

TAYLOR  
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Phone (Area 202) 628-4266

WARD & PAUL

25 K Street, N.E., Washington, D.C. 20001

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1 AFTERNOON SESSION

2 2:40 P.M.

3 MAYOR CAVANAGH: Governor, It was suggested by  
4 some of your staff during the course of our luncheon that  
5 you and the members of the Commission might be interested,  
6 and I am sure you would be, in hearing from as many people  
7 as you possibly can, and particularly their pertinent ob-  
8 servations as to what went on on the streets down there that  
9 day. So if I might attempt to put in some kind of perspective  
10 very quickly and briefly and then ask our police and other  
11 people that were out on the streets to amplify this whole  
12 problem.

13 There has been some considerable publicity and  
14 certainly no little discussion about the use of force early  
15 on that morning, whether there was a permissive climate that  
16 existed, either within the community or on behalf of the law  
17 enforcement agencies which contributed to this riot, and whether  
18 the police were ordered to shoot or not to shoot. And as you  
19 noticed in those pictures, the looting was rather open and  
20 widespread and there were many questions raised, and still are,  
21 as to who could the police officers be in the vicinity and  
22 allow that kind of looting to go on.

23 Well, if I might just address myself to that for the  
24 moment as a prelude to our police department and also, and  
25 most importantly, to our fire department responding as well as

1 many of the gentlemen who were out on the streets.

2 Let me say at the outset, and this is not said  
3 defensively, but notwithstanding the fact that some of the  
4 news media had indicated that I had given an order not to  
5 shoot, I had not given that kind of an order, nor any kind  
6 of an order that day. But our police department has been and  
7 is instructed as are, I assume, most police agencies, to  
8 respond according to the circumstances that appear upon that  
9 particular occasion.

10 It would be absurd for me to say in any set of  
11 circumstances that our police agencies or our police force is  
12 to shoot in all circumstances like this or not shoot. I am  
13 sure Chief Jenkins, who is far more sophisticated than I am  
14 about this, would readily understand it.

15 The common rule, of course, is to use the minimum  
16 amount of force necessary to contain the situation and apprehend  
17 the criminal, and if it becomes necessary in the judgment  
18 of that officer to resort to the firearms which he possesses,  
19 and depending upon the seriousness of the crime, the nature of  
20 the circumstances, he should use them. And this traditionally  
21 has been the rule in our police department and still is, I might  
22 add.

23 But if I might add parenthetically, that morning, you  
24 can see the crowds, thousands of people actually out on the  
25 streets. Our police department did perform the traditional

1 sweep of the streets, in lock step down the street, but the  
2 crowd, because of its size, was constantly filling in behind  
3 them, so the usual police procedure which has worked very  
4 effectively in the Kircheval incident in the years before  
5 because it was a smaller area physically and fewer people,  
6 was just a failure. It did not work this time. That coupled  
7 with the fact that the police initially were assigned, too, to  
8 guard some of the fire-fighting companies that were in that  
9 neighborhood attempting to fight fires. And I personally spoke  
10 to a couple of young patrolmen, not in any official sense but  
11 I happened to encounter them later that week, that responded  
12 that morning from other precincts into that precinct and were  
13 on the scene and I said why was it that you did not use your  
14 firearms? You know, you are being criticized for it.  
15 Certainly the administration has been criticized. I mean our  
16 administration. And I recall very well one of the young men  
17 saying, Mayor, I did not need any order from anyone in that  
18 situation to tell me not to shoot at seven and eight-year-old  
19 children and wives and mothers and fathers looting these  
20 stores, plus the fact, the sergeant in charge of our detail,  
21 we were assigned to guard a fire company trying to put out a  
22 fire, he advised us not to shoot into that crowd because it  
23 was evident to me as it was to him that we would have been  
24 wiped out.

25 Again, hindsight is a great thing but I think an

1 objective evaluation of the situation would have to lead  
2 me to conclude that had we bristled with hardware and used  
3 that hardware early that morning, we did not, number one,  
4 have a sufficient number of police officers to quell that dis-  
5 turbance, and at the same time I think the numbers of people  
6 killed would have been double, triple, quadruple.

7           Now, it might be assumed that is a self-serving  
8 statement but that is not just my view but the view of a lot  
9 of people who were out on that street at that time. When you  
10 have a hundred or even one hundred fifty police officers in  
11 a situation where your mob is growing to five hundred, a  
12 thousand, fifteen hundred people, I think you can readily  
13 understand what the situation might be. And for the purposes  
14 of at least beginning this discussion with the Chair and  
15 members of the Commission, I thought I would mention that and  
16 then ask our Police Commissioner and some of the police rep-  
17 resentatives, one of whom, Dr. Lock, was right out on the  
18 street for a period of time that morning, he was right with Mr.  
19 Johnson who was -- that was Mr. Johnson's car, I discovered,  
20 that Representative Conyers was on top of talking with the  
21 bull horn. We kiddingly said at lunch we could read his lips  
22 and he was saying get off the hood of my car. But I want  
23 to ask Commissioner Giardin to respond.

24           COMMISSIONER GIARDIN: Well, just a few preliminary  
25 words. We were not resting on our oars but we thought we made

1 a great deal of progress in police community relations in  
2 Detroit. We had rumors of trouble the past four summers and we  
3 did not have trouble except a year ago when we had this  
4 Kircheval incident, so-called. We had no rumors preceding that.  
5 We had no rumors of trouble preceding the current 12th Street  
6 situation.

7 We were not smug about it because we realized what  
8 was going on in the country, but we did think that our communica-  
9 tions were good with the people of our community and we thought  
10 that we were settling problem after problem and we thought we  
11 were reaching all the people.

12 We now know or I know now I certainly wasn't and  
13 apparently we were not.

14 When the trouble started that morning, it started  
15 off as many incidents, and we have had a hundred of them,  
16 started off with an arrest. As the mayor pointed out, every-  
17 thing was fine, but people on the street would come along  
18 when the others, those arrested in the Blind Pig were being  
19 taken in the wagon and say, "Oh, Joe, they finally caught up  
20 with you," and they were kidding back and forth. But as  
21 this crowd grew in size, some people in the crowd began call-  
22 ing names and the temper gradually changed. However, this has  
23 happened many times before. The prisoners were taken away,  
24 and this has resulted in the past in the crowd dispersing it-  
25 self.

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1           There wasn't any reason to believe that at that  
2 particular time that it wouldn't until a window was broken.  
3 Even the rock thrown at the car that the Mayor mentioned  
4 wasn't any great tip-off because our police cars occasionally  
5 are stoned. Our fire trucks are stoned. And we stop the cars  
6 and start a riot there or go on with our prisoners. This is  
7 what they elected to do and I think it was good judgment.

8           But more windows were broken and the crowd filled up.

9           Now, it hit us at the worst possible time. If this  
10 had been carefully worked out as the Japanese worked out the  
11 attack on Pearl Harbor it couldn't have been more advantageous  
12 to people who wanted to, if they could, catch us when we were  
13 weakest and when the most damage could be done. I do not think  
14 it was planned this way.

15           I am not intimating at all that I have any evidence,  
16 I do not have, that this was a plot, a conspiracy, a planned  
17 thing. But we were very short on manpower because it was  
18 Sunday morning. We don't need them. We work a five-day week.  
19 So we distribute our manpower according to the needs. The  
20 crowd built up very very rapidly. The density of the population  
21 in this area has to be really seen to be believed. You can  
22 blow a whistle at three o'clock in the morning and get 2,000  
23 people on the streets like this. Because lining 12th Street  
24 are large apartment buildings crammed full of people and on the  
25 hot nights they just do not go to bed. They are out and around.

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1 So the crowd multiplied at times fifty to one, to the police.  
2 Fifty times as fast as we could. A hundred times as fast.

3 We have to keep one other thing in mind, too. Was  
4 this a diversionary tactic? Was the object of an attack, if  
5 there were a planned one -- we did not know at that point  
6 if there were an attack -- was this a diversion to get all  
7 our people on the west side when the main attack would be  
8 perhaps in auto plants on the east side or something on the  
9 east side of the city? We couldn't let the rest of the city  
10 go while we concentrated there.

11 Now, our tactics of not rushing in and including  
12 people or shooting people have been successful for four summers.  
13 This incident on the east side last year, we never for one  
14 minute lost the community on the -- the police never lost the  
15 community there and the community is predominantly Negro and  
16 they formed patrols and helped us put down the disturbance and  
17 I think the big reason we did not lose them.

18 There are two reasons, one, our Community Relations  
19 Program at the precinct level, and two, not one police officer  
20 lost his head and abused anyone.

21 These tactics did not work on 12th Street, and you  
22 may have the impression from some of the things you read  
23 that this crowd was in a holiday mood. They were all going to  
24 the circus and have fun, taking a few things out of the stores.  
25 So people might have been smiling and laughing but it was close

1 to hysteria. The mood just under the surface was a very  
2 vicious mood as we saw. You see it in the burnings.

3 I am convinced, gentlemen, and madam, that if we  
4 had started shooting in there, every one of our -- not one of  
5 our policemen would have come out alive. We have too few of  
6 them. I am convinced it would have turned into a race riot  
7 in the conventional sense of the term where it is one race  
8 fighting another race, and it probably would still be continu-  
9 ing with hundreds of dead. I am convinced we would never rise  
10 from the ashes and we are doing it and doing it with a total  
11 community effort rather than a divided community.

12 So if this sounds defensive for our attitude perhaps  
13 it is, because we did not go in smashing heads and I don't  
14 think that would have done any good. Besides, there is  
15 another factor. I put, as we all do, I believe, human life  
16 above property values. The stores can be replaced. The  
17 goods stolen can be replaced, but the lives could not be.

18 It is rather interesting. We realized that many of  
19 the people looting were hard-working, decent, law-abiding  
20 citizens, that got caught up in this fever. And this -- we  
21 knew it at the time but it was later brought home to us, when  
22 people were caught and they would say, look, I just went out  
23 on my back porch. There is a color television set. I don't  
24 know how it got there. Could you come and get it. They  
25 were finding things in their homes. They did not just get



1 them. The people had stolen them and thought twice about  
2 it and wanted to do the decent thing and turned them back.  
3 There were many persons that were caught up in this fever, in  
4 this semi-hysteria that up to that time probably had abided  
5 by all the laws and were good, hard-working citizens but they  
6 got carried away.

7 By the time we could get both our shifts over, our  
8 Platoon One that works midnight to eight a.m., and get, and  
9 get the new shift in, the reports at eight o'clock on Sunday,  
10 which is almost a skeleton crew anyway because of the fewer  
11 demands on Sunday, the crowd had grown so that it would have taken  
12 a small sized army to control it, and I do not know if there  
13 is any way to control it short of shooting people. I do not  
14 think that would have done it either, but this would have been  
15 an extreme measure.

16 Now, we had very close liaison with the state police  
17 and with the Governor for the Militia. The State Police as the  
18 Mayor pointed out, did I am sure their best, but it took some  
19 time for them to get the two to three hundred men in that they  
20 had ordered.

21 When the National Guard came, they threw a couple of  
22 generals down from Grayling where the troops are at summer  
23 camp, 201 miles or so north. Most of them are up there. The  
24 generals came in and then they told us that evening about how  
25 many troops were moving in and undoubtedly they were telling

1 us the right story. The only thing is we could not find  
2 them on the streets. The military apparently has a great  
3 technique of holding people in reserve and the town was burn-  
4 ing and we had a very small police force, and fire department,  
5 but we had a lot of troops. I do not know where. On paper,  
6 yes, I know. But on the streets, I do not know. It took  
7 some time.

8 Now, Mayor Lindsay, you asked something about the  
9 National Guard and may I say very quickly that I think these  
10 young men and old men did the best they could be expected to do  
11 because they just are not trained. Take these shipping clerks.  
12 You don't make soldiers out of them over a weekend. With all  
13 due respect. Take these kids out of a small town up in the  
14 sticks of Michigan and bring them into a city, straight to a  
15 congested area with all this tension and excitement going on,  
16 they do not know how to act. They are not trained for it.  
17 They have not the least idea of the background, not the least  
18 idea of any feel of the community and they panic, and they  
19 get trigger-happy and they shoot and shoot and shoot.

20 I do not know, and none of us in the police depart-  
21 ment know the actual number of sniping incidents we had because  
22 I am personally convinced that a great deal of the reports  
23 we had of sniping were jittery Guardsmen firing the gun and  
24 this brings others firing their guns and I am not blaming  
25 these kids. They are not trained for this type of work.

1           They need very definite and serious training and I  
2 do not think you can give it to them on weekends. I think it  
3 has got to be a continual type training for this particular  
4 type situation.

5           I saw the other day, after your very fine recommen-  
6 dation that they be given specific training, I saw something on  
7 television showing -- I think it meant to depict how this was  
8 being done. It showed a number of troops out in the country,  
9 mind you, not in a city, out in the country, and they had a  
10 confrontation with a gang. Of course, it was simulated. With  
11 a gang.

12           Now, this is out in the country, so what they did  
13 was just throw tear gas and went right through the crowd.

14           Well, this mode went out, you know, really with the  
15 Civil War. We don't have this type confrontation any more.  
16 It is a guerrilla type and it is bullets. Bricks and bottles  
17 have gone out. It is bullets.

18           It is not an all-out war. If there is a sniper in  
19 a building we cannot call for an air strike. We cannot throw  
20 grenades. We cannot move a tank into the building because  
21 there are women and children and innocent people in that  
22 building. And the job is to get the sniper and see that he  
23 does not snipe anyone. This is very difficult and it takes  
24 a skill that very frankly I do not think we have perfected and  
25 I certainly know the National Guard has not perfected it.

1 I strongly advocate that if the National Guard is to  
2 is to be used in these situations, they have constant training,  
3 not the matter of a few hours a year, and that they be integrated  
4 with police departments so that they can work together in a  
5 crowded street and building situation, the kind we encountered  
6 in Detroit, day-time and night-time.

7 We found another thing, of course. We had to have a  
8 police officer with every small group of National Guardsmen  
9 because obviously they do not know the city. They did not have  
10 adequate radios because they I guess had gone to Vietnam or some  
11 place. So we had to be with them for several reasons.

12 One, communications. Two, to show them how we act  
13 in a situation like that. Three, to show them where the  
14 streets were.

15 I did not mean to carry on a monologue. If there are  
16 any questions I will be happy to try to answer them.

17 CHAIRMAN KERNER: Do you have questions?

18 MAYOR LINDSAY: Yes.

19 CHAIRMAN KERNER: Mayor Lindsay.

20 MAYOR LINDSAY: Mr. Girardin, I am wondering, the  
21 size of your force is about 4,000 plus?

22 MR. GIRARDIN: About 4,450 roughly, Mr. Mayor,  
23 yes.

24 MAYOR LINDSAY: How many are Negroes?

25 MR. GIRARDIN: 250 approximately. 253.

MAYOR LINDSAY: When the Guard --