

POLICE REVIEW BOARD MOCK ELECTION:

A ROUGH DRAFT (Strictly Confidential)

Anyone who has been active in the Movement in this city for any length of time or anyone who has been a Negro here for any part of his life is well aware of the problems between the police department and the Negro community of Detroit.

A number of cases in the last year have dramatized police brutality and harrassment for those who weren't aware of the problem before. Beginning with the Cynthia Scott case and including the Kenneth Evans case, the Olympics demonstration case, the arrest at the NSM office on Mack Avenue on the East Side, the Barbara Jackson case, the Rembert-Tyson case and countless others -- hundreds of which have undoubtedly gone unnoticed by civil rights organizations -- a pattern of intimidation has become clear. Since the Cynthia Scott case, in which a Negro was shot in the back by a policeman, there have been two fatal shootings of Negroes and one shooting of a white youth. There have been suspicious circumstances in all of these cases, but nothing has been done to discipline the officers involved and little investigation has been forthcoming.

It has become clear that little will or can be done. The police commissioner professes to have an interest in solving the problem but tacitly admits that he cannot control his own department and that he is prevented from receiving information from his inferiors. The mayor as much as admits the same thing.

A number of organizations have attempted to put pressure for reform, internal and external, on the department. A group of ministers has met with the mayor. Almost all of the civil rights organizations have held meetings with police commissioner at one time or another. There have been demonstrations at the downtown police station and at the local precinct stations. All to no avail. Little change in police behavior has been evident, although there have been some changes in police "rules".

Part of the problem involves the police department's attitude toward Negroes and the Negro community. Many policemen are avowed racists. Apparently they see themselves as an occupation army in the ghetto, their sole function to enforce the law and preserve order (in contrast to their attitude in middle-class areas, where they apparently see their job as protecting the lives and property of residents.) In addition to their undisputed right to kill Negro citizens as they see fit -- a right which is always upheld by the prosecuting attorney -- the police are empowered by many city ordinances which by virtue of their vagueness can be applied discriminately to Negro citizens. Examples are: loitering ordinances, traffic laws, disorderly conduct, drunkenness, and a host of others. The authority and mood of the policeman in these cases is never questioned. It is up to the officer to determine whether or not an offense has been committed. Civilian witnesses are rarely, if ever, required by the courts to prove the guilt of any defendant. The policeman, in effect, becomes both policeman and judge. In many cases, the police have taken it upon themselves to become executioners as well, administering beatings without fear of retribution.

The police in Detroit have apparently the same attitude toward people, black and white, in the Civil Rights Movement as have their "brothers", the police in the South. Detroit Police feel threatened by the Movement as well as opposed to it, and they react in the only way they know how -- with intimidation and harrassment. This is particularly true in situations which are not in the public eye, as downtown demonstrations are. Eddie Jackson once got into an argument in the ACME office with a notorious pair of plain clothes detectives on the east side. One of the detectives is known as "Big Red." Over two months later Eddie Jackson was arrested by Big Red's partner for being drunk. He was not. Peter Werbe was held and detained for nearly one hour by 7th precinct patrolmen who accused him of orling a woman on the street.

The woman was his wife. Richard Henry of GOAL has been harassed by the police, as has his brother Milton Henry.

The Civil Rights Commission, the Commission on Community Relations and the Police Community Relations Bureau--agencies which are supposed to have jurisdiction in these matters--are totally ineffective in dealing with the problem. The Civil Rights Commission, in particular, has the most power and has been the biggest disappointment. It is still "investigating" cases which occurred in February of 1964. It is known that its investigations have been stopped on occasion by political pressure. Furthermore, as evidence of its failure to make deep-seated changes, the Commission is not even known to most of the Negro community; people do not know that there is an agency to hear their grievances when they have them. The other agencies are less than powerless and cannot be expected to produce any results.

All of which is to say that no reform of police practices can be expected from within the department, or from any of the agencies which are supposed to have immediate jurisdiction in the problem. Nor do the piecemeal demonstrations seem to have any effect. And it seems as though Olsen's re-election and the conspiracy which exists between the police department, the prosecutor's office and the courts, outweigh the attempts of the NAACP to produce reform by working through the court system. This is not to say that the NAACP has not won impressive victories on individual cases, notably the Rembert-Tyson case. But there seems to be little or no impact from these victories on the general practice of policemen--they remain unaffected. There also seems to be little luck with civil suits against police officers.

A number of cities have tried to solve the problems of police harassment and brutality through police review boards. In nearly every city that this has been tried it has been a failure, at least in terms of improving relations between the police department and the Negro community. The two most glaring examples, of course, are Philadelphia and Rochester, both of which were the scenes of major riots during the summer of 1964, when review boards were already in operation.

Apparently, however, a number of reasons can be offered to explain these failures. In the first place, there is reason to believe that the Negro community in those cities, by and large, was either unaware of its existence or knew it existed but saw it as ineffective on one or both of the following counts: (1) it had no preventive impact on police behavior--police did not stop harassing and beating black citizens after the board went into operation; or (2) the board had proved ineffective in dealing with cases it did take up to the satisfaction of the Negro community and to the prevention of police brutality.

Most police review boards are appointed by the mayor and are responsible to him. As such they are subject to all kinds of political pressures, pressures which originate outside the ghetto. Pressures similar to those which prevented the Detroit Commission on Community Relations from conducting a thorough investigation of the Cynthia Scott case, for example.

It would seem to follow, therefore, that the provisions below would be necessary in the formation of a successful police review board. (Successful meaning one which by nature makes police "think twice" about harassing anyone, and which can also act with real authority to discipline police who still do behave in a brutal or discriminatory manner.)

1. The board would have to have real power--power to discipline policemen in degrees up to and including dismissal.

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2. The board would have to be elected and have independent power rather than be the creature of some politician.
3. In order for the people to be aware of the board's existence it would be best if the board were made up of people whom the people in the ghetto knew of. That means people from the neighborhood.
4. In order for the board to be effective in preventing brutality in the ghetto, it would have to have independent power in the ghetto. That is, it would have to be set up on a precinct-by-precinct basis, for example, rather than on a city-wide basis. Otherwise whites would control it and Negroes, who constitute the largest group of victims of police brutality, would not receive fair consideration.
5. Ideally, the process of getting a board would involve the largest number of people possible in the ghetto, so that they would be aware of its existence if and when it got legally constituted power.

The Proposal

On the basis of the above, a proposal for joint action by all civil rights groups and all liberal groups in the city is set forth: It is that a mock election of a police review board be held in selected key precincts in the city, and that the election be combined with a campaign to get signatures on a petition to put a proposal for a review board on the ballot, with the provisions outlined above included, at the appropriate election.

(This latter part of the proposal needs to be debated seriously, since it is clear that when given the opportunity to do so the American public will invariably vote in the most racist manner possible.)

A mock election for a review board would have the following advantages:

1. It would unite the civil rights organizations around a real and meaningful issue, and into a real and meaningful coalition.
2. It would involve massive numbers of people in the ghetto in the process of doing something to change their own lives.
3. It would be an important first step in providing people in the ghetto with a practical political education involving an issue which is meaningful to them.
4. It would provide a base for a real mass organization which could be used on other issues.
5. It would provide the opportunity to involve every level of the Negro community in a meaningful coalition.
6. It would demonstrate to the establishment of this city the ability of the Movement, when combining all its resources, to mobilize a significant political force in the city.
7. It would provide the opportunity to dramatize the issue of police brutality through public hearings and other events.

8. It would provide a good opportunity to get Negro citizens registered to vote through exhaustive canvassing which would be necessary.
9. It would put a great deal of pressure on the power structure to change whether the idea failed or succeeded--the idea alone or the threat of pulling it off should be enough to scare a lot of people like the mayor and the police commissioner and maybe even some cops.