneapolis police force has increased; that police-community relations courses are being emphasized in both Minneapolis and in St. Paul (police personnel from both cities attended the National Institute on Police and Community Relations); and that there is an effective Public Defender system in Minneapolis.

In light of the above allegations of change, it is my view that an attempt should be made to ~~verify the accuracy~~ of the report before it is released.

check the currency

WOF

Michael O. Finkelstein

cc: Libassi
Simmons
Holman

*no publication contemplated
soon
WF*



INTRODUCTION

Racial discrimination as a major social problem in Minneapolis and St. Paul is almost wholly a problem involving Negroes and American Indians. This is especially apparent in the area of police-community relations. The Minnesota State Advisory Committee, therefore, conducted this study on the subject in respect of these two minority groups.

⁷⁸
The Committee, aware of several incidents between local police officers and Negroes in 1963, which revealed serious defects in the existing relationships between the groups, undertook to determine whether minority groups were being denied equal protection of the laws by local law enforcement agencies.

It, therefore, held open meetings on August 7-8, 1963 in the Federal Courts Building in Minneapolis. Thirty-two witnesses, representing Federal, State, and county officials, community groups, and private citizens, appeared before the Committee to give statements. In addition, three witnesses appeared before the Committee in executive session on August 7.

It is the consensus of the Committee that the public nature of the meetings deterred some individuals from testifying, especially since three persons insisted on appearing only in executive session. However, the Committee also feels that those who did appear were persons who would normally be expected to be acquainted with grievances of the sort being explored at these meetings.

1.
This is what was said, increases
hostility to police by minority
group members.

DISCRIMINATORY LAW ENFORCEMENT PRACTICES

Non-police witnesses, representing minority groups and related agencies, were of the opinion that Negroes and Indians who came under observation by law enforcement officers were more likely to be arrested and charged on less provocation than were white persons in the same situations. Specific instances were given in which nonwhites were treated differently than whites under comparable circumstances. Curtis C. Chivers, President of the NAACP, cited several such instances including this one:

There was a case where two white boys and a Negro boy were in a car which was driven the wrong way on a one-way street. Officers stopped the car and found the Negro boy was driving. They also observed beer in the car and one can was open. They charged the Negro boy with possession of an open bottle and placed him under arrest. The two white boys were left to go home. ...

Mr. Chivers stated that police have sometimes used offensive language to nonwhites.

...Three boys in a park had apparently had some misunderstanding with another person in the park. The police were called and spoke to them in terms which are not becoming. .../They/ told them there are two kinds of colored people, there are some Negroes and some niggers so in this case we have a nigger and we are going to take him down. ...

The Rev. Helen G. MacRobert Galazka, Director of the United Church Women, stated in her testimony ...

...The minority group is made to feel different and inferior. ...I know of one high ranking officer who refers to the Negro section of the city as "The Jungle". ...

Instances were reported in which police officers had acted in an unfriendly or even unconstitutional manner toward Indians according to Gerald F. Sheehy, Executive Director of the American Indian Employment and Guidance Center, who testified that police made entries into Indian homes without knocking and with no respect for privacy. Both Mr. Sheehy and the Rev. Gradus C. Aalberts, Executive Director of the United Church Committee on Indian Work pointed out that failure to understand one another's language was a major barrier to a better relationship between the Indians and the police. It was their opinion that the police should take more cognizance of this fact and be guided by it. This, they felt, was particularly important because to many Indians, coming to the city from a reservation, the law, as represented by a city policeman, is an unknown and bewildering factor in their lives.

Should Report from 38-4

It was indicated, by department representatives, that in St. Paul, at least, lack of manpower precluded extensive police participation in special programs, ~~and~~ personal contacts with social and welfare agencies, schools, athletic events, and interpretative talks to interested groups.

POLICE ADMINISTRATIVE PRACTICES:

Non-police witnesses who discussed the subject at the open meeting generally agreed that in neither Minneapolis nor St. Paul was there a means by which a citizen who complained of a police officer's conduct could be assured of adequate and unbiased investigation. Police representatives stated that no formal complaint procedure was in effect although in Minneapolis complaints are handled by an Inspector of Police and in St. Paul by a personnel officer who has been on the force for 44 years. Grave doubts had been expressed by minority group members about this officer's alleged prejudices. He, himself, came before the Committee to deny that they existed and the St. Paul Chief of Police called him "the least biased man I know."

Few Negroes and no Indians are on the police force of either city. Of the 795 employees of the police department in Minneapolis, four are Negroes. All of these are patrolmen. None of the 29 employees of the park police is a Negro nor are any Negroes among Hennepin County's deputy sheriffs. One Negro is employed as a bookkeeper in the sheriff's office and one Negro patrolman is employed by the University of Minnesota Department of Police. Four Negroes, of whom one is a sergeant, are on the St. Paul police force.

Police representatives testified that few Negroes and Indians applied for such jobs and fewer still could pass the necessary examinations to qualify. According to other witnesses, however, motivation among Negroes has been weakened by their feeling that even if they could qualify, their chances of rising above the rank of patrolman were remote.

Louis Ervin, Chairman of the Minneapolis Fair Employment Practices Commission, stated in his testimony that:

I believe one of the things that could help the employment situation as far as nonwhite people in the police department are concerned would be for the police department to establish in a positive way that they are out for and looking for qualified nonwhite people for jobs in the same sense as they now recruit or attempt to recruit on the college campus for better educated people. ...I think one of the reasons why more qualified nonwhites do not go into the police department is that they think their opportunity is only that of a patrolman for the rest of the ir lives so they just pass it up. ...

3.

I think what has to be done is for the police department to establish once and for all that a man, regardless of his race or color, will not be treated differently from any other officer.....

The lack of rapport, however, can be most directly traced to wrong conceptions of what police attitudes should be according to L. Howard Bennett, former member of the Board of Directors of the Minneapolis Urban League. Mr. Bennett, now Principal Assistant for Civil Rights, Office of Deputy Secretary of Defense, indicated that the problem's solution was largely contingent on the extent and direction of the civil rights training received by the police:

I remember as late as 1947 when the first course in police officers and minority group relations was being developed, we used to stress the point that the police officers have prejudices and biases and we would say that you are entitled to these...and all that was being asked of the police officer was that he suppress these biases and prejudices when in the performance of his duty. ...I would like now to move away from that position. .. I think instead the goal and the objective and the educational programs which are being considered for police officials should be that through these educational programs and experiences the officer dissolves and rids himself... of prejudice in order that he can deal with the Necessary situations and necessary absence of emotion that his job requires. ...The police officer brings his entire personality with him into any of the situations which he confronts as he interacts in dealing with the general public including minorities. ... The police must have a proper regard for the civil rights of all the public. ... There is need for the police officer to recognize the cultural differences which have developed in this country and the social problems which grow out of minority group status. ...

INADEQUATE LEGAL COUNSEL

Witnesses representing minority groups and agencies working on their behalf pointed out that most Negroes and Indians who need legal assistance cannot afford it. This, they said, induces a dispro-

proportionate number of pleas of guilty among members of these groups and reinforces their fears that they are being discriminated against.

ADMINISTRATIVE PROBLEMS AND ATTITUDES

In contrast to the feeling expressed by Minneapolis Negroes that an undue concentration of police was being directed to their neighborhoods, Negroes in St. Paul felt that the police were not giving them sufficient protection. Complaints of inadequate law enforcement in the Rondo-Lexington area of St. Paul, the so-called Negro ghetto of the city, led to a public meeting on May 26, 1963 which was attended by representatives of the police department but at which no solution was reached. The St. Paul Chief of Police, Lester McAuliffe, testified that during peak hours only 18 patrol cars and three traffic cars were on the streets which gave each patrol car almost three square miles of the city to cover. The Rondo-Lexington section, he said, constitutes only a small section of the city yet receives 20% of all police patrol time and 34% of all police investigative time.

The Department in neither city presented evidence that its official antidiscriminatory position is being implemented within its personnel policy by education, screening, or disciplinary action. For several years, the Minneapolis Department has carried on a small human relations course for its patrolmen but St. Paul's activities in this respect would seem to have diminished within the last few years. Louis Sperling, ~~Chairman of the Mayor's Commission on Human Relations in Minneapolis~~ Chairman of the Mayor's Commission on Human Relations in Minneapolis, testified that the mayor has been sending two officers to the Michigan State University School of Police Administration and Public Safety for the last five years. Nevertheless, neither the St. Paul Chief of Police nor the Minneapolis Inspector of Police was able to tell, in his testimony, whether a psychological examination for bigotry was included in the screening process of candidates for patrolman positions.

It was indicated, by department representatives, that in St. Paul at least, lack of manpower precluded extensive police participation in special programs, personal contacts with social and welfare agencies, schools, athletic events, and interpretative talks to interested groups.

FINDINGS AND CONCLUSIONS

The Committee finds that no antidote is provided to dispel the lack of confidence with which minority groups regard the police departments of Minneapolis and St. Paul and that this leads to hostility and provokes tensions on both sides which, in many instances, could be avoided.

It concludes, therefore, that the racial climate of both cities would be improved if the police departments were to institute an intensive and enlightened program in human relations, both for recruits and for officers of advanced standing, which would include a recognition of the language barriers existing between the Indian population and the general community and would consider this in all police situations in which it could be a factor.

*There are some
affairs being made
known from force at
the institute*

The Committee finds that members of minority groups are automatically deterred from applying for positions in the police departments of the Twin Cities because they instinctively feel they will either be rejected or, if accepted, will never be promoted beyond the rank of patrolman.

It concludes, therefore, that both a stronger minority group representation and a larger and more adequate police department in terms of across the board manpower could be achieved if positive efforts were made through schools, churches, neighborhood clubs, and comparable community institutions to publicize information on entrance examinations and promotion policies and to encourage young people of minority groups to apply.

The Committee finds that many members of minority groups who are arrested have no money for adequate legal counsel and are therefore prone to plead guilty and to harbor a further feeling of hostility against the white community.

*public defense
system is operative*

It concludes, therefore, that aid to indigent ~~defendants~~ must be extended to make the full resources of the law available on an equal basis to everyone who needs them.

The Committee finds that minority group members generally lack faith that their complaints will be dealt with properly by ~~existing~~ procedures now current in the police departments of Minneapolis and St. Paul.

It concludes, therefore, that it would be advisable to institute an impartial police review program with full citizen participation either by appointing a new body to monitor it or to utilize the services of an appropriate existing body such as the Mayor's Human Rights Commission.

RECOMMENDATION:

The Minnesota State Advisory Committee, seeing an urgent need for a review of local police department techniques in respect of civil rights and human relations problems, and ~~for~~ an equally urgent need to introduce more enlightened programs to meet them, recommends:

That the United States Commission on Civil Rights recommend legislation designed to accomplish the purposes of S. 1145, which was introduced into the 88th Congress by Senator Philip A. Hart of Michigan, to provide assistance to State and local police forces through projects to develop and demonstrate more effective techniques and practices of law enforcement.

ADDENDUM

Since the open meetings, the Minnesota State Advisory Committee has been gratified to receive communications from Mayor Arthur Naftalin of Minneapolis and Mayor George J. Vavoulis of St. Paul in which they report substantial progress in developing Human Relations Programs within the police departments of their respective cities. Under its Mayor's Human Relations Commission, Minneapolis has established a standing committee studying police-minority problems in the community. A subcommittee is giving special attention to education toward improving the image of minority groups and police and improving communication patterns between them. In St. Paul, the organizational structure of the police department has been changed which represents a concrete step toward a definite complaint procedure. In addition, the City Council of St. Paul passed the St. Paul Human and Civil Rights Ordinance.

DRAFT: 3/3/65

Proposed Report Summarizing Questionnaire Sent to
Chiefs of Police Throughout the Country by IACP

I. Preventing Disorders at Racial Demonstrations

Experience Report 102
Community Relations Service
U.S. Conference of Mayors

Deals with 1964 demonstration situations in Mt. Vernon, New York,
and how they were kept peaceful by action taken by city administra-
tion.

II. Projected Study - "Current approaches - Police Community Relations."

- A. 1. Police representation on biracial commissions.
2. Former police-community relations programs. See U.S.
Conference of Mayor's Report: Police-community relations
in St. Louis, Experience Report 103, services series.
3. Police-community relations institutes.
4. Personal contacts.
5. Police participation in youth programs.
6.
- B. 1. Permit demonstrations if orderly.
2. Keep riot force hidden from view.
3. Arrest cleanly and only in clear situations.
4. Exercise restraint.
5. Have minority group and other officials present.
6. Integrated control force.
7. Internal complaint procedure.

8. Clear line of command.
9. Good communications.
10. Plainclothesmen in crowd.
11. Remove officers who are fatigued.
12. Good press relations.
13. Need for equipment to redress assault at overwhelming force.

III. Proposed Report Summarizing Questionnaire.

A. Complaints of citizens.

1. Brutality, demeaning remarks, excessive force.
2. Discriminatory treatment.
3. Overpolicing.
4. Harassment (frisking, etc.)
5. Mishandling of demonstrations.
6. Poor utilization of Negro officers.
7. General lack of confidence in police.

B. Police Complaints.

1. Poor press.
2. Dangerous situations.
3. Exaggerated claims of discrimination.

UNITED STATES GOVERNMENT

Memorandum

U.S. COMMISSION ON CIVIL RIGHTS
Washington 25, D. C.

TO : Assistant General Counsel

Date: March 5, 1965

FROM : Staff Attorney

In reply refer to:

SUBJECT: SAC Report on California: Police-Minority Group Relations

The California SAC Report covers police-minority group relations in the Los Angeles area and the San Francisco-Oakland area. Chief Parker of the Los Angeles Police Department proved extremely uncooperative and engaged in a strong attack on both the motives and "loyalty" of the State Advisory Committee members. Testimony extracted from the hearing in Los Angeles indicated that there is discriminatory law enforcement in Los Angeles. The types of discrimination were excessive violence at the time of arrest, greater police activity in ghetto areas, arrests of Negroes for offenses for which whites are rarely prosecuted--such as gambling and prostitution, discourteous conduct, unjustified harassment and an unwillingness and inability of police to distinguish between law-abiding and potentially lawbreaking minority group members.

The Internal Affairs Division of the Los Angeles Police Department, which processes citizens' complaints against police officers, was accused of being unsympathetic and hostile to complaints of racial discrimination and use of excessive force. In 1961, of the 121 complaints filed involving the use of excessive force, only five were sustained by the IAD. More than half of all other complaints were sustained by IAD by way of comparison.

The committee concluded that the police-minority group relation in Los Angeles had deteriorated sharply and the fault was on the policies of the department.

San Francisco-Oakland area was noted for the sensitivity of the police to existing problems, although everyone agreed that sensitivity alone was not enough. The existence of ghettos gives rise to hatred and distrust of the police as a symbol of white authority without any misconduct on the part of the police. Misconduct aggravates an already inflammatory state of affairs.

Jonathan Fleming

March 4, 1965

Assistant General Counsel

Staff Attorney

Community Survey of Gary, Indiana

Negro population is 69,340 (39%). Governor Wallace carried Lake County (Gary) in the Indiana Democratic primary in 1964-- the only county carried by him in the State. According to the survey, which is a series of rough-draft notes, race relations in Gary have been steadily deteriorating for a period of time.

Negor-police relations are bad. There are a number of police brutality cases in Federal courts from Gary. The Negro population is reported to be of the opinion that Negroes receive harsh treatment at the hands of the police. To remedy the situation the mayor appointed a Negro commissioner of police in 1964.

Gary has had a series of school boycotts and demonstrations for equal employment in several plants. The present crisis is in education, medical facilities, and housing.

Gary's problem is complicated by factors of syndicated crime and universal corruption of political officers. Negroes are discouraged and believe that even the civil rights movement is in the pay of the syndicate.

Jonathan Fleming

OPTIONAL FORM NO 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-107

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant General Counsel

DATE: March 2, 1965

FROM : Staff Attorney

SUBJECT: Community Survey of Canton, Ohio

George Schermer found no police problem in Canton, although there appears to be no specific effort being made by the police to instruct officers in community relations. Nonetheless, there were no complaints of police brutality or other unfair or improper treatment.

Schermer sees Canton as a paternalistic society--Timken Roller Bearings--where the power structure is much more aware of the need for and is eager for increased participation by the Negroes in community affairs than are the Negroes themselves.

Edwin D. Wolf



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant General Counsel

DATE: March 3, 1965

FROM : Staff Attorney

SUBJECT: Evidence on administration of justice presented at the Detroit and Newark Hearings.

A. Detroit

The Detroit Hearing was held in December, 1960. Testimony on administration of justice was heard for three hours on the last day of the Hearing. Witnesses were two former Negro police officers, one representative from the NAACP and one from the Urban League, a minister (probably white) who was chairman of the Mayor's Advisory Committee on Police Procedures, an assistant U.S. attorney, and the Chief of Police.

All witnesses stated that police brutality and unjustified detention or arrest was a serious problem in Detroit. Several specific cases were reported. One former police officer--at the time of the Hearing, a teacher--testified that in addition to brutality, there was discrimination within the police department, and a pattern of failure to enforce antidiscrimination laws. The other officer testified to two assaults on himself--once when he was a plainclothesman, and once after he retired. The Chairman of the Mayor's Committee did not see much of a problem in any of these areas. The assistant U.S. attorney testified that "revamping of the law enforcement agency in the City of Detroit, so as to instill confidence in the colored community that the police officer will be fair and impartial in the performance of his function" is the first step to reducing racial tension.

The Chief of Police was somewhat belligerent and denied the existence of a serious problem. He was not popular with the audience.

B. Newark

The Newark Hearing was held in September, 1962. Testimony on administration of justice was heard for two hours on the afternoon of the last day of the Hearing. Witnesses were a white attorney, a Negro politician, a Puerto Rican leader, a representative of the NCCJ, and the Chief of Police.



The testimony of the first two was anecdotal, but suggested the existence of a serious police problem. The Police Director was forthright and stated there was no brutality. The testimony developed here was much less pointed than in Detroit.



Edwin D. Wolf

March 4, 1965

Assistant General Counsel

Staff Attorney

SAC Transcript--Minneapolis Police-Minority Group Relations

The Minneapolis SAC found certain law enforcement practices were causing minority group resentment. These practices were use of abusive language, discriminatory enforcement of the law, harassment of members of minority groups, illegal police conduct and failure to provide protection.

1. Abusive language. Testimony indicated that some police officers used profane language when dealing with Indians and Negroes.
2. Discriminatory law enforcement. Testimony was given alleging that Negroes were arrested when white members of the same group of violators were released.
3. Harassment of minority groups. The police of St. Paul were accused of conducting illegal shakedowns in Negro areas to make "easy arrests" for various violations. The Minneapolis police try to disperse racially-mixed groups. In one instance the police forced a group of Indians peacefully eating in a cafe to leave.
4. Failure to provide protection. The only allegation involved a refusal of police to provide protection to an Indian on the grounds that they did not want to become involved in a family squabble. General allegations of failure to enforce the law generally in Negro areas were made.

Jonathan Fleming

Check List for Administration of Justice Field Studies

The following are suggested questions and items of interest which must be covered by personnel in the field. This is not an exclusive list. Many other questions may well be asked. The major object of these investigations is to obtain information which is solid, which goes much beyond newspaper accounts. Questions in one category may apply to another and should be asked when applicable.

I. Police Brutality Cases: Specific Incidents

1. What were the exact facts of the incident?
2. Did the victim do anything to provoke the attack?
3. If the police shot the victim, how close was the victim to the police at that instant?
4. Did the victim have a weapon in his hand or nearby?
5. Was there a previous instance involving hostility between the victim and the police?
6. What is the general reputation of the police officers involved among the colored community?
7. What was the physical build (height and weight) of the police officers and of the victim?
8. In the case of eye-witnesses (in whom we are not interested) obtain information on the state of their eye-sight; their proximity to the incident; the time of day; climactic conditions, especially as to ^vavailable

light at the time; witnesses' criminal record;
any past instances of hostility between witness
and the local police, and so on.

9. Does the police officer, when interviewed by you,
show signs of hostility to Negroes (your opinion)?
10. Are there major discrepancies between the story
as related by the victim, by witnesses, by the
police officer, or by the original police report?
If so, attempt to reconcile these discrepancies
by further interviews or research.
11. After having heard all the "testimony" on a case,
the investigator should state briefly what his
opinion is as to the true facts.
12. How did the local newspapers report the case
(sympathetic to or critical of police?)?
13. Was this case the subject of an investigation or
prosecution by a state or federal agency?

II. Interracial Violence: Specific Incidents

1. Make certain that this incident fits within the
scope of our study: violence, between races where
there is (a) police connivance or assistance; or
(b) lack of investigation or prosecution by police
or local prosecutor.

*of a civil
rights suit under state Civil Rights Act?
of an action for damages*

2. What were the exact facts of the incident?
3. What kind of investigation, if any, did the police make?
4. What explanation did the police and prosecuting officials give for their alleged connivance or for their lack of action? To local people? To the CCR investigator?
5. Were the private individuals involved in the violence part of an organized group such as the K.K.K.?
6. What is the apparant reason why the victims were selected to be attacked?
7. If Negroes are prevented from voting freely in the county, does there appear to be any relation between this situation and the fact that the local prosecutor did not prosecute in this particular case?
8. How did the local newspapers report the case?
9. Was this case the subject of an official investigation?

III. General Information on Administration of Justice in Area.

1. In general, is a Negro treated the same as a white person by the police? By judges? By jail keepers?
2. Is it common police practice to beat prisoners in order to obtain a confession? If yes, does it

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appear that Negroes are subjected to this practice more than whites?

3. If there have been claims of unjustified police brutality recently, in which the interviewee was not involved, what is his opinion of the validity of these claims?
4. Have any Negroes or other minority groups been the object of mob violence in recent years? If so, what was the apparent reaction of the police and other law enforcement officials?
5. Have there recently been any incidents of violence against Negroes which appear to have deliberately *BEEN* allowed to go unpunished?

*Many of these
are good
questions*

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CCR Form No. 15
4/1/60

FIELD INVESTIGATOR'S CHECK LIST - COMPLAINTS

This is a list of subjects, other than denials of the right to vote, upon which field investigators may find complaints of the sort that might warrant the reception of testimony at a Commission hearing. No space is provided for filling-in of details, for it is assumed that reports of such complaints will require lengthier explanations than can be put into a prepared questionnaire.

1. Have there been in recent years any incidents of apparent harassment of Negro attorneys to discourage certain sorts of litigation or force them to move elsewhere?
2. Have there been in recent years any incidents of apparent discrimination against Negroes with regard to their admission to the bar?
3. Do the police and/or sheriffs commonly search homes of Negroes without a warrant?
4. Do the police and/or sheriffs commonly arrest Negroes indiscriminatorily when certain crimes are committed?
5. Do the police and/or sheriffs sometimes beat or otherwise maltreat Negroes in their custody?
6. Do the police and/or sheriffs sometimes obtain confessions from Negroes by force?
7. Have there been cases of Negroes being killed or seriously injured by police maltreatment within the last ten years?
8. Have any Negroes been the object of mob violence in recent years? If so, what was the apparent reaction of the police and/or sheriffs?
a) Attempted to prevent it. _____ c) Encouraged mob action. _____
b) Indifferent to mob action. _____ d) Actually helped mob. _____
9. Have there been in recent years any incidents of violence against Negroes which appear to have been deliberately allowed to go unpunished?
- omit* 10. Has consideration been given to the bringing of any suits in the county for the purpose of desegregating the schools or public accommodations?
- 10 Have there been any suits brought in recent years by Negroes against police or other officials with regard to claims of brutality or mistreatment?
- 11 Has there been any economic harassment of Negroes to penalize or prevent the bringing of such suits?

12 ~~13~~. Has there been any police harassment which appears to have this purpose?

13 ~~14~~. Has there been any police harassment of members or officers of the NAACP?

14 ~~15~~. Are there any towns in the county where Negroes are not allowed to reside?

14 ~~16~~. Are there any places in the county where Negroes may not be on the street after dark?

17. Have there been any cases of qualified Negroes being refused employment by state or federal agencies on grounds of race?

18. Have there been cases of qualified Negro students being refused admission to state-supported institutions of higher learning?

19. Have there been any cases of ^{police} harassment or ^{police} coercion of teachers with regard to the expression of views, or membership in organizations, concerned with segregation or desegregation of schools?

20. Are there substantial complaints regarding the allocation of public funds for minority group housing?

GENERAL SERVICES ADMINISTRATION
ROUTING SLIP

TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
1.	Mr. F. M. Meloy										
2.	file					R-22					
3.						4/5/65					
4.						ofo					
5.											
<input type="checkbox"/> ALLOTMENT SYMBOL <input type="checkbox"/> HANDLE DIRECT <input type="checkbox"/> READ AND DESTROY <input type="checkbox"/> APPROVAL <input type="checkbox"/> IMMEDIATE ACTION <input type="checkbox"/> RECOMMENDATION <input type="checkbox"/> AS REQUESTED <input type="checkbox"/> INITIALS <input type="checkbox"/> SEE ME <input type="checkbox"/> CONCURRENCE <input type="checkbox"/> NECESSARY ACTION <input type="checkbox"/> SIGNATURE <input type="checkbox"/> CORRECTION <input type="checkbox"/> NOTE AND RETURN <input type="checkbox"/> YOUR COMMENT <input type="checkbox"/> FILING <input type="checkbox"/> PER OUR CONVERSATION <input type="checkbox"/> YOUR INFORMATION <input type="checkbox"/> FULL REPORT <input type="checkbox"/> PER TELEPHONE CONVERSATION <input type="checkbox"/> <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____											
REMARKS											
<p>This reminds me that we will need a survey of the resources + staff of the FBI, marshals, etc... to carry out any recommendations we may make in the Federal protection report</p>											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
[Signature]						TELEPHONE			DATE		

Bigger Staff Sought by FBI for Rights, Security Work

By Paul A. Schuette
Washington Post Staff Writer

FBI Director J. Edgar Hoover has told Congress that his agency is being overwhelmed by a rising tide of civil rights cases and security checks on Federal workers.

He requested 262 more special agents and 287 additional clerical employes to handle the growing workload.

Hoover outlined those requirements last month during House hearings on a \$10.6-million supplemental appropriation requested by the FBI for the current fiscal year. The transcript was released yesterday.

He asked for \$3.8 million for

civil rights investigations, pointing out that the FBI has received more than 1000 cases under the 1964 Civil Rights Act.

That increase, he said, came on top of a record 3340 civil rights investigations in fiscal 1964, a 24 per cent increase from the previous year.

Hoover proposed hiring 200 agents and 130 clerks to handle the cases. He also requested \$224,000 for 100 cars and \$406,000 for special equipment.

This will include surveillance equipment, radios for the new cars and a radio station for the FBI's new office in Jackson, Miss., he said.

Hoover requested another

62 agents and 40 clerks for comprehensive security investigations of White House personnel. Up-to-date investigations were ordered last October in the aftermath of the Walter Jenkins case.

Secret Service Expansion Backed

The House Appropriations Committee cleared funds yesterday for a major expansion of the Secret Service.

But the Committee warned that "adequate protection of the President is not to be found in numbers of personnel only, but in the quality of

protective measures and in the wholehearted cooperation among law-enforcement agencies as well."

The Committee recommended a \$12.6-million budget for the Secret Service in fiscal 1966 — nearly 70 per cent above the \$5.1 million originally appropriated for the agency last year.

The buildup, which includes 233 additional agents and the introduction of automation in processing security records, is an outgrowth of the Warren Commission's report on the assassination of President Kennedy 16 months ago.

The Committee's warning that numbers alone cannot assure adequate presidential protection also springs from the Warren report. The Commission was sharply critical of the lack of coordination among the Secret Service, the FBI and other law enforcement agencies prior to the assassination.

Secret Service Chief James J. Rowley told an appropriations subcommittee at hearings earlier that a written agreement has been signed with the FBI to assure closer cooperation.

He said the Secret Service

is getting about 6000 referrals a month, most of them from the FBI, on people or groups that could be a danger to the President.

The Service has 240,000 index cards in its protective research files now and expects the number to grow to 365,000 by the end of next year, he said.

Nearly 100 additional agents are to be assigned to the Service's 65 field offices to check out potentially dangerous individuals and take charge of advance work and provide protection during trips by the President.

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