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REPORT
ON
CALIFORNIA:
POLICE - MINORITY GROUP
RELATIONS

BY THE
CALIFORNIA ADVISORY
COMMITTEE TO THE
UNITED STATES COMMISSION
ON CIVIL RIGHTS

AUGUST 1963



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POLICE-MINORITY GROUP RELATIONS IN LOS ANGELES AND THE SAN FRANCISCO BAY AREA



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Report of the California Advisory Committee
to the
UNITED STATES COMMISSION ON CIVIL RIGHTS
AUGUST 1963
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Preface

This report was submitted to the United States Commission on Civil Rights by the California Advisory Committee. The California Committee is one of the 51 Committees established in every State and the District of Columbia by the Commission pursuant to section 105(c) of the Civil Rights Act of 1957. Its membership consists of interested citizens of standing who serve without compensation. Among the functions and responsibilities of the State Advisory Committees, under their mandate from the Commission on Civil Rights, are the following: (1) to advise the Commission of all information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; (2) to advise the Commission as to the effect of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution; and (3) to advise the Commission upon matters of mutual concern in the preparation of its final report. The Commission, in turn, has been charged by the Congress to investigate allegations, made in writing and under oath, that citizens are being deprived of the right to vote by reason of color, race, religion, or national origin; to study and collect information regarding legal developments constituting a denial of equal protection of the laws; to appraise Federal laws and policies with respect to equal protection; and to report to the President and to the Congress its activities, findings, and recommendations.

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Introduction

The California Advisory Committee held meetings in the two major Metropolitan Areas of California--Los Angeles (September 1962) and San Francisco-Oakland (January 1963)--to ascertain the state of police-minority group relations. The major burden of this report is to describe these relations. The Committee's reception in Los Angeles on the part of certain city officials, however, was so surprisingly hostile that the events preceding the Los Angeles meetings are stated in some detail. The Committee believes that this reception was symptomatic of the deteriorated state of community relations, at least at that time.

The Committee met first in Los Angeles in late June of 1962 and decided to devote its attention to the relationships between minority groups, especially Negroes, and police departments in the major Metropolitan Areas of California. This decision recognized the prominence of police-minority group disputes during the recent past in California, the number of allegations of unequal administration of the law, and the Committee's view that nothing goes more to the heart of equal protection than the application of laws by law enforcement agencies.

At its initial meeting, the Committee, in executive session, heard a series of complaints by Los Angeles Negroes charging that Los Angeles police officers use excessive violence in effecting arrests of Negroes, arrest Negroes for acts ignored when committed by whites, and harass Negroes in a discriminatory manner. This leveling of charges was not surprising in view of an incident which had occurred in April 1962, involving Black Muslims and Los Angeles police officers, in which a number of Negroes and police officers were shot and injured. Subsequently one of the Negroes died. The incident became a focal point for organized Negro objections to alleged discriminatory treatment by the Los Angeles force. Numerous Negro organizations, most of which were unconnected with the Black Muslims, joined in these protests.

The Committee determined to hear no statements concerning the riot at the Los Angeles meeting scheduled for the following September, as a number of persons had been charged with crimes arising from it. Moreover, the Committee's interest was much broader than this incident. It hoped that by speaking with community leaders, representatives of civil rights organizations,

city and county officials, and law enforcement officers, it would get an accurate feeling of the relationship of minorities and the police departments in, first, the Los Angeles area and then, later, in the San Francisco Bay Area.

1. Events Preceding the Los Angeles Meetings

The background events relevant to the Committee's reception in September began the preceding April and May. The first event of importance was the April 27 incident referred to above. Following that altercation, Chief William H. Parker of the Los Angeles Police Department called upon the County Grand Jury to conduct an investigation of the Muslims. The Chief alleged that the police were doing their duty properly and had been unjustly accused of brutality. Mayor Samuel Yorty of Los Angeles issued a public statement condemning the Muslims and decrying irresponsible Negro leadership. Contemporaneously, several meetings were held in the Negro community, organized to protest alleged police bigotry.

The California Advisory Committee's decision in June to canvass police-minority group relations apparently gave protesting Negroes their first full opportunity to focus public attention on their allegations in a disinterested forum. The Committee, through Vice Chairman Loren Miller, who had been designated by Chairman Pike to organize the Los Angeles meetings, began to operate in July. Miller sent letters to numerous civil rights organizations and law enforcement officials requesting that they attend the meetings and discuss with the Committee a broad range of topics relating to law enforcement and equal protection of the laws.

Public announcement of the forthcoming meetings and of Miller's role as presiding Committee member marked the commencement of a series of charges suggesting that the Committee was biased against the Los Angeles authorities. In August, the Los Angeles Fire and Police Research Association wrote to the Commission on Civil Rights suggesting that the September meetings may "be used as an arena to level propoganda charges against law enforcement officers." The association charged that Miller was long associated with organizations which spread "unsubstantiated accusations of police brutality." Assemblyman Joseph C. Shell, unsuccessful candidate in the Republican primary for Governor, accused the Committee of violating public law by scheduling "hearings." "This shocking misuse of the state committee," he said, "must be halted." Shell, apparently, based his criticism on the rules that the U.S. Commission on Civil Rights itself promulgated to guide its Advisory Committees. These rules which were published in the Federal Register on May 12, 1962, under the title "Statement of Operations and Functions," bar State Advisory Committees from holding formal hearings. Public meetings, such as those conducted by the California Committee, do not fall within the scope of this prohibition, since

they involve neither the issuance of subpoenas, nor the hearing of sworn testimony, nor any other salient characteristics of a formal hearing.

In August, Mr. Miller decided to step down as presiding member and to abstain totally from the meetings in order to preserve the appearance as well as the actuality of complete objectivity, and because he had been retained by the defendants in the case growing out of the April 27 incident. Mr. Miller refrained from further participation in the public meetings of the Committee and took no hand in the preparation of this report. Bishop Pike then appointed the Committee's Secretary, Professor Ira Michael Heyman of Berkeley, to preside, and Heyman immediately wrote letters to Mayor Yorty and Chief Parker, again asking them to appear at the September meetings. Neither Yorty nor Parker had responded to Miller's initial invitation.

In early September, there was little mention of the meetings in the Los Angeles press. Communications received by Heyman from various city officials, including the Chief of Police, indicated that the Committee's reception would be as gracious as in prior years in Los Angeles and elsewhere when it had held meetings concerning housing, employment, and education. Heyman arrived in Los Angeles on September 12. To his surprise, he was met at the airport by a request that he appear at a press conference "to answer the charges that Mayor Yorty has today leveled against the Committee." The charges had been made earlier that day by the Mayor at a press conference in which he referred to his letter of September 6, 1962, to Heyman. That letter informed Heyman that Yorty would be unable to appear at the meetings of September 13 and 14, but that the Chief of Police would be in attendance. The Mayor stated in his letter, "I would like to inquire as to the background of the particular meeting: Who asked for it? Why was it scheduled at this time? What is the purpose of it? Who recommended the members of the California Advisory Committee to the appointing authority?" After indicating that Los Angeles had progressed in solving race relations problems, the Mayor made the following statement: "It is possible that your Committee meeting may prove to be a sounding board for dissident elements desirous of using your meeting to lend a semblance of respectability to irresponsible charges made not under oath but rather without control necessary to insure accuracy and responsibility. This is a serious matter with which you propose to deal in this community. Your meeting was heralded by the Communist press before I was informed about it. Under the circumstances, I am concerned lest you damage race relations in this community, and arrest the progress we are making towards improving race relations."

The implicit charges contained in the letter had been expanded by the Mayor at his press conference when, asked by a reporter whether he believed that the Committee's investigations were Communist-inspired, Yorty, in substance, said that he did not know but that it was surprising that the Communist press had been informed about the meetings prior to his receiving any information. And according to newspaper accounts of September 12, Yorty "flatly charged that the Communist press and other groups have been inciting and encouraging persons to appear at the meeting to make charges against the local police department and other agencies."

The Mayor's charges were unknown to Heyman at the time of his press conference. He had not previously seen Yorty's letter of September 6, because, according to its postmark, it had not been mailed until September 11. The letter, therefore, had arrived in Berkeley on September 12, the day that Heyman had left for Los Angeles. The Mayor's ancillary comments at his press conference, of course, were not published until later in the day.

In addition to the Yorty charges, the press on September 12, carried a statement by Assemblyman Shell in which he was quoted as stating: "I am completely shocked at the procedures that have been employed thus far, not only in the area of thought control manipulation by questionable forces, but by the utterances of certain members of the California Advisory Committee." After again criticizing Loren Miller, who had removed himself as presiding Committee member, Shell objected to the selection of Professor Heyman to head the Los Angeles meetings on the grounds that Heyman was from the San Francisco Bay Area and "has consistently opposed the existence of the House Committee on Un-American Activities."

The Committee was shocked by the Shell and Yorty charges. Heyman, for the Committee, at the beginning of the meetings on the following day, said: "The press has indicated that some effort has been made to suggest a linkage between this Committee and Communist elements. This is deeply shocking to this Committee. If these suggestions have been made to indicate identification between the Committee and such elements, it indicates a failure to be informed of the membership of this Committee. If the suggestion is that meetings which have racial discrimination as a topic aid Communist aims, it represents a viewpoint which would stifle all inquiry into trouble spots in our democracy; thereby, in our view, aiding Communist aims." Thereafter, Heyman wrote a letter to Yorty answering the questions raised by the Mayor's letter of September 6, in which in part, he stated: "Before closing, I think it necessary to comment on two further matters: The first concerns your highly critical public remarks questioning the motives of the Committee members which you made at your press conference of September 12. Your statements apparently were designed to infer that

the members of the Committee were either affiliated with so-called 'communist elements' or were 'communist dupes.' To suggest either alternative is so unreasonable that a detailed answer to your remarks is unnecessary. However, I would like to bring to your attention the names of my colleagues on the Advisory Committee who sat at the Los Angeles meetings, which should put to rest any real or fancied worry which you might entertain. The Committee includes: The Right Reverend James A. Pike, Chairman; Rabbi Morton A. Bauman of your city; William Louis Becker, area representative of the Jewish Labor Committee; Mrs. Majorie H.E. Benedict, former Republican National Committeewoman; Dr. Reynaldo J. Carreon, Jr., former member of the Los Angeles Police Commission; The Honorable Robert J. Drewes, Judge of the Municipal Court in San Francisco; Alpha L. Montgomery, San Diego attorney; and Dr. Hubert Phillips, Professor Emeritus of Fresno State College.

"I must say for myself that as a person who deeply believes in our brand of rational democratic government I am dismayed that the Mayor of one of America's leading cities would resort to suggestions of the type included in your press conference."

In view of the advance publicity, the meeting of September 13 was moved from the Post Office Building to the State Office Building to provide seating facilities for the expected crowd. The mood at the outset was one of tenseness and expectancy. Film and television cameras were trained on the Committee and klieg lights illuminated the whole room which was filled to capacity. The meetings provided the first full confrontation in an impartial forum between the Los Angeles police authorities and outspoken Negro critics who apparently had been frustrated previously in bringing their charges to public view.

The testimony at the meetings and a minimum of additional research provide the basis for the following description and analysis of Los Angeles.

2. Law Enforcement and Minority Groups in Los Angeles

NEGRO POPULATION IN LOS ANGELES

Los Angeles County is a sprawling area with well over 5-1/2 million people. The city of Los Angeles has in excess of 2-1/2 million of which approximately 334,000 are Negroes. Of this number, 313,000 or almost 93 percent, according to the 1960 Census, live in the city's Central District. Most of the remaining 21,000 live in three other areas of high Negro concentration. Approximately 62,000 additional Negroes reside in 67 other incorporated cities in the county. However, 59,000 of these are located in largely segregated areas of five of these cities. Only 3,718 reside elsewhere in the other 62 cities. This means that 92 percent of the total Negro population of the county of Los Angeles lives in substantially segregated areas.

Much of this population is of fairly recent origin, for it is true in Los Angeles as in other cities of the North and West that Negro migration in the past 10 to 15 years has been extraordinarily high. The increase in nonwhite population in the county between 1950 and 1960 was 113.7 percent. The Negro population between 1950 and 1960 rose by 243,665 in the county and by 163,707 in the city. This migration has altered the historical inter-group relations in the community. A relatively immense Negro population is highly isolated. According to John Buggs, Executive Director of the Los Angeles County Commission on Human Relations, this "total situation produces Negro communities in which people live their whole lives without or with minimum contact with other races. With the Negro population numbering in the hundreds of thousands and with this population densely concentrated, one can live, eat, shop, work, play, and die in a completely Negro community. The social isolation . . . is more complete than it ever was for the Negro rural resident in the South. In such communities," states Buggs, "the most easily discernible relations between the majority and the minority groups are in the more formal points of contact. These contacts are usually in an authoritarian setting such as teacher-student, employer-employee and in police contact situations. This has led to a considerable deterioration in the relationships between minority groups and the police."

NEGRO ATTITUDE CONCERNING DISCRIMINATION IN LAW ENFORCEMENT

It is clear to the Committee that many Negroes in Los Angeles believe with or without justified reason that they are the object

of discriminatory law enforcement by Los Angeles police authorities. Buggs stated, "I don't think there's any question at all but what the vast majority of the Negro population of this county believes that there is unequal administration of justice. I don't believe-- and this is a very broad statement and I realize it--that I could find a thousand Negroes out of the 461,000 who would think otherwise." This sentiment was echoed by NAACP officials, the Community Relations Conference of Los Angeles, the California Democratic Council, CORE, and the American Civil Liberties Union, and was clearly suggested by a statement filed with the Committee by the Southern California Council of Churches.

Chief Parker of the Los Angeles Police Department disagreed. He stated that he did not think that the police department had a "bad image among the Negro community, the majority of them" and that "basically I do not believe that there is any difficult problem existing in the relationship between the Los Angeles Police Department and the Negro community." The Chief did allude, however, to elements who are trying to inflame the Negro community with false charges of police brutality. The President of the Los Angeles Police Commission at first echoed Parker's statements, saying that he, too, did not believe that an attitude existed among a substantial part of the Negro community that Negroes are the subject of unequal enforcement or arbitrary enforcement of the law. He qualified this, however, by stating that Negro leaders "do not believe there is a lot of brutality." He then further qualified it by saying that these leaders knew there was a lot of conflict especially concerning force applied at the time of arrest. The Committee concluded that the attitude and opinion of the great majority of Los Angeles Negroes was one of expectation of unequal law enforcement. This is not to say that this attitude, described by Buggs, which expects harassment, excessive force, and illegal arrest, is necessarily justified by facts and occurrences. But, whether justified or not, the opinion clearly persists.

The widely shared opinion is perhaps due mainly to the social and geographical isolation of the Negro in Los Angeles. According to John Buggs, "A situation is being created in which the claim by minority group persons of police brutality and the counterclaim of police agencies of minority group resistance to police authority are beginning to be self-fulfilling prophecies." In other words, "If Negroes and Mexican-Americans in this community begin to feel that in every contact with police officers they may expect to be roughly treated, and if the individual police officer begins to believe that he will meet with resistance whenever he attempts to discharge his duty in stopping, questioning or arresting the Negro or Mexican-American, a situation may develop in which the very expectations of opposing parties will create what each expects." Buggs concluded, "The police represent one of the most easily identifiable authorities in any society. To many elements of our society

it represents the only authority with which daily contact is possible in one fashion or another. It is, therefore, the easiest and most obvious authority against which they may rebel. This is certainly true in a highly segregated and concentrated minority group community. Police authority inevitably becomes the symbol of what they consider to be the entire community's apathy toward them."

On review, the Committee felt that one of Los Angeles' chief problems is that little has been done to dispel effectively the widely shared attitude among Los Angeles Negroes that they are at the mercy of bigoted police.

POLICE ATTITUDE TOWARD THE NEGRO COMMUNITY

At the outset, it is important to reiterate that the Committee did not hear sworn testimony nor could it subpoena witnesses. Consequently, its meeting was not the kind of proceeding in which it could determine whether there is a factual basis for the allegations that the Los Angeles Police Department discriminates against Negroes in the administration of justice. The Committee did hear the statements of three witnesses who described alleged incidents of police violence directed against themselves. Organizational spokesmen of the NAACP, the Community Service Organization, and the American Civil Liberties Union referred to other alleged incidents of a similar nature. These statements were heard chiefly to provide a concrete basis to the allegations leveled against the police in Los Angeles. The Committee did not undertake to determine the accuracy of the specific charges and, as a matter of fact, instructed the participants at the meeting to avoid naming the officers allegedly involved in these incidents.

Most of the Negro and civil rights organization spokesmen who testified believe that there is discriminatory law enforcement in Los Angeles. The types of discrimination most often referred to were excessive violence at the time of arrest, greater activity in surveillance and arrest in areas of minority group concentration, the arrest of Negroes and Mexican-Americans for conduct for which Caucasians are not arrested, discourteous and uncivil police language, conduct and other behavior directed against Negroes and Mexican-Americans, unjustified harassment of Negroes and Mexican-Americans, and an unwillingness and inability of police to distinguish between law-abiding and potentially lawbreaking minority group members. These charges, with one exception, were directed solely against the Los Angeles Police Department. Only the Community Service Organization, representing Mexican-Americans, made similar allegations against the Sheriff's Department of Los Angeles County.

Wendell Green, for the Citizens Committee on Police Brutality, stated that, "The problem of unlawful police violence and abuse of police power is one that has plagued the Negro community of Los Angeles for years." He charged that the Department's treatment of its own officers clearly shows its intolerant attitude. He concluded that, "Thus appears a picture of the Los Angeles Police Department attitude toward its Negro officers -- an attitude of contempt, disrespect and toleration of the 'auxiliary force'; an attitude compounded by tolerated resistance to the breaking of the pattern of Jim Crow assignments creating a climate of hostility similar to the one in the fire department, a persistent squelching of ambitions for advancement that so demoralizes Negro officers that they either escape to other fields of endeavor or . . . try to ride it out until retirement. . . . If the Los Angeles Police Department is shot through with contempt and disrespect for its own members just because of their ethnic background, it is a simple matter to project the attitude of police officers to citizens of the same ethnic background."

Chief Parker categorically denied the allegations. He stressed that the police are the maligned minority, and complained that the police are the only ones being subjected to pressure. Parker also referred to racial crime statistics in his refutation of the allegations. In the past, Chief Parker has referred primarily to statistics which show that Negroes commit a disproportionately high number of violent crimes. On this occasion, however, he spoke about the high number of Negro victims of crime. Such crimes are very often committed by Negro offenders. The Chief considered these statistics relevant to refute the allegation that his department, for discriminatory reasons, concentrates a disproportionately heavy percentage of police officers in the Central District. Parker also stated that the police in Los Angeles would not be driven to relaxing the fight against crime as in other American cities. This, apparently, is an allusion to his statement that there is a demand that he withdraw the heavy concentration of police from the primarily Negro areas.

Parker stated that, in his view, the allegations of brutality basically come down to alleged discourteous behavior on the part of the police -- mainly the use of language offensive to minority group members. He indicated that the Department had recently begun a program to identify and minimize the use of such language.

The statement of Mr. Ellery Cuff, Public Defender of Los Angeles County, also tended to refute the allegations of brutality. Cuff told the Committee that most of the allegations by his clients charging police mistreatment at the time of arrest were withdrawn when the clients were confronted with the results of police investigations refuting the charges.

As stated, the Committee cannot make any determination concerning alleged instances of police brutality and discriminatory enforcement of the law. However, the Committee reiterates that there are numerous people in the Los Angeles area who, with or without justification, believe that such incidents occur and this in itself is a problem of major proportions.

PROCEDURE FOR HANDLING CITIZENS COMPLAINTS OF ALLEGED UNLAWFUL POLICE CONDUCT

The procedures available to investigate citizen complaints of police misconduct are of critical importance in community relations because, if persons who believe they have been treated unjustly have no forum which they trust to explore their claims, their attitude of distrust is never dispelled. This section of the report describes in detail the procedures which were available last September for the investigation of complaints made against members of the Los Angeles Police Department and the Sheriff's Department of Los Angeles County.

The Los Angeles Police Department has an Internal Affairs Division (IAD) which has the responsibility of investigating and evaluating serious charges of misconduct made against police officers. Other charges are investigated by the operating divisions themselves subject to review through the Internal Affairs Division. Disciplinary sanctions are imposed by the Chief or operating division commanders in most cases. In exceptional instances a Board of Rights proceeding is held for this purpose.

In 1926 the City Charter was amended to give the Department sole disciplinary power over its members. This apparently was in response to felt political intrusion into internal affairs of the Department. Prior to 1948 disciplinary matters were handled by the Personnel Bureau of the Department. In 1948, then Deputy Chief of Police William H. Parker was put in charge of forming a Bureau of Internal Affairs to take over this function. When Parker became Chief he made this bureau a division within the Bureau of Administration. The Bureau, in his words, "contains the balance wheels of the department." Last September the IAD was commanded by a captain, and was manned by three lieutenants, and eight sergeants in addition to the clerical staff.

As stated, the major function of the IAD is to investigate alleged misconduct of officers of the Police Department. Its functions approximate those of the military investigatory units that prepare cases for court martial proceedings. It is not charged with a public relations mission. It is responsible for the internal integrity of the Department. The IAD and its operating division investigators process all kinds of complaints made against

police officers. Such complaints might be lodged by superior officers, other officers, city officials, and citizens. The range of complaints is broad. Some allege the use of excessive force against citizens. Most, however, involve bad debts, drunkenness on duty, and the like. In 1961, there were 540 complaints filed. Of these 164 involved conduct unbecoming an officer, for instance, purported criminal activity, financial transactions with a prisoner, misuse of position, discourtesy, the use of profane language, and making false reports. Thirty involved charges of dishonesty; 20 involved the use of intoxicants; 168 involved neglect of duty of which 115 involved failing to follow department regulations; and 121 involved excessive force.

The sources of these complaints were mainly threefold. Over 23 percent came from the police department itself. Nearly 12 percent came from government agencies. Approximately 64 percent came from individuals, presumably ordinary citizens. The type of complaint determines the type of investigation conducted. In 1961, for instance, of the 540 complaints filed, 435 were investigated by the operating divisions, 90 by IAD, while 15 merited the attention of both IAD and the individual division. According to its annual report for 1961, IAD assumes investigation of personnel complaints when: (1) personnel of more than one division are involved, (2) the personnel complaint or the investigation is of a nature that it would be impractical for the investigation to be conducted by the concerned commander, (3) sufficient supervisory personnel to conduct the investigation are not available at the division level, (4) adequate investigation facilities are not available at that level, or (5) when directed by the Chief of Police or requested by an officer of staff rank. The vast majority of the other cases are assigned to the concerned division for investigation and recommendation.

In nearly every case the Chief of Police is ultimately responsible for the disciplinary sanction which is imposed on an officer whose conduct has been found to warrant punishment. In some instances, either because of the type of conduct alleged or at the request of the accused officer, a Board of Rights proceeding is instituted. This is a formal administrative trial in which the officer has the panoply of procedural due process.

In 1961, of the 540 complaints that were filed, 248 were sustained, 133 were not sustained, 20 officers were exonerated, 117 complaints were found to be baseless, and in 22 cases misconduct was found but not based on the complaint itself. Only 5 of the 121 complaints involving the use of excessive force were sustained. These proceedings resulted in 4 warnings, 28 admonishments, 34 official reprimands, 3 cancellations of special days off, 49 relinquishments of days off, 31 summary suspensions, 11 resignations in lieu of disciplinary action, 2 retirements in lieu of disciplinary

action, 18 suspensions imposed by the Board of Rights and 4 removals imposed by that same body. At the divisional level, 13 warnings were issued, 35 admonishments, 43 cancellations of special days off, and 24 relinquishments of regular days off. The number of complaints and convictions was quite low in relation to the number of police contacts.

Until recently, the normal procedure apparently, in the case of a citizen complainant, was for the individual to go to police headquarters where he made his complaint to those division personnel charged with receiving it. Investigation proceeded either at the division or at IAD level. Individual complainants rarely were notified of the outcome of the investigation when it was over. As will be explained below, a new procedure is now available to citizen complainants.

Most participants at the September meetings were outspokenly critical of the Los Angeles Police Department investigatory procedures. They stated that IAD (and apparently the divisions) was unsympathetic to complaints of racial discrimination and use of excessive force, that the investigators were out to protect the police, were hostile to the complainants, and intimidated complainants by threatening prosecutions if complaints were not sustained, and by harassing complainants at their homes and jobs. One witness stated that the complaint procedure was fruitless because most Negroes feared making such complaints or did not think that the complaints would come to anything. In many instances, Negro workers could not take a day off the job to make a complaint. (Chief Parker had stated that the Department would not take complaints except in person.) The president of the local branch of the American Civil Liberties Union stressed that most lawyers advised against filing complaints because they do not believe anything would come of them and feared that complainants might be harassed on account of such filings. Two individual witnesses stated they had been harassed by investigators from IAD. The Community Service Organization indicated that it had no confidence in the procedures.

In February of 1962 the Police Commission (a body of five civilian members appointed by the Mayor and charged with general supervision of law enforcement policies) instituted a new complaint procedure which, apparently, as of the September meetings had not been fully utilized. Under the procedure a complaint desk has been established in the "Commission's domain" in the central administration building. The desk is manned by a policewoman. She receives the complaints either in person or by mail. The Police Commission reviews the complaints in executive session. The Committee does not know whether the Chief is present at such sessions. If the Commission needs more information, it asks the Chief of police to investigate. This is done through IAD. The Commission will

apparently schedule a hearing if the complainant wants it and if it appears to the Commission to be wise. None had been held as of September. The Commission then determines the appropriate action to be taken and recommends this to the Chief. It was not made clear whether the Chief is obligated to follow the directive. In fact, the authority of the Commission under the City Charter to order specific disciplinary action is unclear. If the Commission finds that the complaint is unfounded, it writes to the complainant stating in essence "In our judgment this is what happened and we trust you will be satisfied. We do not feel that your complaint is substantiated."

President Kenney of the Police Commission indicated that between February and our September meetings the Commission had been quite active in apprising the community of this new complaint procedure. The procedure had been outlined in the press, on television, on radio and before numerous community groups by the Chief of Police, the Mayor and by individual members of the Commission. He stated that "it is the sincere desire of all of us that every citizen in the city may know about this program." Spokesmen for the civil rights organizations in attendance, however, indicated that they had little knowledge of the new procedure. A few organization spokesmen stated that it was too early to know how the new procedure would operate and that their organizations were not yet ready to indicate whether they would cooperate.

The procedure for instituting complaints against officers of the Sheriff's Department is much less formal. Such complaints are investigated by the Personnel Bureau with action taken at an under-sheriff or sheriff's level. Sheriff Pitchess reported that he personally sees every complaint that is filed and that his office is willing to take complaints either by mail or in person. No criticisms concerning the complaint procedure were made at the meeting against the Sheriff's Department. And Sheriff Pitchess, unlike Chief Parker, gave little specific information concerning the subject matter and frequency of complaints and their dispositions.

Numerous organizations recommended the establishment of a police review board--a board independent of the police department which would review citizen complaints. Chief Parker was outspokenly opposed to such a board. He stated that the American Civil Liberties Union is "trying desperately to impose a police review board on the police departments of the State." In response to the question whether it might be of any advantage to the police department to have an independent impartial body which held regular hearings going into complaints leveled against officers of the department, the Chief replied, "Oh no, not unless that independent impartial body also wants to assume responsibility for the police department." He indicated that in his view the Philadelphia experience with such

a board was a failure and he characterized review boards as "a group of people who have some subjective interest in wanting to get control over the police, that want to set themselves up as a board without responsibility, with authority to go into these cases, retry them, come to different conclusions and then attempt to impose their will on the police organization." In Parker's words, "This violates every principle of administration as taught in any university in America." After stating that persons who allege that they have been subjected to illegal physical violence have many places to turn, for instance the FBI, the Chief stated:"Too many of these people do not realize that they are attacking our system of justice. I think there is only one substitute for this system and that is the totalitarian system, and they execute you and talk about you later. I think they had better be very careful as they start to lash out against the American system of justice to realize that it is a refined system terrifically democratic in which we go so far overboard that we get cases like the Chessman case and so, before you throw that system away, these people better take a long look at other types in the world because, you see, the Government of the United States as it exists today is the oldest government of its kind in the world today."

In summary, Chief Parker and later Sheriff Pitchess were quite hostile to police review boards on the grounds that the wrong kind of people would get on them, that police discipline and morale would be harmed, and that the departments would be weakened.

The complaint system is one of the main issues at controversy between minority groups and the Los Angeles Police Department. As is clear from the foregoing, the Police Department sees the IAD operation as an internal check on the conduct and behavior of the officers of the force. From Chief Parker's point of view, IAD has no public relations function. Discipline is purely an internal matter and in the Chief's outspoken view any move to shift disciplinary responsibility outside of the Department would seriously affect the Department's morale. This attitude, understandable from the viewpoint of a police commander, has led apparently to rather complete insensitivity to the value of, at least, publication to the complainant of the results of an investigation. Moreover, in the Committee's view, the whole framework has led to distrust on the part of many Los Angeles citizens in the investigatory objectivity of IAD. The Committee makes no finding whether or not this distrust is justified. It may well be, in fact, that it is quite unjustified. Nevertheless, the distrust exists and the attitude is corrosive.

In the Committee's view it is crucial that complaints relating to alleged discrimination--especially in the use of force--be aired before an agency not as internalized as IAD. Complainants should be given the opportunity to make their complaints in a dignified forum, should be apprised of the nature of the investigation,

and should be notified of its outcome. It is possible that the procedures outlined by Commission President Kenney are the rudiments for such a process. Apparently the new procedure envisages the filing of complaints with a Police Commission representative, the possibility of adjudicating the charges before hearing officers or some sub-body of the Commission, and notification to the complainant of the outcome. Such a procedure would seem to avoid the difficulties outlined by Chief Parker and Sheriff Pitchess with completely "outside" police review boards, and it would give complainants the opportunity to present their charges to an agency which is not so directly involved with the actual process of law enforcement. This process would seem to assure complainants that alleged incidents of violence and discourtesy would be investigated openly because there would be much less of a motive to suppress incidents which might reflect badly upon the performance of the force itself.

COMMUNITY RELATIONS PROGRAMS

Chief Parker, in May of 1955, addressed a session of the National Institute on Police Community Relations sponsored by the National Conference of Christians and Jews. The title of his address was "The Police Role in Community Relations." In it he showed a highly sophisticated awareness of the importance of community relations programs. The Chief referred to Los Angeles as of that date as a city "characterized by a quality of intergroup cooperation which renders it almost unique among our great cities." He attributed this in large part to professionalization of the police department. He stressed public responsibility for the police standards, pay scale, and recruitment. He also stressed the quality of training for Los Angeles police officers which included courses in applied human relations. Chief Parker said in cadet classes "statistical diagrams of the composition of the city are studied. The various peoples are discussed, the movements of groups are traced, and the tensions resulting from these movements are pinpointed and analyzed in detail. The racial composition of police districts is an important lesson here because it must be made clear that there are no 'Jim Crow' areas, no 'Ghettos'."

In the address, Parker described how a Chief of Police from a midwestern city had made an inspection tour of the Los Angeles Department and had been particularly interested in the extremely low percentage of complaints alleging prejudicial treatment of minority group members. Chief Parker attributed this to community cooperation, to the departmental policy of refusing to recruit applicants with high intolerance levels, to departmental success in controlling the results of lower levels of intolerance, and to

the Department's policy of meeting with swift and certain discipline any incident of police action which deviates from the policy that all citizens in Los Angeles are first class citizens.

Chief Parker also described the Department's Community Relations Detail operating in 1955. He said, "The second line community relations effort is handled by specialized police units. One of the most successful units is our Community Relations Detail working out of the Public Information office. Its mission is to establish and maintain communications between police and so-called minority segments of the community press serving them, and key individuals in the human relations field. These officers are members of sixty organizations representing a cross section of specialized community interests. Few police details pierce so deeply into the stratifications of our complex society or maintain so many privileged sources of communication." Parker said that the first task of the Detail was to convince the newspapers to desensationalize accounts of law enforcement against minority group members. He described the Detail as, "first, a public information activity acquainting community groups with police policies, procedures and tactics"; second, transmitting "information in the other direction, keeping the police staff informed about minority and intergroup problems and activities"; third, reporting "police activities which are discriminatory, or may appear to the community to be discriminatory" and, last, operating "as an advance listening post, alert for rumors which might prelude violent conflict."

The situation last September in Los Angeles in the Committee's view, bore little relationship to that described by Chief Parker in 1955, at least insofar as the Negro community was concerned. Uniformly, spokesmen for Negro organizations criticized the lack of communication. One of the Committee members asked Chief Parker, "Is there a continuing liaison between the Police Department and the NAACP?" The Chief replied, "Oh, no, no. You see, they demanded my resignation about four years ago and they haven't withdrawn that demand; and I can read to you, if you have the time, what the national head of the NAACP told our mayor because he hadn't fired me. So I would say, no, there is not any liaison."

There appeared to be a similar lack of contact between the Chief's office and other civil rights oriented organizations in the city. A representative of the Southern California Council of Churches appeared before the Committee and read to it a statement adopted by the general board of the Council urging the establishment of better police-community relations thereby indicating the lack of such contacts at the time of the adoption of the statement. Similarly, the attempt of the Community Relations Conference of Southern California, an organization composed of civic, social,

fraternal, veterans, church, and labor agencies to assist in establishing better lines of communications had been frustrated. The Community Relations Conference spokesman told the Committee that a proposed meeting called to discuss community relations in detail was cancelled by Chief Parker and no further contact was instituted from the Department. Similarly, John Buggs, Executive Director of the Los Angeles County Commission on Human Relations indicated that neither the Los Angeles Police Department nor the Sheriff's Department had ever called on his office for help.

The Sheriff's Department seems however to take special pains to maintain working relations with minority groups. Sheriff Pitchess filed with the Committee a publication entitled "Police Community Relations" which indicates a present awareness of the importance of the Department's image and the many steps presently being taken to assure the best image possible. Apparently these steps have been effective because there was little, if any, criticism leveled at the Sheriff's Department. Moreover, Sheriff Pitchess seems to want to maintain the appearance (as well as the reality) of equal administration of the law. His department, for instance, is willing to process anonymous complaints concerning alleged police misbehavior, and maintains a Community Relations Bureau which has been quite effective in working with Negro organizations in the county.

The Committee, in view of Chief Parker's statements in 1955, was dismayed to find that communications between the Los Angeles Police Department and minority group organizations are totally deteriorated. If effective lines of communication were open prior to September, they were not mentioned by any of the persons in attendance at the meeting. They were not referred to by the Chief himself nor did Commissioner Kenney indicate with any specificity that such contacts were open. Kenney's only reference to such communications was that members of the Commission and members of the Department, especially officers in the Public Information Division, made regular appearances before community groups throughout the entire city.

As this report was being put in final form, the Committee became apprised of a news release issued in the spring of 1963 by the Los Angeles Police Department under the names of Chief Parker and Captain R. F. Rock, Commander of the Public Information Division, which seems to indicate that steps were taken prior to and after the September meetings to ameliorate the apparent breakdown in community relations. The first item of reference was the appointment of a police sergeant to the Public Information Division to establish and maintain close liaison with the minority community. This appointment occurred in April 1, 1962, and, according to the release, the sergeant "has established and has maintained

liaison with news media, clergy, fraternal organizations, business establishments, schools, community organizations and responsible individuals in the community." According to the same release, an additional sergeant was assigned to Public Information in June of 1962 to assist in these activities. It seems strange to the Committee that it was not told of these efforts in September. They were not referred to by either the civil rights spokesmen or the city officials at the meetings.

Other steps have also been taken according to the release.

(1) In June 1962 "a Negro officer was assigned to the Police Academy Training Staff" and "was made responsible for classes in human relations for the recruits, presergeants and sergeants classes." (2) A series of four training bulletins were prepared "to assure that all personnel were simultaneously reappraised of the importance and necessity of proper actions and attitudes while representing the city and the Police Department." (3) "Staff level personnel (commanders and lieutenants) were involved in a series of discussions with the Chief" and Mr. John Buggs. (4) "Staff officers and divisional commanders are now making personal contacts with community leaders to discuss problems affecting their particular geographical areas." (5) There has been an "added emphasis effected for close liaison with local Negro press to assure accurate and timely dissemination of news and better rapport with local and neighborhood newspapers." Similar "contact was initiated with radio stations gearing their programming to the Negro population." (6) "The training division has invited community leaders to discuss problems of human or community relations." (7) "The division commanders have initiated independent programs at the grammar school level to create a more positive image of the police to youngsters" and a similar "program is being developed at the high school level in cooperation with the Board of Education" to provide a continuing rotating assembly with the Police Band and scheduled speakers. (8) A Christmas toy distribution program has been administered closely to assure that all segments of the community received an equitable portion of the toys last Christmas with an emphasis on those obviously deprived areas. (9) Efforts have been made to step up the Negro officer recruitment program by working with the Los Angeles Urban League." Additionally, there has been assignment of Negro personnel to various divisions in which representation had hitherto been minimal (including IAD).

At the time of the September meetings police-community relations seemed chaotic in the city of Los Angeles. The Committee hopes that the activities referred to in the news release are being effectively carried out and administered to remedy this obvious area of distress.

3. Police-Minority Relations in the San Francisco Bay Area

The Committee held its second set of meetings in Oakland and San Francisco in January 1963. Citizens and officials from a number of Bay Area cities and counties appeared. These included Oakland, San Francisco, Contra Costa County, Richmond, Berkeley, San Mateo County, and Menlo Park.

INTRODUCTION

The Bay Area comprises nine counties clustered around San Francisco Bay. Its total population is second in the State only to that of Los Angeles. The 1960 Census enumeration showed a total population in the nine counties of 3,638,939. Of this, 244,411 were Negroes and an additional 123,555 were of other non-Caucasian races. (This does not include Spanish-speaking Caucasians.) Over 238,000 of the Negroes, however, resided in the San Francisco-Oakland Metropolitan Area. There were 83,000 Negroes living in Oakland, nearly 21,000 in Berkeley, over 14,000 in Richmond, nearly 75,000 in San Francisco, and over 10,000 in San Mateo County. The only sizeable concentration of Negroes outside this Metropolitan Area was in Vallejo.

The foregoing statistics show that the Bay Area's Negro population is concentrated in a relatively small, but densely populated area. And, within this area, as in other cities of the North and West, an extremely high percentage of Negroes live in racially homogeneous neighborhoods.

Negro population growth in the past ten to fifteen years has been as phenomenal as in Los Angeles. In 1940 in Oakland, for instance, there were 8,462 Negroes, or some 2.8 percent of the population. In 1960, there were over 83,000 or 22.8 percent of the population. Similar growths were experienced in San Francisco, Berkeley, Richmond, and Vallejo. Many of the newcomers are from the southern part of the United States.

The Committee's reception by officials both in Oakland and San Francisco was gracious in contrast to its experience in Los Angeles. Mayor John Houlihan of Oakland and Mayor George Christopher of San Francisco appeared in person to welcome the Committee. Both presented statements relevant to police-minority group relationships. All of the police and other city officials who appeared seemed to be seeking solutions to a very difficult

problem and were anything but hostile and suspicious of "outside" interference. In large part, their attitudes were echoed by Negro spokesmen who appeared before the Committee. Although, as will appear, there were disagreements between the police and Negro leadership, the overall mood was one of trust and cooperative pursuit of solutions. This led to an openness lacking in Los Angeles, and permitted the Committee to come to grips with many of the underlying problems.

THE PROBLEM

As Seen by Negro Leaders.--Six persons representing Bay Area Negro leadership groups (among them the NAACP, CORE, and the Urban League) appeared before the Committee. They stressed the following points:

Many Negroes in the area dislike and distrust the police, whom they view as the tangible symbol of white authority. These Negroes feel isolated from the community at large. For them this leads to feelings of noninvolvement and the expectation of unfair treatment from police officers. Children are imbued with a "ghetto" attitude. They reject community group values of order. They are told by Negro adults (from Southern States and elsewhere) to expect unequal treatment and they consequently view any police action directed against them as discriminatory. Many Negroes see police saturation of their neighborhoods as a product of bias. These people interpret such police action as harassment rather than the maintenance of security.

According to these spokesmen, on numerous occasions police officers treat Negroes belligerently. All agreed that the belligerence was normally oral--uncivil language, profanity, the use of epithets such as "boy" when referring to a Negro adult. The use of physical force is relatively rare. When this does occur, it is usually at arrest and in response to resistance. This resistance is often the product of police insensitivity, such as name-calling or threats of intimidation. Police often do not understand the dynamics of the Negro community and hence act in a way which stimulates resistance. The fault, however, is not all on one side. Many Negroes fail to see the policeman's side, the difficulty he has in coming into a hostile area to effect an arrest. Moreover, many Negroes resist arrest forcibly when they should go

quietly once it is apparent that the arrest is going to take place. Additionally, many complaints leveled by Negroes charging physical violence are untrue; nevertheless, these charges are believed by the Negro community.

Police are charged with some outright discrimination. One is the use of dogs in San Francisco. Dogs were recently introduced, mainly to aid police in quelling potential mass disorders. Negro spokesmen see this as directed against Negroes--or at least Negro "types" of crime. One spokesman charged that the dogs were introduced only to intimidate the large number of southern Negroes who recently have come to San Francisco. Others stressed Negro fears of physical harm from the dogs, their symbolic quality in view of their historical use against Negroes in the South, and their alleged use only in the Negro communities. A second charge, made against the Oakland police, is that Negroes are arrested for prostitution and gambling while whites are not. (The speaker agreed with a Committee member's observation that this was due in part to the fact that more white prostitutes than Negro operate clandestinely and that gambling by whites occurs most frequently in private places where detection is difficult.) A third charge was that police in both cities harass interracial couples and treat Negro juveniles more harshly than their white counterparts.

Interestingly, intermixed with the charges were statements of praise for the departments involved. The Oakland head of the NAACP, for instance, while stressing the continuing need for communications and understanding, said in response to a question concerning rapport between the Department and the NAACP: "I have the feeling that as a total police organization the Oakland Police Department is head and shoulders above any other law enforcement agency in Northern California. This is not to say that they are perfect, or that they have even begun to approach their responsibility. They have within their Department many individuals who make these types of oppressive actions. But, at the same time, they also are enjoying an influx of new personnel . . . and the people within the Department are taking more of a professional attitude towards their responsibilities to the community." Similarly, the NAACP representative in San Francisco praised recent police efforts in community relations and indicated trust in the Chief of Police's investigations of citizen complaints.

As Seen by the Police.--Six police officials from Oakland, San Francisco, Berkeley, Richmond, San Mateo County, and Menlo Park appeared before the Committee. They all agreed that police-minority group relationships are extremely important to sound law enforcement. They saw the problems as follows:

Four of the officials stressed the high incidence of assaultive crimes in Negro neighborhoods. Each of them, however, showed a sophisticated awareness that the problem was mainly one of socio-economic status, isolation, and general Negro-white relationships. All officials realized that higher concentration of police in Negro neighborhoods is taken as evidence of unequal treatment. But, in the words of the Berkeley Chief, they find themselves on the horns of a dilemma for they must concentrate police in these neighborhoods to maintain law and order--to give all parts of their cities equal law enforcement. Moreover, in their view, the large majority of Negro citizens are law abiding and many of them (for instance in Berkeley) demand additional officers to keep the peace. Interestingly, nearly all of the officials estimated that a relatively small number of Negro repeaters are responsible for the bulk of crimes committed by Negroes. This shows, of course, that a high percentage of the Negro community is law abiding.

Most of the police officials agreed that they are forced to deal with outspoken attitudes of hostility among many Negroes. They see this as a central problem of law enforcement. It affects actual arrests (recently mobs have gathered around officers attempting to arrest Negro suspects). It means also that often the police are afforded no cooperation in enforcing the law. Every officer in attendance stressed that sophisticated community relations programs are necessary to ameliorate this hostility.

Chief Cahill of San Francisco stressed especially that police must learn the whys of the hostility and must constantly work on programs which open channels of communication between the police and the minority communities. He believes, for instance, that the present resistance of Negroes to the use of dogs illustrates a lack of communication. Negroes are not aware, he argued, that the dogs are specially trained, are well-controlled, and are extremely effective police tools to avoid violence, especially in potential riot

situations. Cahill told the Committee that just before the meetings dogs had been used to open up a pathway in a hostile crowd which permitted the extrication of a threatened officer without using physical force or violence.

Two officials confirmed the opinion of the Negro spokesmen in describing alleged "police brutality" as "verbal brutality." Although only one of the officials admitted directly that an officer had been guilty of uncivility and the like, the heavy stress by all on the necessity of training in the proper use of language, manner of arrest, and manner of treating minority group persons indicated that this is a recognized problem.

The police officials agreed that employment of Negro officers helps in gaining the cooperation of the Negro community. They pointed out, however, that there have been considerable obstacles to such employment. These are explored in chapter 5 of this report.

As Seen by a Criminologist.--Professor Joseph Lohman, Dean of the School of Criminology of the University of California and former Sheriff of Cook County, Illinois, appeared before the Committee and analyzed the problem as follows:

The police today in the North and West often find themselves caught between pressures from the Negro and white communities. Negroes are fighting for a change. Whites often are resisting and call on police to aid them in their effort. For instance, if a Negro demands service in a bar or restaurant, is refused, and declines to leave, the white owner calls on the police to arrest the Negro. Or, if Negroes demonstrate in such a way as to invite violent white reaction the police must somehow cope with the potentially violent situation.

Lohman also stressed the police role as a symbol of white authority and the legacy of suspicion and distrust brought to the North by southern Negroes.

Lohman sees education and training of officers and the effective opening of channels of communication between the police and the actual leaders of the Negro community as amelioratives. He praised Oakland's efforts along these lines.

THE ATTEMPTED SOLUTIONS: COMMUNITY RELATIONS AND POLICE TRAINING

Each of the departments which was represented at the meetings has undertaken one or more major steps to communicate with minority groups and to provide training for officers in minority group relations. Representative efforts are reported here:

Oakland.--One of Oakland's major undertakings was a series of three-day conferences for command officers, sergeants, and patrolmen on race relations. Presentations at these conferences included speeches by the President of the Oakland NAACP, the Supervisor of the Oakland Urban League, the Chairman of the Afro-American Association (a militant, somewhat segregationist, Negro organization), representatives of other minority groups, the Executive Director of the American Civil Liberties Union, academicians from the University of California at Berkeley, and government officials connected with Indian affairs. Their statements were directed in a large part to the police personnel--to communicate the motivations, aspirations, and attitudes of the various minority groups. For instance, a leading Negro school board member spoke on "problems of the Negro as an individual in our society." There were also presentations by police officers directed to minority group members explaining the operations of the Department and, most importantly, the Department's current policies and strategies concerning matters of special interest. For instance, there was full discussion of police plans regarding demonstrations.

The Oakland Police Department also participates in Community Council meetings. The Community Councils are neighborhood groups seeking to involve residents in self-improvement projects. Although the Councils are not too active at the moment police officials are trying to use them as channels of communication.

Perhaps the most important fact in Oakland is that there are means of communication open between Negro leaders and the police. The Negro leadership does not believe that the millenium has been reached, but the Committee was impressed by the fact that Negroes believe that progress is occurring.

San Francisco--San Francisco is involved in a police inspired Police-Community Relations Program which has the full backing of Chief Cahill and has been well received by Negro organizations in the city. The program reflects the Chief's commitment to crime prevention in addition to crime detection. Under the program, district organizations are being formed on a seemingly solid basis with citizen leaders within each district selected as chairmen. Meetings of the organizations are regular and they are attended by police officers, often Chief Cahill. A police lieutenant is in charge of the program. At the meetings, which apparently are reaching out to the ordinary resident, problems pertaining to the district are discussed, gripes are aired, and questions are asked. Just prior to our meetings, for instance, complaints were made at a Potrero District meeting about the lack of lighting in an underpass which led to police problems. The lighting was remedied. This was perhaps the first time that the residents of the area had a means for communicating this simple type of complaint. The ensuing relationship is two-way. Prior to our meetings an incipient race riot occurred involving Negro juveniles from the Hunter's Point area. Chief Cahill was able to contact Hunter Point residents through the district organization to try to uncover the causes of the incident and to take steps to avoid any recurrence.

The district program has impressed Negro leaders in San Francisco. Mr. Kenneth Smith of the Urban League stated, "I am particularly pleased to say to you that in recent months the Police Department of San Francisco has initiated a community relations program. My information is that it is having a most rewarding effect in the areas where it has begun to work. Two things are happening. A street of communication working on both sides is developing. The Negro community and other persons in the community are beginning better to appreciate some of the problems and concerns of law enforcement officials, and in turn these officials are getting a little better understanding about some of the problems of the people."

Mr. Terry Francois of the NAACP, after protesting the use of dogs, stated, "With this notable exception, the San Francisco Police are to be commended for the constructive steps taken during the past nine months. We take pride in our community for these accomplishments and we look forward to the future with hopeful anticipation of continued improvement in attitudes. We recognize that any program aimed at improving attitudes of the police and the Negro community requires mutual cooperation for

success. Reports are that the Negro community has responded enthusiastically to the call for participation on the citizens committees being established as part of the community relations program. The NAACP encourages an even greater participation by citizens throughout the community."

Richmond.--Richmond is an industrial city of 72,000 located north of Berkeley and Oakland on San Francisco Bay. It has a Negro population of over 14,000. Two officials from Richmond attended the Committee's meeting: the Chief of Police and a city councilman. Both had a detailed awareness of Negro-community relationships.

Richmond has 14 operating Neighborhood Councils. The original one was set up in the unincorporated area to the north of the city under a foundation grant. Staff was provided to work on problems such as drainage, street lighting, substandard housing, traffic problems, and the like. Each Neighborhood Council has formed a police liaison committee. The chairmen of these committees meet regularly with the Chief of Police. This provides a conduit for complaints about police and law enforcement problems. Similarly, the police have a means for communicating with each neighborhood. The chief related how a large group of Negro youngsters at one time loitered around the public library making considerable noise and disrupting library activities. He went to the Neighborhood Council with the problem and within a short time the problem was solved without direct police interference.

Richmond, as other cities, includes community relations courses in recruit training, issues training bulletins on related subjects, participates in courses and conferences offered by the University of California and other schools, and the National Conference of Christians and Jews, and attempts within the limits of available time, to put veteran officers through minority relations retraining programs.

San Mateo County.--The attitude of the Sheriff's Department of San Mateo County toward minority group relations is as progressive and creative as any examined by the Committee in the course of its meetings. Its unique manner of handling citizen complaints, related in the next section, exemplifies this.

The Committee was highly impressed with the interest and efforts being put forth in community relations and officer training by law enforcement agencies in the Bay Area. Although it is clear that these efforts in many instances are only the beginning of a long and hard course, it is equally clear that Bay Area police administrators believe that law enforcement is aided by sound police-minority group relationships.

PROCEDURES FOR HANDLING CITIZEN COMPLAINTS

Various procedures are used in the Bay Area for handling citizen complaints. Of interest to the Committee was that, in contrast to the Los Angeles meetings, Negro spokesmen did not express particular dissatisfaction with them.

Oakland has an Internal Affairs Section which is similar in operation to Los Angeles' IAD. The President of the Oakland NAACP stated that "it is the general attitude that the Department of Internal Affairs for the most part whitewashes any reports of certain conduct by the Oakland Police Department." He suggested the creation of a civilian board which would report directly to the Chief with findings and recommendations, because, he said, "We feel to have the same individuals who are involved in the investigative process, or other members of the Department, places too much of a strain on them in coming up with an unbiased, forthright declaration of the crime and the recommendation to the Chief." This same spokesman immediately added, however, "At the same time, it is basically our opinion that more progress has been made in this area in the Oakland Police Department within the last eight or nine or ten years as opposed to some of the other police departments in other areas."

San Francisco's system is more flexible. All citizen complaints cross Chief Cahill's desk. Certain complaints are assigned to the unit or district commander. More serious ones are sent to the Director of Personnel, Traffic or Patrol and, if necessary, an Assistant Deputy Chief as well as an inspector investigate the facts surrounding the complaint. When the facts are gathered they are presented to the Chief who makes the final determination. Complainants are notified of the results. The NAACP spokesman from San Francisco said, "The Chief indicated that all the complaints would reach his personal attention, and I am satisfied that is the case. But it is very difficult to satisfy the public with any procedure whereby a department investigates the complaints against itself internally." He then indicated that he would recommend

Police Commission review if the complainant insists.

The most unique complaint system exists in San Mateo County. Whenever a complaint involving members of a racial minority is received in the Sheriff's Department at any level below sheriff or undersheriff, immediate action is taken by the supervising officer receiving the complaint either by handling it personally or delegating it to a lower level supervisor at least one grade above the person against whom the complaint was lodged. On the basis of the investigation, the supervisor will handle the matter if it is appropriate. In all events a full report of the investigation and action taken is forwarded to the Sheriff. If he is satisfied that no further action is necessary, all persons, including the complainant, are notified and the matter is closed.

If further action is warranted, the Sheriff refers the complaint to the undersheriff. He takes the following steps:

1. He contacts the social action group or groups that might reasonably be expected to have an interest in the particular complaint. These include the Council for Civic Unity, the NAACP, and the American Civil Liberties Union. The facts are given to the executive heads of these groups, along with whatever determinations concerning these facts have been made up to that point, and they are told that an inspector or sergeant will be detached from regular assignment and will be detailed to gather additional data, that an assessment of the facts will then be made by the undersheriff, and that a recommendation will be made to the Sheriff. They are also told that they will be kept currently informed as the investigation proceeds. If someone from a social action group has been assigned to make an independent investigation, arrangements are made for that investigator and the Sheriff's inspector or sergeant to work together after each has had an opportunity to follow his own line of inquiry.
2. The person against whom the complaint has been made is informed of the action that is being taken. That is done by the undersheriff personally for three reasons. First, it assures the person that the Department is engaged in an objective factfinding investigation. Second, it gives the "accused" an opportunity to supply information that may clarify the situation. Third, it communicates in an indirect way to everyone in the Department that the matter of race relations is important.

3. The Sheriff's inspector or sergeant is given all the information collected to date. He is also briefed on what contacts have been made with social action groups and what liaison arrangements have been made for him with them. He is told that his first duty is to contact the complainant. This is done for two reasons--to gather information, and to assure that person that his complaint is being acted upon.
4. After all the facts have been gathered they are examined by the undersheriff who submits a written report to the Sheriff containing a summary and evaluation of the facts and a recommendation for appropriate action.
5. The undersheriff then calls in the "accused" and reads and discusses the report with him.
6. The Sheriff then takes whatever action he deems appropriate.
7. The social action groups involved are sent a copy of the undersheriff's report and they and the complainant are advised of the action taken by the Department.

After setting forth the foregoing, the undersheriff of San Mateo County who appeared at the meeting outlined a representative case in which these procedures had been utilized. Later, when asked whether the procedure aroused hostilities or resulted in more harm than good, the undersheriff replied, "No. In fact, everyone seems to, figuratively speaking, draw a sigh of relief when you let your guard down and be honest with them. That is what we have found, even with people in social action groups that you would expect to be hostile and would have been hostile. You can't expect and you shouldn't expect that they are going simply to accept you and what you say when you walk in the door, because they won't. The only way you can gain confidence and make sure that they believe you and that you believe them is by dealing together in an honest, aboveboard, straightforward manner."

The Committee, in commenting on the investigation of citizen complaints in Los Angeles, stressed that at least in that community some agency outside of the immediate police department ought to be involved in the evaluation of complaints relating to minority groups. Police Commission consideration was there urged as a reasonable compromise between citizen review boards (to which

there seems to be uniform police animosity) and completely internalized investigations. The San Mateo procedure seems to offer another satisfactory route.

SUMMARY OF THE SAN FRANCISCO BAY AREA MEETINGS

Police-minority group relations in the Bay Area appear to the Committee to be much more healthy and open than in the city of Los Angeles. While many Negroes are suspicious of the police and expect to be treated unfairly, spokesmen for the Negro leadership groups have open channels of communication and basically trust law enforcement agencies. Moreover, police departments in the area seem genuinely convinced that sound minority relation programs will aid in law enforcement and great efforts are being devoted to the establishment of sound programs.

4. Racial Statistics

With few exceptions local police departments in California use racial statistics in the reporting of crimes. This practice is stimulated by the national reporting system of the Federal Bureau of Investigation which asks local departments for racial compilations, among others.

Uniformly in those statistical compilations from California seen by the Committee, Negroes are reported to commit a disproportionately high percentage of certain so-called Part I Offenses. These basically are the crimes of violence: homicide, rape, robbery, aggravated assault, burglary, and larceny. These crimes are of high news value as are, apparently, the reporting of racial statistics concerning them. For instance, of the three metropolitan newspapers in San Francisco, two began their respective stories of our Oakland meeting by writing "73 percent of all cases of aggravated assault in Oakland involved Negro defendants."

The public release of these statistics is dangerous basically because they are taken by many to indicate that Negroes, simply because of race, are criminally inclined. But this is a distortion for a number of reasons. First, other statistics showing that Caucasians commit a high number of other type of offenses (for instance, sex offenses other than rape or prostitution) are given no publicity. Second, Part I crimes are more highly susceptible to discovery than many Part II crimes probably committed more often by whites (for instance, forgery, embezzlement, fraud, and gambling). As Dr. Ralph Lane of the University of San Francisco stated to the Committee: "Arrests do not in any way correspond to the total number of crimes." The visibility of the crime is important and the type of crime most often committed by Negroes is the type which is most highly visible. Third, racial statistics alone are misleading. If crimes were categorized according to other socio-economic classifications of the offender it is quite probable that economic status, rather than race, would appear most determinative.

The basic justification given for keeping racial statistics is that it aids police departments in locating officers to combat violent crimes. The reasoning goes that if, in fact, Negroes commit more assaultive crimes, then more officers should be placed in areas of high Negro concentration to guard against the commission of such crimes. This reasoning seems sensible to the Committee. But it does not seem to justify the publication of the statistics to the general public where they are frequently misunderstood.

One police response to this is that the publication is justified because it explains the concentration of officers in Negro neighborhoods. In the Committee's view, however, this is not ample justification in view of the harms which flow from the publication.

Another explanation is that while police departments do not stress racial statistics reporters seek them out specifically. The Committee urges newspapers to reevaluate this practice, if such statistics are actually newsworthy. We suggest that the reporters similarly gather and make available other socio-economic data relating to offenders.

5. Employment and Training of Officers

EMPLOYMENT

The current standards of eligibility for employment are extremely high in most of the police departments with which the Committee became acquainted. Berkeley, for instance, requires two years of college, rigorous psychiatric screening, a high intelligence quotient, and clearance on an exhaustive personal history investigation. Los Angeles has one of the best educated forces in the country. San Francisco takes only 5 percent of the applicants for employment. Civil service examinations are normal both for initial employment and upgrading.

Only a small percentage of sworn personnel in each of the departments we examined are Negroes. San Francisco has 30 Negroes out of 1736 officers, Oakland has 14 out of 656 officers, Los Angeles (apparently) 150 Negroes out of approximately 4700 officers, San Mateo County has 1 Negro out of 113 officers, and Berkeley has 2 Negroes out of 142 officers.

Numerous persons urged that the employment of Negro police and their dispersion throughout each department was of crucial importance in police-Negro community relations. Dean Lohman said, "I think the inclusion of larger numbers of members of minority groups in the police force is very important and forthright in demonstrating that that avenue of law enforcement and authority is open to that group as it is to all other groups in the community This does produce greater respect and confidence by minority groups." Negro spokesmen urged that the presence of Negro policemen on the force assimilates Negroes into the community -- removes some of the obstacles that result in feelings of isolation.

Most of the police officials who appeared agreed with these statements and indicated that they are anxious to employ additional Negroes and other minority group members. The problem as they see it, however, is that few Negroes apply and many of those who do cannot meet the eligibility standards. They unanimously agreed that Negro applicants cannot be favored by lowering eligibility standards only for them.

Two chief reasons were advanced for the paucity of eligible Negro applicants. The first was that Negroes who possess the qualifications can find more remunerative work in other occupations. The second was that Negroes shun the police force because such employment isolates them from the Negro community.

Many departments are taking positive steps to recruit Negroes. These include Berkeley, Richmond, San Mateo County, San Francisco, Los Angeles County, and according to the recent news release, the city of Los Angeles. These steps include contacting Negro organizations and participating in school career programs.

The head of the NAACP in Oakland stated that the relatively few Negro officers there have not been assigned generally to those divisions which operate citywide (for instance, traffic, accident investigation, and motor vehicle). He did say, however, that this is improving and the dispersal pattern has been better in the last six years.

The only full scale charge of employment discrimination was made by Mr. Wendell Green against the Los Angeles Police Department. According to Green there are fewer Negro officers now than in the 1940's; there has never been a Negro at a policy-making level, although the records indicate that there were a number of highly capable Negroes on the force in the past; only two Negro officers have ever been assigned at one time to the motorcycle patrol (and this only occurred after a long public fight); until very recently Negro and white officers were not assigned to work together; only very recently was a Negro sergeant assigned to a "white district"; and until very recently a number of geographical divisions were all-white. He characterized the Department's attitude toward its Negro members as one of "contempt" and "disrespect."

The Committee does not know whether these allegations are true. Mr. Green appeared after Chief Parker had finished and hence the latter had no opportunity to rebut them.

TRAINING

Recruit training is generally of a high level. San Francisco has a 14-week program, Los Angeles a 12-week program, and other departments require programs in excess of the State minimum of 6 weeks. School training is followed by on-the-job training while the officer is in a probationary status. In addition, many of the departments run training programs for advanced grade officers and to equip personnel with special skills. Chief Parker of Los Angeles filed with the Committee an impressive report outlining in detail the numerous training programs offered by the Los Angeles Police Academy.

Every force we examined offers some training in minority group relations. Los Angeles requires recruits to take two hours in police and press relations, six hours in sociological problems, one hour in minority group problems (terminology and conversation that creates adverse reactions from members of minority groups), and other courses which in part touch on community relations. Other departments require similar training. In most departments an effort is made to offer veterans retraining in these subjects. This is difficult, however, because many departments are undermanned and cannot free their personnel for such classes. Hence, much of the departmental retraining is in the form of training bulletins and not classes. Oakland's series of three-day conferences seems the most ambitious undertaking of this kind. Most departments do take advantage of conferences and institutes run by universities and the National Conference of Christians and Jews in police-minority relations. Departmental participants, however, are usually few in number and are highly placed administrative personnel.

6. The Police and the Spanish-Speaking American

A large Spanish-speaking population (1.5 million) resides in California. The bulk of these people are Mexicans or Mexican-Americans. Spokesmen from the Community Service Organization (CSO), one of the leading statewide organizations representing their interests, appeared at both the Los Angeles and San Francisco meetings.

In general, the Spanish-speaking population echoes the complaints of the Negroes. These people feel that they are the objects of unequal law enforcement and that insufficient effort is expended by governmental organizations (including the police) to communicate with their groups. They also complain about alleged employment discrimination in law enforcement agencies. It appeared to the Committee, however, that while the Spanish-speaking groups do not feel that their problems are as exacerbated as the Negro's, their problems are complicated by the additional fact that many speak mainly Spanish. Often, apparently, Spanish-speaking persons literally do not understand what is happening to them in contacts with the police, district attorneys, and some courts.

In the main, CSO representatives urged the employment of additional Spanish-speaking employees at all levels of law enforcement, including court interpreters. They also urged the employment of bilingual Mexican-Americans on local police forces. This language difficulty seems a real one to the Committee. It also appears that many law enforcement officials are not cognizant of it.

7. Recommendations

The Committee's findings appear in the foregoing text at the appropriate sections. In view of these findings the Committee offers the following recommendations (with supporting explanations) to the United States Commission on Civil Rights and to local governmental and private agencies:

1. That the Federal Government provide assistance to States and local communities in establishing workable training programs for police officers in minority group relations.

Local communities in the North and West (as exemplified in California) are groping to find effective solutions to difficult race relations problems. The eradication of bigotry and discrimination is certainly not primarily the responsibility of the police. All public and private agencies share this responsibility. Nevertheless, the police are cast in a peculiarly sensitive position concerning discrimination. The nature of the police job -- to enforce the regulations of the community -- makes the policeman the symbol of community authority. He is viewed with hostility by many Negroes (and other minority group members) simply because of this. The hostility is heightened because of necessarily concentrated police activities in Negro areas and because policemen often, for good and bad reasons, treat minority group members in ways which appear disrespectful to the latter.

Some California police departments realize their peculiarly important role in helping solve community race relations problems. Most California departments fully realize that good community race relations aid the police in their law enforcement mission. These realizations have led to efforts to construct viable community relations programs (with open communication the highpoint) and officer training programs in race relations.

The local departments, in the Committee's view, could use the aid of a centralized agency which would collect information on existing race relations and training programs, expend efforts to create such programs, and offer aid in the training of local police officers in such skills. The Committee suggests that a Federal institute devoted to these matters be created in either the Department of Justice or the Department of Health, Education, and Welfare. Alternatively, the Commission on Civil Rights itself might be able to accomplish this mission if its legislative authorization is widened. As a minimum, the Committee suggests that the

Federal Bureau of Investigation include courses in race relations in the programs which it is presently making available to local police officers. The Committee recognizes that the FBI now offers courses in police-community relations and in civil rights, but it feels that it would be beneficial if such course offerings could be substantially broadened.

2. That the United States Commission on Civil Rights consider the advisability of scheduling a hearing in Los Angeles to investigate the allegations that officers of the Los Angeles Police Department use excessive force in many of their contacts with Negroes.

As stated in the body of this report, the Committee did not attempt to determine the truth or falsity of allegations of this nature. The Committee held open meetings and not hearings. The Committee could and did determine, however, that there exists a widespread attitude among the Los Angeles Negroes that they are the object of discrimination. The smoke which the many allegations have raised could be cleared effectively by official Commission hearings. The wisdom of this course, however, must be evaluated against the backdrop of contemporary events. The Committee realizes that many relevant events are occurring in Los Angeles -- events subsequent to the Committee's meetings. We urge, therefore, that the Commission staff keep itself intimately informed of occurrences in Los Angeles and that the Commission consider in the future the advisability of holding hearings.

3. That the United States Commission on Civil Rights bring to the attention of the Department of Justice the effect on localities of the Federal Bureau of Investigation requests for racial crime statistics.

4. That consideration be given by local and State agencies to the creation of externalized systems to investigate citizen complaints of police discrimination, especially complaints involving alleged use of excessive force.

It is clear to the Committee, in view of the section of the report dealing with the investigation of citizen complaints by the Los Angeles Police Department, that completely internalized investigations of citizen complaints buttress the views of Negroes that they are treated discriminatorily. In those communities where police-minority group relations are the worst there is the greatest need for an externalized system in which the complainant can seek a hearing before someone other than police officers.

It is clear that most California police officials are extremely hostile to so-called independent "police review boards." The Committee is not necessarily convinced that this attitude is soundly based; nevertheless, it exists and must be recognized. The Committee urges, therefore, that police commissions give serious thought to playing a greater role in the investigations of citizen complaints by making known a willingness to investigate such complaints and facilitating means for registering such complaints. Additionally, the Committee urges that attention be given to clarifying, by interpretation or otherwise, the Charter provisions of the city of Los Angeles so that the power of the Los Angeles Police Commission to review citizen complaints and impose penalties where justified be made clear.

5. The Committee urges the departments of local governments including the various local public agencies and private groups to give serious attention to creating coordinated programs for orienting newly arrived persons (especially Southern Negroes) into the life of California communities.

One thing that is clear from our meetings is that police-minority group relations are only a facet, albeit an important one, of community-minority group relations. All public agencies, as well as scores of private associations, have serious responsibilities in creating mutual understanding and good relations. One concrete way of doing this is through coordinated orientation and indoctrination of newly arrived residents.



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