

The CHAIRMAN. Then do you know whether those that gathered there on the street and taunted you as you performed your duties, whether they were out-of-State people or if they were people from the community?

Mr. HENRY. I don't know.

The CHAIRMAN. You couldn't know about that?

Mr. HENRY. No.

The CHAIRMAN. How about the out-of-State cars? Did they remain there during the period of the rioting?

Mr. HENRY. After the first day, I saw them no more. After the first day of the riots I saw them no more.

The CHAIRMAN. You saw them no more?

Mr. HENRY. No, sir.

Senator MUNDT. You would know whether the people who taunted you were people you normally see on your patrol duty. A patrolman recognizes the people of the area. I will put it this way. Were any of the people taunting you people that you knew?

Mr. HENRY. This is a very, very large area. None of these people I knew.

Senator MUNDT. Nobody that you had known?

Mr. HENRY. No.

Senator MUNDT. When you say there was an influx of Ohio cars, I wonder if we can pinpoint that a little more clearly. Two Ohio cars, five or six Ohio cars, 10, a dozen, 2 dozen Ohio cars?

Mr. HENRY. I saw at least eight.

Senator MUNDT. At least eight Ohio cars?

Mr. HENRY. That is correct.

Senator MUNDT. That were in this area?

Mr. HENRY. Yes, sir.

The CHAIRMAN. You gentlemen are excused. Thank you very much. I want to congratulate you on doing a hard job in a tough town. I know it is not easy to be a patrolman. I salute anybody who sticks with the job.

Sergeant HOWISON. Thank you.

Mr. HENRY. Thank you.

The CHAIRMAN. Commissioner Ray Girardin and Superintendent Nichols.

Do each of you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIRARDIN. I do.

Mr. NICHOLS. I do.

### TESTIMONY OF COMMISSIONER RAY GIRARDIN AND SUPERINTENDENT JOHN NICHOLS

The CHAIRMAN. Will you identify yourself?

Mr. GIRARDIN. I am Commissioner Girardin, and on my right is Superintendent John Nichols of the Detroit Police Department.

Senator JAVITS. Mr. Chairman, may we know the division of responsibility, if one is a political appointee and the other is a professional assignment?

Mr. GIRARDIN. I am appointed by the mayor and responsible to the mayor at his pleasure. I have been police commissioner since 1963.

The superintendent is a career police officer who holds the highest rank that a career police officer holds in the department, and his position is immediately next to the commissioner.

Senator JAVITS. It is the same as we have in New York.

Senator MUNDT. Mr. Commissioner, you didn't give us your background. I assume you are an experienced police officer.

Mr. GIRARDIN. I have been police commissioner since 1963. Before that I was an executive secretary in the mayor's office. Before that I was head of the probation department in the criminal courts of Detroit, and prior to that I was a newspaperman who worked very closely with police and crime.

Senator MUNDT. You said you were a probation officer?

Mr. GIRARDIN. I was head of the probation department in the criminal courts for Detroit, and prior to that I was a newspaperman and most of my work had to do with police and crime.

Senator MUNDT. That was as a reporter?

Mr. GIRARDIN. Yes; as a reporter and deskman.

The CHAIRMAN. Have you ever served as a policeman?

Mr. GIRARDIN. No, sir.

The CHAIRMAN. You have never been a policeman on the beat?

Mr. GIRARDIN. No, sir.

The CHAIRMAN. Did you ever have any experience in making arrests?

Mr. GIRARDIN. No, sir.

The CHAIRMAN. Very well; proceed.

Mr. GIRARDIN. I have a brief statement to present.

The CHAIRMAN. You may read your statement.

Mr. GIRARDIN. It is an honor to be asked to participate in discussion with this committee in its very important work. We who represent the Detroit Police Department are anxious to make whatever contributions we can to assist you in your deliberations.

We realize the problems confronting the Nation today in the area of civil strife and riots are enormous and must be solved. Too much stress cannot be placed upon the urgent need for immediate and massive measures to alleviate the conditions and attitudes that result in riots and chaos. Certainly the recent report of the National Advisory Commission on Civil Disorders spells this out.

Momentarily, let me go back to the years immediately preceding this past summer. Until those tragic days of last July, Detroit had avoided riots in contrast to other cities where major disturbances took place.

I am not implying that we avoided minor situations or incidents that could have exploded into major riots. Detroit had its share of incidents that had the potential for developing into widespread disorders, but these incidents were controlled and order was maintained. The most noteworthy of these was the "Kercheval incident" of 1966. The details of this incident are, I believe, a matter of record with your committee and are reviewed in Superintendent Nichols' presentation.

There is no simple or positive explanation of why Detroit was able to avoid riots prior to last year, but I would like to mention several factors. One is that the police department developed and refined plans constantly for dealing with problems of crowd control. Another is that our patrol forces remain vigilant and on the alert for rumors or other

signs that might foretell difficulty. The prompt reporting and evaluation of this type of information and the taking of necessary action to forestall trouble are important.

A third factor—one that I feel is of great consequence—is Detroit's firm commitment to police-community relations. I believe that this commitment—and the community's awareness of it—helped to create the atmosphere in which our police tactics succeeded when police response was required.

Detroit's success in averting riots in 1965 and 1966 did not cause us to become complacent and we did not relax our efforts to upgrade our crowd control plans. This also is covered in greater detail in Superintendent Nichols' remarks. Nor did we relax our community relations efforts.

I do not believe the outbreak of last July indicated a failure of community relations nor a failure of police techniques. Unquestionably, it pointed to an urgent need for expansion and improvements in both areas, and this is now underway. The havoc that occurred was disastrous—but it is almost beyond the imagination to visualize what might have happened—how much more death and destruction would have occurred—if the benefits of our community relations and our police response were not present. You simply cannot measure the possible deterring effects of these factors.

The progress and expansion being made in riot control equipment, training, and procedures are being accompanied by progress and expansion in police-community relations efforts. A proposed pending reorganization of the police department now under discussion, and probably soon to be adopted, will recognize the importance of community relations by placing it under the direction of an executive officer equal in rank and status to executives directing patrol, investigative, and technical activities.

There are a few points I would like to call to your attention in connection with last summer's riots. One is that there is no evidence to support repeated reports that the outbreak was the result of a planned, organized effort. Certainly there were opportunists present who seized upon the chance to turn a routine police incident into a riot.

But there is nothing to indicate that this was other than spontaneous, as the raid on the "blind pig" was almost spontaneous. There were and are present in Detroit and other cities extremists who want to destroy our efforts at working our problems peaceably and are dedicated to violence. On the morning of Sunday, last July 23d, at 12th and Clairmount Streets in Detroit, they were successful.

Street forces were at a relatively low level on that Sunday morning since deployment was based largely upon crime experience and crime incidence at that hour is normally low. As the incident grew in scope at 12th and Clairmount, we mobilized our forces as rapidly as possible and deployed them to the area.

Assistance was requested from the State police, the National Guard—which at the time was at its annual encampment in the northern part of the State—first they were alerted and then they were requested—and ultimately Federal troops. Our strategy was to use the forces we had to contain the situation in a small area until outside assistance arrived.

It is difficult to comprehend the extent of last July's outbreak and to realize the rapidity with which it grew once it raged beyond control. In spite of our complete department mobilization and our 12-hour shifts, there simply were not enough police to cover the variety and quantity of incidents taking place.

We are submitting an activity log which gives an indication of the volume and nature of problems confronting the department. We are submitting also a report concerning arrests and other statistical data which reflects the vast workload that was imposed upon police officers during the riot. It must be borne in mind that we are a city of 139 square miles and 1,600,000 people.

During the disturbance, authorized representatives of the Michigan Civil Rights Commission and other bona fide constitutional organizations, such as recognized church groups, were permitted access to precinct stations as observers. This proved to be of value to the department since the presence of these observers tended to prevent the filing of many unwarranted complaints of mistreatment that probably would have been made.

Let me say at this point that the improvements being made in our training, control tactics, and equipment has placed us in a substantially better position to cope with disorders. However, outside help will always be a must in the event major disturbances occur. No local police department is staffed or equipped to handle as intense and massive a riot as ours.

The matter of prisoner processing is an enormous undertaking. Each prisoner must, of course, be taken into custody. He must be registered, identified, fingerprinted, housed, taken to court, and reports must be prepared. He must be fed. He must be identified with a particular crime. The case against him must be developed.

Preparing a case for criminal prosecution is a precise and lengthy process under ideal conditions when pressure is not present. It becomes even more difficult when mass arrests are made under the trying conditions that existed last July. A system of accounting for prisoners is necessary so that a prisoner's whereabouts and status can be determined promptly. I cite these facts only to emphasize the magnitude of problems confronting the police under the emergency conditions being discussed. We made more than 7,000 arrests. No city has facilities to accommodate this many extra prisoners.

In summation, I want to state that Detroit is doing the very best it can to correct conditions that can lead to riots. The police department works constantly to improve police-community relations and will seek to resolve peacefully any difficulties that might arise. We have improved training, equipment, and procedures for handling riots. Detroit's officials have stated clearly to the community that violence, riots, looting, and burning cannot be tolerated, and Detroiters have been assured that the police department will respond with its full facilities in the event disorder occurs and that the police will take the necessary steps, within their legal authority, to maintain law and order.

The CHAIRMAN. Let us proceed now to have the other witness, the superintendent, Mr. Nichols. Will you now present your statement? Then we can interrogate the two of you.

Mr. NICHOLS. Yes, Mr. Chairman.