

POLICE-COMMUNITY RELATIONS IN TAMPA— AN UPDATE

FLORIDA ADVISORY COMMITTEE TO THE UNITED STATES COMMISSION ON CIVIL RIGHTS

This summary report of the Florida Advisory Committee to the United States Commission on Civil Rights was prepared for the information and consideration of the Commission. Statements and viewpoints should not be attributed to the Commission or to the Advisory Committee, but only to individual participants in the community forum where the information was gathered.

A SUMMARY REPORT

SEPTEMBER 1991

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THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, handicap, or national origin, or in the administration of justice; investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

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An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 6(c) of the United States Commission on Civil Rights Act of 1983. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference that the Commission may hold within the State.

Letter of Transmittal

Florida Advisory Committee
to the
U.S. Commission on Civil Rights

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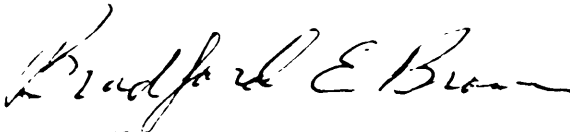
Wilfredo J. Gonzalez, *Staff Director*

Attached is a summary report on a forum held by the Florida Advisory Committee in Tampa on July 10, 1990, to obtain an update on the status of police-community relations in Tampa. The Advisory Committee approved unanimously submission of this report to the Commissioners.

There was a general consensus among forum participants that while police-community relations in Tampa have improved significantly as a result of the vigilant leadership of city, county, and civil rights officials, there remains a problem with the underrepresentation of minorities and women in command level positions within both the Tampa Police Department and the Hillsborough County Sheriff's Department. These positions are crucial to the provision of oversight and supervision of officers who come in contact with the public, minorities, and otherwise. In addition, isolated instances of allegations of misconduct, which appear in some instances to be racially motivated, continue.

Although the information provided does not result from an exhaustive review, it will be of value to the Committee for further program planning and we hope of interest to the Commissioners.

Respectfully,



Dr. Bradford E. Brown, *Chairperson*
Florida Advisory Committee

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THE U.S. COMMISSION ON CIVIL RIGHTS**

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Acknowledgments

The Florida Advisory Committee wishes to thank the staffs of the Commission's Eastern Regional Office and Southern Regional Office for their help in the preparation of this summary report. The forum and summary report were the principal assignment of Bobby D. Doctor with support from Edna Rogers and Linda Rafu, and Christine Foster, Tracey Williams, and Robert L. Knight. All work was completed under the supervision of John I. Binkley, Director of the Eastern Regional Office and Bobby D. Doctor, Director of the Southern Regional Office.

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Background Information

The Tampa metropolitan area is the 20th largest in the Nation and has been growing more rapidly in population than all but eight top 100 Metropolitan Statistical Areas (MSAs) since 1986. While the provision of goods and services to local residents and tourists dominates economic activity, Tampa, one of Florida's most industrialized areas, is a busy Gulf port, and a major wholesale distribution center. In addition, Tampa is one of Florida's three major educational centers, with six 4-year colleges and universities and five 2-year colleges. Florida's second-largest public university, the University of South Florida with 28,000 students, is located in Tampa as are the smaller private University of Tampa and Tampa College. Tampa is also the home of a large military installation, MacDill Air Force Base.

Population Characteristics of Residents of Tampa

	Tampa MSA	Rank out of Top 100 MSAs	Average for Top 100 MSAs	Rank out of 34 Southn MSAs	Average for Southn MSAs	State of Florida	Level U.S. Total
Population 1989—In Thousands	2,051	20	1,422.6	6	1,225.6	12,701.1	248,552.5
% Growth Population 1986-1989	2.18	11	1.09	4	1.2	2.7	1.0
% Growth Population 1989-1991 Forecast	1.82	9	0.89	3	1.2	2.4	0.8

Population Characteristics by Race of Residents of the Tampa MSAs

Race: of Total Population	Tampa MSA	Rank out of Top 100 MSAs	Avg. for Top 100 MSAs	Rank out of 34 Southn MSAs	Avg. for Southn MSAs	State of Fla.	Level U.S. Total
% White	89.5	32	80.2	3	76.9	84.0	83.1
% Black	9.2	48	13.8	28	19.5	13.8	11.7
% Other	1.3	73	6.1	19	3.6	0.9	5.2

Source (for both charts above): *Metro Insights, Southern Region, 1990 Edition.*

The Tampa MSA's demographic composition is quite distinct from most metropolitan areas. Two of Tampa's counties in particular, Hernando and Pinellas, are included by most demographers in their definition of Florida's retirement belt. Thus, Tampa provides a large, concentrated market for pharmaceutical companies and health care providers as well as for luxury retailers.

This demographic profile, however, is beginning to change. The past 3 years have been a period of rapid in-migration, with the overall population increasing an average of 2.2 percent per year. These new residents are shifting the age distribution, as the area's supply of jobs is attracting more people between the ages of 25 and 44. Since 1980 the 25—44-year-old group is the only age group to increase its share of the population.

Hernando, Hillsborough, Pasco, and Pinellas are the four counties that compose the Tampa-St. Petersburg metropolitan area, but two of these, Hillsborough and Pinellas, account for over 80 percent of the area's population. Located in the middle of Florida's west coast, the Tampa MSA includes Florida's third- and fourth-largest cities, Tampa and St. Petersburg, as well as its tenth-largest city, Clearwater.

Population by County for Tampa

County	Population (thousands) 1989	County Share of population in MSA 1989	Population Density 1989	Net Change in population 1980-1989	Forecast Change in Population 1989-1991
Hernando	83,849	4.1	0.173	37,883	4,553
Hillsborough	829,183	40.4	0.799	175,021	23,163
Pasco	273,152	13.3	0.368	75,940	8,755
Pinellas	864,825	42.2	3.263	129,571	38,904

Source: *Metro Insights, Southern Region, 1990 Edition.*

The Tampa-St. Petersburg MSA has one of the most diversified economies of all metropolitan areas in Florida. Nonmanufacturing employment in the Tampa MSA has increased an average 4.9 percent annually for the past 10 years, giving Tampa one of the fastest growths of all cities in the country. During the 1979-89 period, nonmanufacturing industries accounted for 92 percent of the new jobs added to the Tampa area employment base. Leading the gains were the metro area's services, trade, finance, insurance, real estate, and construction industries.

While rapid population growth has stimulated local demand for goods and services, the tourism industry has also been an important growth catalyst. The Tampa-St. Petersburg area is a major sea resort, with an estimated 4 million visitors in 1989. In addition to the area's beaches, Tampa attractions include Busch Gardens, Tiki Gardens, a Dali Museum, the Tampa Bay Performing Arts Center, and Harbour Island. Sports are also playing an increasingly important role in the tourism industry. In 1988, 1.3 million fans attended games played by 18 baseball teams that train in the State, many in the Tampa area. According to the Florida Department of Tourism, almost \$2 billion will be spent in 1989 at area hotels, stores, restaurants, and recreational facilities, thereby creating jobs and boosting retail sales.

While the economic outlook for Tampa, generally speaking, appears bright, much of the progress has escaped many in the minority community who continue to be plagued with problems of poor housing, relatively high unemployment, underemployment and poor economic development opportunities, and a long history of poor police-community relations.

Purpose of the Forum

At the urging of local civil rights leaders who detected a rise in tension, distrust, and fear between police and minorities, and in an effort to assist in preventing a recurrence of the violent disturbances of 1967, with subsequent years of racial conflict and strained relations, the Florida State Advisory Committee (SAC) to the U.S. Commission on Civil Rights, elected, at a meeting in 1990, to initiate a public forum through which to review and update its 1972 open meeting and report on *Police-Community Relations in Tampa—The Beginning or End*. The major purpose of this public forum, held on July 10, 1990, was to provide an opportunity for civil rights leaders from the minority communities (black and Hispanic) and officials of the Tampa Police Department and the Hillsborough County Sheriff's Department to publicly exchange views on the subject of police-community relations in the metropolitan area. The goal of this effort was to ultimately bring about a better understanding on the part of both sides, which could conceivably have a positive impact towards improved police-community relations.

The following information reflects excerpts of presentations provided at the forum by local civil rights leaders and officials of the Tampa Police Department, the Hillsborough County Sheriff's Department, and the Community Relations Service (CRS) of the U.S. Department of Justice. These excerpts were drawn from a transcript of the forum which is available at the Commission's Southern Regional Office in Atlanta.

The Participants and the Forum

Thomas Battles, Community Relations Service (CRS), U.S. Department of Justice, Miami

Thomas Battles, who serves as CRS's point man in Florida, is an observer of many years of civil rights developments in the State. He was formerly with the Florida Commission on Human Relations and while with the commission, worked extensively with Florida's city human relations commissions. In his role with CRS, Mr. Battles is charged with providing conciliation and mediation services to cities and communities experiencing racial and ethnic problems. In this regard and according to Mr. Battles, "Our program emphasis [at CRS] involves three areas: administration of justice, which deals with police-community relations issues, excessive force, and deadly force problems; educational issues, school disputes and segregation problems; and our general community relations area, which allows us to get involved in protests, demonstrations, contingency planning and technical assistance."

While CRS had been, for a number of years, involved extensively in observing police-community relations in Miami, in 1986, according to Mr. Battles, CRS began to take a closer look at the less volatile, though no less tense, relations between the police and minority communities in the Tampa metropolitan area. Mr. Battles noted that in 1987, CRS made a number of recommendations to Tampa officials regarding police-community relations. He indicated that "It is ironic that nearly 18 years later, many of the recommendations that you made [in the SAC report of 1972, titled *Police-Community Relations in Tampa—The Beginning or End?*], we made some of those same recommendations, if not almost all of them." And to the city's credit, "they have accomplished much since we made our recommendations [in 1987]," said Mr. Battles.

Raymond Fernandez, President, Tampa-Hillsborough County League of United Latino American Citizens (LULAC)

Raymond Fernandez spoke from his experiences as both a local civil rights leader and former long-term police officer in the North. He is also chairman of both the Mayor's and the Sheriff's Hispanic Advisory Council and he stressed the need for citizen involvement in the oversight of police practices and community behavior. Mr. Fernandez said that the Mayor had issued an executive order embracing the essence of a recommendation made in the 1972 report: "A city ordinance should be passed adopting a policy of non-discrimination and an affirmative action program in every department of city government, with appropriate enforcement procedures." He noted that while he had the highest regard for top officials in both the city police and sheriff's departments, he was very much concerned about the need for dramatic

increases in the departments in the number of hours for race relations and public relations training and through inference, the need for better understanding by police officers that they are public servants and not "an occupying force." Mr. Fernandez added that "we need people [police officers] that are educated, that are sympathetic, that have empathy, and who have sensitivity to different cultures and languages." He concluded by expressing major concerns about the lack of linguistic educational expertise and cultural unfamiliarity on the part of police officers and sheriff's deputies assigned to patrol areas heavily populated by minorities.

Bob Gilder, President, Tampa-Hillsborough County Voters League

Bob Gilder spoke from his experience as a former president of the local branch of the National Association for the Advancement of Colored People (NAACP), former director of the Hillsborough Community Action Agency, and long-term observer of socioeconomic and political developments in the Tampa metropolitan area. In his opening remarks, he indicated that police officers are often called upon to do a tough thankless job where others with more direct responsibilities in the community have failed. He spoke of improvements in terms of increased numbers of minority officers in both the Tampa Police Department and the Hillsborough County Sheriff's Department since the seventies. He added, however, that the promotions and upward mobility of minorities, blacks in particular, were not being adequately addressed. Failure to address these problems, he noted, contributed heavily to the lack of minorities and women in representative numbers in command level positions in both departments. Mr. Gilder agreed with Mr. Fernandez on the need for more and better training for police officers in the fields of human and intergroup relations, which could conceivably have a positive effect on improving the departments' image in the black community. He concluded his comments by saying that while some progress has been made towards the improvement of police-community relations in the Tampa metropolitan area, there was still a substantial way to go.

Joanna Tokley, President, Greater Tampa Urban League

Joanna Tokley, a long-time resident of Tampa, former teacher, and community activist, assessed implementation of the SAC's 1972 recommendations by the city, Tampa Police Department, and Hillsborough County Sheriff's Department. Ms. Tokley indicated that she thought that city officials had implemented approximately 55 percent of the report's recommendations. She agreed with Mr. Fernandez's assessment that a city ordinance or "executive order" had been issued adopting a policy of nondiscrimination and affirmative action in programs in every department of city government with appropriate enforcement procedures. She also agreed with Mr. Gilder's assessment that there had been a dramatic increase in the numbers of minorities and women hired as police officers. Also, Ms. Tokley noted that, as a member of the Tampa Police Department's Citizens Advisory Committee, she has "observed some changes within the last 3 years, which I think have been positive, and that is that the Internal Affairs Department, in the handling of police complaints, has increased its credibility in that most recently, public

information is being given as to what happens to those complaints once they are filed." She noted further that the department now has a process which requires that, "They respond to that [those] complaint[s] within a certain period of time, and they do write back to the complainant regarding disposition of the complaint." She also noted the establishment of a Police Citizens Academy, designed to provide citizens with an up-close view of "how the police department works." According to Ms. Tokley, citizens are exposed at the academy to State laws, including the State fleeing felon law which has been the source of much concern in the minority communities, and to the rules and regulations that cover police behavior and activities. In addition, she said that officers were now walking and using bicycles and golf carts when patrolling, which, along with police-citizen workshops, is meant to bring about a closer relationship between the police and the community. On the negative side, Ms. Tokley expressed concern about continued isolated instances of allegations of harassment by some police officers of young black males. This situation has apparently been exasperated by questionable police confrontations with young high-profile black professional athletes who reside in the Tampa area.

Marcelino Huerta, Attorney, Tampa

Marcelino Huerta, a long-time defense attorney, prosecuting attorney, and observer of constitutional law in the Tampa area, noted his healthy relationships with officials of the Tampa Police Department and the Hillsborough County Sheriff's Department. "I have had the occasion to even write letters of commendation when certain officers have been extremely candid in certain cases, or when I witnessed or heard of them doing a good deed," Mr. Huerta said. However, he continued by expressing great interest in the issue of questionable stops by officers of young black males "based upon a hunch or mere suspicion that the citizen might be involved in some type of illegal activity. It was not so much that it was revealed that this was going on, I had represented clients who had experienced this, but what concerned me was that certain public officials defended that kind of conduct. And it concerned me because I knew what the statutes said, and I knew what the case precedents were, which clearly indicate that that kind of conduct is unlawful." Mr. Huerta noted further, "I do not see how, if the courts say that a certain approach is illegal and unlawful, and if you have public officials endorsing illegal and unlawful conduct, how that can lead to, or, cultivate good community relations among law enforcement and the people who are the subjects of this unlawful activity, namely, the black citizens and the underprivileged minorities in the community. It just escapes me." Mr. Huerta said that the same principle applies to excessive use of force. "If you have people in positions of authority, whether they be law enforcement, government heads, or what have you, endorsing, encouraging, or showing no sensitivity to instances of excessive force, then you are going to be unable to cultivate or nurture any good relations between law enforcement and the subjects of that excessive force, namely, the minorities in the community. . . ." Law enforcement and government officials, Mr. Huerta stated, must speak out, recognizing that "the law is the law for everyone and that police officers are going to

be held to those legal standards, and there will be no short-cuts, there will be no exceptions. And once minorities feel confident that that is the way it is going to be, then, I think it will ease the relations between the minorities and those in law enforcement or in [other] government agencies."

Mr. Huerta referred to the incidents involving professional athletes Dwight Gooden and Gary Sheffield, who were apparently, deliberately or by happenstance, mistaken for drug operatives, and "some unfortunate shootings," which occurred in the mid to late eighties. "If we are going to err," he said, "let us err on the side of giving the citizens the benefit of the doubt, so people like Gary Sheffield do not have to go through what he went through. We all hear about these gun laws, and how everybody is up in arms about accidental shootings [by police officers], and here is a man who is a professional. . .with a gun put to his head. God forbid [if] the gun went off, or there was a bump. . . . You see, in the criminal justice system, everybody is supposed to play their position. The defense attorney is supposed to play his position, the prosecutor plays his and the judge plays his, and the police play theirs. Once you get things out of kilter, you have major problems. . . . If you have the police being the investigative arm, the prosecuting arm, and deciding who is going to go to jail or not, who is going to be charged or not, they are playing all the positions. That is not the way the system was constructed, the way I see it."

**Robert L. Smith, Director, Department of Public Safety,
City of Tampa**

A.C. McLane, Chief, Tampa Police Department, City of Tampa

Both Robert L. Smith and A.C. McLane have had extensive experience within the Tampa Police Department. They both worked their way through the ranks of the department to the highest position, that of Chief. Mr. Smith currently has managerial responsibility for the city's fire department and Department of Community Affairs, as well as the police department. Chief McLane, serving in that position since 1987, supervises all facets of the Tampa Police Department.

Mr. Smith spoke of the Mayor's executive order banning discriminating treatment of any kind by employees of city departments and the impact that that order has had on improving not only police-community relations but city employee-citizen relations in general. It is an order that has apparently been sternly enforced. He also spoke of several people-to-people type programs (QUAD, Say No To Drugs Walk, etc.) designed to involve citizens in the process of policing neighborhoods and sharing social experiences with police officers often seen as invaders of those minority neighborhoods, as opposed to protectors. Mr. Smith shared with the SAC information about a program in which one officer is assigned to organizations or institutions within a neighborhood to improve communications with the neighborhood and also to improve police-community relations. He also alluded to a shooting incident in 1987: "we had a death, a young man named Melvin Hare. Following his death. . .[in] police custody, there were 2 to 3 days of disorder. Following that, there was a number of suggestions that the police department should start some type of behavior modification training. . .and since that time, [we]

have quietly started building, what we called a Survival City at the Police Academy. . . . It is life size, with roads, sidewalks, street lights, parking meters, mailboxes, buildings that are utility buildings used for classrooms. We have simulated firearm[s] training in one of the buildings, using computer technology and slides. It is called a FATS system, Fire Arms Training Simulator, and it is the state of the art, and we use that and have used it since 1987." This enables the academy, Mr. Smith said, to teach officers many things that, before, they would not have learned until they got on the street. But, he said, "If they made a mistake on the street, somebody might have gotten hurt, or there might have been a complaint, or something done wrong. . . ." Mr. Smith added, "We also utilize an awful lot of role playing [at the academy], utilizing students from the University of Tampa, or South Florida, in the drama department as actors. So we simulate family disturbances, interracial situations and ethnic situations as well as youth related activities, a crowd scene we can simulate using students who work with us." He noted, too: "I also think that no matter how polite, how courteous your officers are, no matter how much they are indoctrinated into the belief that you want them to be courteous, and you want them to practice good community relations in everything they do, unless you have crime under control, unless the streets are safe, unless people feel that you are doing a good job as a police department, then community relations will suffer. Crime will cause community relations to suffer."

Chief McLane summarized departmental efforts to recruit minority police officers: "you have got to aggressively go after it. . .we visit minority campuses, in and out of State, put on recruitment fairs around the city, and Tampa Bay area, have on-site application civil service testing within the minority communities, visit military installations, solicit help from EEOC [Equal Employment Opportunity Commission] offices, public service programs, utilize TV and radio talk shows, and advertise in local and military newspapers." Such efforts have paid off, the Chief said: "In 1989, 51 percent of the people [we] hired were. . .blacks, Hispanics, and females. In 1980, Tampa had about 118 officers out of 596 that were in the affected class. At the present time, with about 860 sworn officers, 318 of those are of the affected class, 115 of those are black, 100 are Hispanic and 97 are female."

In response to an inquiry regarding affirmative action efforts to upgrade minority group officers, Chief McLane noted:

We put into place a career development program policy, and this was developed by the police department staff members and community members, and the selection process developed out of the Selection and Promotion and Recruiting Committee that originated out of the Police Foundation Report, which has grass root members of the community on that. This policy was put together by my people and those people. Today, of 115 black officers, 30 are above the rank of Patrol Officer. Of the 100 Hispanic officers, 26 are above the rank of Patrol Officer. And 97 female officers, 23 are above the rank of Patrol Officer. I have two minorities that sit on my Executive Staff. That would be [Assistant] Chief Curtis Lane, he is in charge of Administrative Services, and I have a Hispanic Major. I have six mid-managers, Captains and Lieutenants, who are of the affected class and 20 first line supervisors who are of the affected class, [see appendix A].

In terms of communication and interaction with minority communities, Chief McLane indicated that, "we meet on a regular basis with interested citizens, neighborhood advisory and civic groups to discuss problems affecting community relations. Probably most rewarding, and the most beneficial to the police officer, is the Tampa Police Community Relations Interaction Programs we put on annually." This is a joint effort, the Chief said, with the city of Tampa Community Affairs Office, the Tampa Police Department, and the Sheriff's Office. Describing this in detail, he reported: "In 1988 and 1989, we conducted 12 such adult workshops, involving 451 members, police officers, adults, and Sheriff's deputies. We had 15 workshops involving youths, which had 421 participants, police officers, youths, and Sheriff's deputies. We also conducted a new thing, four of those, which was a retreat setting, which for 2 days, top community members, plus staff members from the Sheriff's Office and Police Department, stayed overnight at a local facility, and interacted about local community problems. We had 95 participants in those four different areas." Chief McLane said seven Police-Citizens Academy sessions have been put on, and there are some 200 graduates of community members. The Chief noted that, "they have formed a police-community alumni, which is over 100 members, which directly help me in community relations projects. And simply what happens is that during the police-citizens academy settings, is that the citizen goes to our academy for 11 weeks, 3 hours on a Monday, or whatever night we select, and they get some of the basic training that a police officer gets that enhances their perception of police work. I mandate that every member of my staff is there to conduct one class. My entire staff, plus me, is involved in each one of those training sessions." The Chief also described the citizens Ride-Along Program, which he said "has enhanced community relations greatly, as far as perception. What the citizen does is he rides along with a uniformed officer while he goes about his or her daily duties." Chief McLane said the key "to successful community relations is interaction between police and the people that they serve. I mandate my police officers to attend every community meeting, neighborhood watch, civic group meeting, within their area of assignment. If there is a neighborhood meeting during an afternoon shift in a certain area, the patrol officers who ride that area, plus their immediate supervisors, attend that meeting so they can have face to face interaction. They will know who the police officer is who serves them every day. We also have two community outreach programs, one is in the Roble Housing Project, and one is in the Lee Davis Clinic Building. And they are responsible for community relations involving low-income housing within the city of Tampa."

Regarding complaints against police officers, the Chief noted that, "in 1972 there was no Internal Affairs Unit. We have had one for the last 10 years, and it is staffed by first line supervisors, and the Commander is a black Captain who reports directly to my office." The unit, Chief McLane said, investigates complaints against police officers, and "If you watch the media, whether it be the newspapers, or on TV, you know that all internal affairs complaints are aired publicly. There are very few incidents involving police operations or functions that do not come under the guise of the Florida Public Information Act. So, anybody can request anything they desire to review from within the police department, and get a copy of it, except such things as where a police

officer lives, where his kids go to school, his phone number, his medical records, and things like that."

The Chief also addressed the issue of the use of deadly force: "I have one of the most stringent deadly force policies in the State of Florida. It is more stringent than the State statute. It does not allow you to shoot a fleeing felon. There are three instances, basically, in my deadly force policy where you can take somebody's life: A citizen must be in danger, the police officer's life must be in danger, and that subject fleeing must be a danger to the community, the police officer must possess the knowledge that he will kill somebody, or do great bodily harm to the community if he escaped. If you do not have that knowledge, then you do not apply deadly force." Every case where deadly force is used, the Chief added, is reviewed by his Chief's Advisory Committee of police officers and community members: "Whether the individual is shot, or it is an accidental discharge, they review it. They review it to see if there is any prejudice involved, any racial overtones. They also advise me if I should recommend policy changes, or training that would enhance this not occurring again."

Chief McLane also commented on the issue of training with an emphasis on the type of community relations training that is made available at the police academy. He indicated that "domestic violence intervention, community relations techniques, human behavior and human skills, interpersonal skills, ethnic and cultural group training, discriminatory conduct policy training, cultural myths and stereotyping are given primary consideration. I personally, teach a 2-hour block in every new recruit academy since I have been the Chief of Police. It deals with police ethics and professional responsibility, which is aimed focusedly with how you deal with the individual on the street," concluded the Chief.

Cal Henderson, Colonel, Hillsborough County Sheriff's Department

Robert Oates, Major, Hillsborough County Sheriff's Department

Cal Henderson and Robert Oates are both long-time members of the Hillsborough County Sheriff's Department. Colonel Henderson serves as the department's second-in-command in charge of enforcement operations, and Major Oates is in command of all "specialty teams," such as bomb, mine, aviation, dive, marine, as well as community relations.

Colonel Henderson began his comments in the area of recruitment of minorities indicating that, "We advertise in the ethnic newspapers locally, the Hispanic newspaper, the black newspaper, in addition to the dailies. We also have some radio and TV spots where we go on. Our screening and selection people go out to all of the colleges in the area. They also make a trip to the black colleges. . . at their career days. . . . We have actually been quite successful over the last few years in selecting outstanding minority recruits. We are not doing as active a job, probably, . . . as the Tampa Police Department is, because we seem to have sufficient numbers applying that we are able to hire, without continuing [to recruit]."

In an effort to ensure the validity of the qualifying factors for prospective officers, Colonel Henderson said that, "we have taken both our corrections

and our law enforcement entry-level tests to the University of South Florida" to be validated as job related. "It has been completely validated," he said. Explaining the testing process further, Colonel Henderson said potential recruits take a test administered by the school board that indicates the persons high school level. The cut-off is made at the 9th grade level, he said; "we used to make exceptions on that, but we found that if we made exceptions and let people enter at less than a 9th grade level. . .we found that they were not successful in completing the academy. If they did get through the academy, with help from fellow students, they were not successful at making our year's probationary in writing reports and stuff. So, we found that 9th grade level was a necessity, and we have been successful, again, at retaining the people that we hire as a result of that minimum level. . . ."

Regarding affirmative action taken to upgrade minority group officers, Colonel Henderson noted that, "we have developed a number of career development courses. This is not only for your minorities, but this is for everyone in the agency, but they are structured so that anyone who attends these courses, and listens, and are able to pass the course, should successfully pass our tests that are given for each promotional level. And again, we have been successful in that minorities do not seem to be failing our promotional tests at any other higher level than any of our white officers." He added that many officers "are involved in NOBLE (National Organization for Black Law Enforcement Officers) where they have special training provided, and we do send them to as many as we can, which is quite a few, to most of the training classes that NOBLE has developed, and does offer." According to the Colonel, the department has also sanctioned the Hispanic Law Enforcement Officers Association, an organization formed in 1988, and, "we have a number of Hispanic officers involved in that at the present time."

Colonel Henderson asserted that, "minority group policemen should play a major role in police-community relations and in police recruitment. Our police-community relations and volunteer coordinator is a black deputy sheriff, and that is his job, working in that area." In addition, he said, "our detective in charge of recruiting for the law enforcement section. . .is also a black officer. We have a female corporal, and we have a Hispanic captain, in that area, so we feel we are pretty well covered, as far as recruitment goes, and police-community relations. Again, the number of School Resource Officers (SROs) and the people who work with youths, and with the community, are both black and female."

Colonel Henderson said that 2 minorities (one black, one Hispanic) are on the 12 person Sheriff's Command Staff, thus in top level policy-making positions. Once a month, noted Colonel Henderson, "we receive a report on our EEO report that indicates how our minorities are statistically [see appendix B], where we stand, where we are lacking, where we need to improve. Minorities show proper utilization in all sworn entry-level positions, in all lines of promotion. Females were underutilized as law enforcement supervisors and managers; otherwise there were no consistent patterns of underutilization." Colonel Henderson said that an earlier speaker who thought that females were not being promoted as rapidly "was right in that assessment, at least as far as we are concerned. But we are only short in the lieutenants and above category, and two in the corporal category. We are not

short in any other category, with the exception of one black sergeant category."

"By short," he added, "I mean this is our target. It is not a goal, because we can go way above our target, and we do not have a problem with going above it, but. . . we are interested in making sure that we are at least at our target area."

"We are not satisfied with the status quo, let me say that." Colonel Henderson continued, "just because we met our goal. . . or because we met our target, we do not stop looking at it. But this is done at every promotional, and every hiring group, and I am in attendance at all of these." Further, he explained, "we are not locked into hiring the most qualified; we are locked into hiring qualified people. We want them to be qualified. We will not lower our standards, but we will hire the qualified people, possibly over a more qualified person, if we have the need to, for affirmative action reasons."

On the need for police officials to meet on a regular basis with interested citizens to discuss problems affecting police-community relations, Colonel Henderson opined, "well, the Chief [McLane] and Bob [Smith], both have talked about our community youth workshop, and our community adult workshop, and our command seminar that we are involved in with them, and that has been very successful. We have been doing that now for a couple of years, and have met with a great deal of success, and have a great deal of positive reaction from the officers who attend these things, in addition to the citizens." He said, further, "We also have a Black Advisory Board at the Sheriff's office, and a Hispanic Advisory Board. These are made up of citizens, community leaders and citizens of the black community, the Hispanic community, to meet with the Sheriff on a monthly basis, and they help us in recruitment too. . . . They also bring us problems that may be occurring, things that they see occurring on the street. . . . This has been very successful, both these advisory groups."

Colonel Henderson also commented on information regarding disciplinary action taken against law enforcement officers in the department and how that information is shared with the public. "The media and the press, particularly the press, because they are the ones that are real interested," he said, "we gave them carte blanche to come in once a week and review our internal affairs files that are completed. They cannot look at them prior to being completed, . . . but, once they are completed, they are public record, and we want them in there looking at them." The department now has a full-time community information officer, Colonel Henderson added, "who does his part, as far as giving out necessary information, not only good information, but bad information about crimes, and what is going on, and tries to keep the press informed. . . . That has been very successful."

On the subject of publicity about the internal mechanism for handling complaints against policemen, the Colonel noted, "I think that we have [also] publicized that. . . . So, they are quick to call and ask for internal affairs now. People know that they can get some action if they call and complain, and they can get action. There is no doubt about it. . . . Our procedure with that is to be handled at the district level, or with the supervisors, if it is a minor infraction and can be handled on the street. If the people are not satisfied, it is sent to internal affairs, or if it is of a complicated nature that is going to

take the street supervisor off of the street, it is our policy that it be given to internal affairs initially. . . ."

Colonel Henderson said the Sheriff's Department "does not condone an external review or citizens review committee. We feel that lay persons do not have the necessary investigative capabilities, and the necessary background and the years of experience that our people would have, or the State Attorney's Office would have, and it is reviewed by both in most cases. So we feel that it is not a viable solution."

On the subject of strict enforcement of department regulations prohibiting the use of racial slurs and insults, the Colonel indicated that, "We do have strict Standard Operating Procedures (SOPs) relating to that. . . . Ours goes all the way from a reprimand, a verbal reprimand, to dismissal. And, if the racial slur or derogatory remark is sufficient enough, a person could be dismissed; though we have not dismissed anyone, as has the Tampa Police Department, we have disciplined people and suspended them for racial slurs, over the past 3 years or 4 years."

Colonel Henderson also commented on regulations governing the use of deadly force and whether or not they should be publicized: "Again, we have a more restrictive policy [than the State], as does the Tampa Police Department. We got together several years ago, and developed a more restrictive policy than is State law. We have stood by that policy." There must be "imminent danger to the [life of the] officer, or an innocent person, in order to use deadly force, or feel he is in imminent danger. That is much more restrictive than Florida State law."

In concluding his statement, Colonel Henderson commented on the need to have the public be made aware of human relations training given to the police, and the utilization of minority groups and individuals in such training. "Again, the Tampa Police Department is way ahead of us in that, and they do run the Citizens Police Academy alone. We were given credit for being involved with them on that. It is theirs and it has been very successful." And he added that the Sheriff's Department was making plans to duplicate the Citizens Police Academy in Hillsborough County.

Major Oates reinforced much of the information presented by Colonel Henderson. As a veteran of the Tampa Police Department and a long-time veteran of the Hillsborough County Sheriff's Department, Major Oates spoke generally of his experiences, "I was not always happy with the Sheriff's office, or satisfied. I will be honest with you. There are a couple of things we are still working on. But I think we have made a lot of steps [towards improving police-community relations]." Major Oates indicated that the Sheriff had been responsive to a number of concerns expressed by minority officers in the department regarding placement of minorities in nontraditional decisionmaking positions, and the need for special efforts to obtain and retain minority officers.

An Update (Conclusion)

In the Florida State Advisory Committee (SAC) report of 1972 titled, *Police-Community Relations in Tampa—The Beginning or End*, a number of recommendations, designed to address a very tense and serious problem between minority communities and both the Tampa Police Department and the Hillsborough County Sheriff's Department were made. Those recommendations are outlined below; those that have been implemented in one form or another are starred (*).

The Mayor and the City Council

- 1. A city ordinance should be passed adopting a policy of nondiscrimination and an affirmative action program in every department of the city government, with appropriate enforcement procedures.
- 2. The mayor and city council should review the purpose and activities of the Tampa Commission on Community Relations and give it the needed powers, responsibilities, and staff to enable it to play a maximum effective role in both majority and minority communities.
- 3. The position of an ombudsman, filled by a person acceptable to all major groups, should be established. The ombudsman's function should be to review complaints filed by citizens against any city department or agency.

The Police Department and the Sheriff's Department

- 1. The city of Tampa Police Department and the Hillsborough County Sheriff's Department should develop an aggressive recruitment program designed to attract a greater number of minority persons to the police field. Programs such as the Neighborhood Youth Corps and the New Careers Program should be involved in this effort.
- 2. Law enforcement agencies in Tampa should review their present qualifications and eliminate those which may not be job related and which may discriminate against nonwhites.
- 3. Affirmative steps should be taken to upgrade minority group officers. If necessary, a compensatory program should be established to increase the ability of minorities to obtain promotion to supervisory positions in law enforcement agencies.

- 4. The police and sheriff's departments should appoint minority persons to top policy-making positions. Minority group policemen should play a major role in police-community relations and in police recruitment.
- 5. Police officials should meet on a regular basis with interested citizens to discuss problems affecting police-community relations. These discussions should be held on an area basis and should develop into regular committees under a citywide umbrella. These Committees should develop recommendations to improve citizen-police cooperation.
- 6. Disciplinary action taken against law enforcement officers by their respective departments should be made public. Likewise, commendatory activities of the police departments should get full publicity. An expanded budget for public information on police activities should be considered.
- 7. Publicity should be given the existence of the present internal mechanism for handling complaints against policemen. This mechanism for handling complaints should be strengthened by making periodic reports to the public of the number of cases handled, the substance of the complaint, and the findings.
- 8. An accountable external mechanism to handle complaints against the police should be established at the earliest possible date. This mechanism should represent all segments of the community.
- 9. Steps should be taken within the police department and the sheriff's department to see that police actions are neither provocative, discriminatory, nor expressive of prejudice, and that a climate is established whereby accusations of such actions would not have credence. Strict enforcement of department regulations prohibiting the use of racial slurs and insults should be carried out and publicized.
- 10. Regulations governing the use of deadly weapons should be carried out and publicized.
- 11. The public should be made aware of human relations training given to the police. Local minority group individuals should be utilized in such training.

General Recommendations

1. The role of the Florida Civil Service in the employment and upgrading of minority group law enforcement officers should be explored. This inquiry should consider any obstacles that might exist to implementing innovative ideas in the community service area and also any obstacles to the proper discipline of policemen.

2. Efforts should be made to increase minority representation in the entire justice system in the Tampa area, as well as to improve the functioning of the judicial system for minority group persons.
- * 3. The religious, civic, and business leaders, especially those in newspaper, radio and television media, should give high priority to efforts to improve the climate of opinion in Tampa and to establish a city where all citizens can work together on the basis of true equality.

Also in the 1972 report, the SAC concluded: "In Tampa, there are signs that police-community relations can be improved. The city of Tampa Police Department and the Hillsborough County Sheriff's Department profess a willingness to evaluate programs, policies, and practices to develop good relations with minority communities," and indeed in 1991, that is resoundingly the case. Under the progressive direction of a new cadre of enlightened elected leadership, police officials and tenacious civil rights leaders, Tampa has made significant strides towards ensuring that law enforcement in the area is more responsive than ever before. As was noted by police officials and civil rights activists, programs have been instituted that are designed to improve minority involvement with the departments, expand lines of communication, improve police human relations training, increase recruitment of minority officers, and perhaps most importantly, increase recognition of the need for a new more flexible, open, and sensitive attitude by officials on the subject of police-community relations.

This is not to suggest, however, that things are perfect. For example, isolated instances, unlike the patterns of 1972, of allegations of police misconduct or questionable behavior continue as was attested to by some of the police officials. In addition, the continued inability of both departments to expand significantly, after a considerable number of years, minority and female representation at command levels (sergeant and above) continues to raise troubling questions about the effectiveness of departmental affirmative action efforts regarding promotions and upward mobility.

Table 13--Minority Officers in Supervisory
or Management Positions, 1980-1987

18

Appendix A

Blacks								
	1980	1981	1982	1983	1984	1985	1986	July 1987
Colonel								2
Major							1	1
Captain						1		1
Lieutenant		1	1	2	1		2	1
Sergeant	4	<u>1</u>	<u>3</u>	<u>5</u>	<u>4</u>	<u>5</u>	<u>1</u>	<u>4</u>
	4	3	6	7	5	6	6	8
Hispanics								
	1980	1981	1982	1983	1984	1985	1986	1987
Colonel								
Major								
Captain	2	2	2	2	2	2	2	1
Lieutenant							1	1
Sergeant	5	<u>5</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>7</u>	<u>5</u>	<u>5</u>
	7	7	8	6	6	9	8	7
Women								
	1980	1981	1982	1983	1984	1985	1986	1987
Colonel								
Major								
Captain								1
Lieutenant							1	
Sergeant	1	<u>1</u>	<u>2</u>	<u>4</u>	<u>4</u>	<u>7</u>	<u>6</u>	<u>8</u>
	7	1	2	4	4	7	9	9

Source: Tampa Police Department Personnel Bureau internal management reports.

**Table 1--Tampa Police Personnel by Race
December 31, 1986**

	White	%	Black	%	Hispanic	%	Total
Male	507	71.7	36	4.9	46	6.5	589
Female	94	13.3	21	2.9	3	0.4	118
Total	601	85.7	57	8.1	49	6.9	707

Source: Tampa Police Department Personnel Bureau internal management reports.

AFFIRMATIVE ACTION STATISTICS--APRIL 13, 1990
 HILLSBOROUGH COUNTY SHERIFF'S OFFICE -- GRAND TOTALS

I. NUMBER OF EMPLOYEES

	MALE-----					FEMALE-----					GRAND TOTAL
	White	Black	Misp.	Other	TOTAL:	White	Black	Misp.	Other	TOTAL:	
Police Lt. & above	34	3	4	0	41:	0	0	0	0	0:	41
Police sergeants	50	2	9	0	61:	3	1	1	0	5:	66
Police cpl.	48	7	3	0	58:	3	0	1	0	4:	62
Police det. & est	87	8	16	2	113:	13	1	2	0	16:	129
Police deputies	337	41	56	4	438:	63	11	4	0	78:	516
TOTAL POLICE	556	61	88	6	711:	82	13	8	0	163:	814
Detention Sgt & above	53	9	6	0	68:	6	4	0	0	10:	78
Detention Corporal	32	7	4	0	43:	8	2	1	2	13:	56
Detention Deputies	311	67	52	10	440:	113	28	11	0	152:	592
TOTAL JAIL	396	83	62	10	551:	127	34	12	2	175:	726
Civ. professionals:	34	6	2	0	43:	23	10	1	0	34:	77
Civ. technicians	31	10	7	0	48:	19	9	4	0	32:	99
Civ. comm.	41	4	4	2	51:	44	8	4	0	56:	107
Civ. prot. ser.	9	0	2	0	11:	32	9	3	2	46:	57
Civ. tech. cler.	12	1	3	1	17:	65	21	16	0	102:	119
Civ. gen. cler.	7	1	1	0	9:	68	7	14	2	91:	100
Civ. skilled	43	6	5	5	59:	0	0	0	0	0:	59
TOTAL CIVILIAN	177	28	24	9	238:	251	64	42	4	361:	599
GRAND TOTAL	1129	172	174	25	1500:	460	111	62	6	639:	2139