

Use of Deadly Force

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The Committee strongly identified with the intent of the following quote: "Deadly force should never be used on mere suspicion that a crime, no matter how serious, was committed or that the person being pursued committed the crime. An officer should either have witnessed the crime or should have sufficient information to know, as a virtual certainty, that the suspect committed an offense for which the use of deadly force is permissible.*" They

REPORT
of the
Police Community Relations Project Committee

JUNE 1970



COMMUNITY PROGRAMS

It is meaningless to talk only of the responsibility of the police. The police are also citizens and always a part of the community they serve. The citizen, likewise, is part of this same partnership and should try to achieve just and equal law enforcement. Police cannot be held solely responsible for social inequities they did not create. Citizens must recognize the interdependent character of police work and mobilize to help back up their police department in the maintenance of community harmony and peace.

Effective police and community relations involves citizens of different backgrounds and recognizes each others point of view. Good communication between the police and all community elements is important. Effective communication, therefore, should also exist between the police and groups known to be antagonistic because of real or imagined wrongs.

The police bear a major responsibility for making needed changes in relationships with the community. They bear this responsibility because they have the duty to protect and secure life and property and in so doing are given the discretion to use force. The police officer requires the full support of the community if there is to be effective law enforcement. The community will support the police as they observe daily practices that are meaningful to the community.

Instances of "police brutality" are less frequent today than in the past, and police officers are increasingly sensitive to demands from all citizens for improved police services. At the same time, there is an increased impatience and anger at police for real and imagined mistreatment of citizens. Also in evidence is a major emphasis from police administration and police organizations

to improve police professionalism. This internal movement among officer organizations has helped in the development of improved standards of conduct which should minimize street occurrences. It is difficult to develop a substantial police-community relations program if there is not a change in attitude on the part of some officers and some citizens.

Despite the conviction of police officers that their major responsibility is one of apprehending law breakers, police provide more immediate and essential services to poor people, black people and people in trouble than most other governmental organizations. A range of services performed by the police, intervention in family quarrels, running an emergency ambulance service, dealing with young people in trouble, intervening in neighborhood situations having the potential for disruption, consumes more time than the apprehension of criminals. The provision of these services forms the basis for an effective police-community relations program.

Attitude Change

If we are to improve police-community relations, police and citizen must see the relationship between cooperation and effective police work. If a police officer views a segment of the community as hostile, this may cause the officer to use unnecessary force when he interprets a situation as threatening. If some citizens assume that all officers are biased and harbor prejudiced attitudes, the resulting police-community tensions could have explosive consequences. Both officer and citizen must be made aware that changes in perception and attitude are necessary if we are to move as a total community in the search for problem solutions.

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Community Service

Increased community support begins with improved communications and a minimizing of confrontations viewed as abrasive by black and other minority group representatives. It seems that one way to start is to redefine the police role. The strongest way to do this is to support professional norms of conduct on the part of police officers. Since the majority of an officer's time is spent in providing service to the public, some recognition should be given to the important job that police perform in assisting citizens who lack resources or sufficient influence to obtain needed help. Officers also have to see the connection between good community relations and greater effectiveness in crime control.

Police-Citizen Relationships

All of us have grown up in a society that discriminates against minority groups. Since police agencies have little control over the early experiences and social contacts of the men who become officers, it is the department, then, that must take primary responsibility for the re-education and direction of their officers. The strong emphasis on improved and higher levels of education is an absolute must, coupled with community-based programs that reinforce relationships with the citizen. In this regard, it is important to reward superiors who exemplify a commitment to positive police-community relations.

The Department must be willing to evaluate a number of approaches designed to improve relationships with the community. Police must know community attitudes and determine what practices offend community groups and heighten tensions. They must be willing to establish communication with hostile elements within the community. They must be willing to expand and professionalize their Youth Bureau. They must develop a citizen participation program that is in

touch with the pulse of the community. They must be willing to try new ideas in the area of police-community relations and reward those participants who perform well and achieve results.

Police as Advocates

Police must begin to evidence a major advocacy role for the disadvantaged and the oppressed. At the precinct level, citizen groups must see policemen as their friends and assistants in getting proper services into the community. It then becomes the officer's role to enforce laws that are on the books relating to the amenities in a neighborhood. For example, the police, during regular performance of duty, could become a visible force in correcting health and sanitary code violations, violations of the building code, and combating unscrupulous practices by storekeepers and others who take advantage of poor people. In those cases where the Police Department currently lacks enforcement jurisdiction, the violations could be recorded by the officer and forwarded to the appropriate City department for priority correction or investigation. (Exhibit H)

Most important is the willingness of senior command to establish norms of conduct that reward fair and impartial treatment and enforce sanctions against attitudes, feelings and behavior that are most repugnant to members of the minority community.

Police-Citizen Programs

The fact that officers perform a variety of community services unrelated to the apprehension of criminals will serve as the basis for improved police-community relations. Increased professionalization of officers, increased education and reward by superiors to officers who display good relations with the community and innovative new techniques are the starting points for a

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CITIZEN COMPLAINTS

Police Accountability

Relationships between police and community in some cities have occasioned campaigns to establish civilian police review boards. The Committee was aware that controls that exist outside of police administration, like a review board, have been tried in a number of major cities.

Without making value judgments, the whole question of police department control by citizens is an emotionally-charged area that offers limited rational analysis and objective evaluation. Despite arguments which claim that the police function in a democratic society must be responsive to citizen needs, police organizations are on record as vigorously opposing review boards or other civilian panels designed to influence policy and operation of a police department.

In 1969, a petition campaign to establish a review board was tried in the City of Detroit. It was not placed on the ballot for lack of signatures.

Proponents of a review board often cite "police brutality" as the motivation for their campaign. Opponents frequently counter by suggesting that everything would be all right if only the police would get tougher. In the middle stands the citizen who is genuinely fearful of the rising incidence of crime and desirous of more protection through improved law enforcement.

Community Impact

The campaign for enactment of civilian police review boards generally winds up with a polarized community where white voters choose between their neighborhood policemen and the specter of black violence. If the campaign is successful, the performance of the review board may reveal that little changes

in terms of securing adequate protection for blacks and other minority groups. The symbolic conflict does not produce meaningful and effective changes in community attitudes and fair police performance. Feelings and relationships between black and white are rubbed raw and community hostility escalates to the next confrontation.

After reviewing the impact of civilian review boards and what took place in other cities, the Committee felt that other efforts are available to promote equal protection of the law and fair treatment for both citizen and police officer.

Effective Police Administration

Some national experts in police administration suggest that control of police behavior and enforcement of fair and equal treatment of the citizen is best accomplished by the police administration itself. However, this condition can only exist if policies are clearly enunciated by top command and implemented at the operating level of street patrol. To insure that policy operates continuously, supervision must be held accountable for the performance of their subordinates. Further, statistics or indicators of successful police-community relations activities must become as important as statistics on homicides and other serious crimes. These indicators should be available to and reviewed by the public and police administration.

Precincts having a high incidence of citizen allegations against the police may also be areas where law enforcement is difficult because there is a resultant refusal of the neighborhood residents to cooperate with the policeman. Negative race attitudes held by some police officers become deadly when they are expressed in the performance of duty. Racial antagonism sometimes produces an up-tight officer who may overreact to minor problems.

Hostility toward the police often prevents citizen cooperation in crime solving, law enforcement and promotion of community peace.

Verbal abuse may be as serious as physical brutality. Racial epithets and other derogatory expressions toward the citizen cannot be tolerated in a professional police force. Modern police management cannot entirely eliminate these thoughts and feelings from the individual, but adequate supervision and training can minimize their occurrence.

Effective performance by representatives of the Police Department can best be achieved by enforcing strong administrative policies that are reinforced by appropriate officer performance at the street level. There was some support for an outside type of review board, but a majority of the group felt that clearly enunciated policies and the insistence on equal law enforcement at the precinct level was more effective in the long run.

Improvements in complaint processing, changes in administrative procedures, and greater opportunity for citizen involvement in police performance were endorsed as reasonable alternatives.

Citizen Complaint Bureau

The Citizen Complaint Bureau (CCB) is an administrative arm of the Police Department. The policies governing the operation of the Complaint Bureau and the scope of its authority are neither clearly defined in the Police Manual nor well known to the general public. There have been situations where both officer and citizen revealed a lack of familiarity with the opportunities for redress of grievances afforded by the CCB. There are examples where police officers themselves are unsure of the role played by the CCB and what rights they have during investigations of citizen allegations.

The courts should reconsider and re-examine their responsibility in assessing penalties for violation of Michigan's statute on concealed weapons. Stronger enforcement and penalties are provided by law and should be used.

Require mandatory registration of all hand guns.

Enforce Michigan law requiring a person to obtain a permit before he can either possess or carry handguns.

Require the seller of weapons to keep reasonable records that identify purchasers.

Proper Handling of Police Weapons

The problem of long guns used by police officers was discussed in depth, because members of the Committee felt that there have been situations that are particularly inflammatory. The debate over existing policy led to recommendations that will provide clearer yardsticks of conduct and discretion by the individual police officer.

Recognizing the need for long guns in fighting an increasing crime wave, the method of carrying these weapons is of paramount concern to the citizens of Detroit. When rifles and other long guns are exposed in a patrol car, it often engenders public hostility. Careless carrying of long guns and rifles is sometimes interpreted as intimidating influence by community members.

Insist that any long gun carried in a patrol car be departmentally authorized, approved, and supervised.
(In effect.)

All long guns, when not in use, should be placed in electrical locking devices or in the trunk of the vehicle in such a way that they will not be visible from outside the car.

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The Detroit Police Department should review existing directives and issue new policies regarding the use of firearms and "deadly force" by police.
(Currently under study.)

Careful consideration should be given to policies in other police departments that are more restrictive than prevailing legal requirements affecting such use.
(Currently under study.)

Use of firearms and deadly force by police should be given the time and attention during Academy and in-service training that the seriousness of the subject demands.
(Currently under study.)

*Task Force on the Police, The President's Commission on Law Enforcement and Administration of Justice, 1967, p. 189.