

I, too, appreciate the opportunity of appearing before this committee to discuss one of the most pressing problems confronting the Nation.

The CHAIRMAN. First, would you give us a little background? We had a commissioner who has never been a policeman. Are you a policeman?

Mr. NICHOLS. Yes, sir.

The CHAIRMAN. Did you come up through the ranks?

Mr. NICHOLS. Yes, sir.

The CHAIRMAN. How many years of service have you?

Mr. NICHOLS. In excess of 26 years.

The CHAIRMAN. Then you know the practical aspects of law enforcement and performing the duties of a policeman?

Mr. NICHOLS. Yes, sir.

The CHAIRMAN. Very well. You may proceed.

Mr. NICHOLS. Thank you, sir.

Riots are unquestionably a threat to the safety and well-being of our country. Any doubts that anyone might have had along this line have been shattered by events of the past few years.

Certainly the best solution to the riot problem is prevention—just as prevention is the best solution to problems of crime, problems of international warfare, and other major problems. But prevention is far easier discussed than it is to accomplish, so law enforcement agencies must prepare to control and contain disorders in the event that these preventive measures fail.

I will not dwell upon the topic of prevention but I feel that its importance requires that at least a few sentences be devoted to it. Because prevention is the ideal and the goal, police departments generally are strongly behind and participate in programs that are designed to alleviate conditions that may lead to disorder. We know that eliminating root causes such as poverty, poor housing, illiteracy, and unemployment will pay rich dividends in the area of riot prevention. Detroit's officials are devoting time and effort and resources to overcoming these conditions. Leaders of industry and representatives from all walks of life are doing their utmost to ease those conditions that might cause civil disturbances.

There is, however, no assurance that preventive measures will be totally successful—so, as progress is being made in relation to prevention, cities must constantly develop and improve plans, policies, procedures, and equipment needed to meet any riotous situations that might arise.

Before getting into specifics, I would like to say that the key words in any plans dealing with riot control are manpower availability, and flexibility of response. Containment of a disorder would be a relatively simple matter if equipment and personnel in sufficient amount were available, and the participants followed an established procedure. The patterns of rioters, however, cannot be predicted with any degree of certainty, and control tactics that succeed in one situation may be totally ineffective in another.

Permit me to review the evolution of our riot control plans in Detroit.

Along with other police departments, Detroit has long had a manual of procedure for dealing with crowd control problems. Prior to the riots that have taken place in the Nation during the past few years, our riot control plans were based upon principles and procedures that were generally accepted as effective and proper means of controlling crowds. It employed equipment, tactics, manpower deployment, street force personnel formations, and other measures that were then in successful use by law enforcement agencies. Our original plan was an outgrowth of our wartime civil defense plans, and was designed to cope with rather limited problems, and did not appear responsive to the large outbreaks and changing riot characteristics (sniping, fires, etc.) that plagued the Nation during the mid-1960's.

These changing times and circumstances made it obvious that more sophisticated and detailed plans, procedures, and equipment would be necessary. Clearly, the major disorders of 1965 served notice on the police administrator that riot control plans could not be considered as a matter of secondary importance. Resources must not, could not, be devoted solely to crime in the streets. Planning, training, and total response for disorder capability had to be integrated into normal police activities.

We responded to the warnings that the 1965 riots in other cities presented and we set about to re-examine our own riot control plans. We sent representatives of the department to observe operations in the involved cities. We sought the suggestions and reactions of the police in the cities that experienced riots. We instituted training programs. We studied patterns and found that riots generally started during late afternoon or early evening hours, periods of time when crime activity is high and when police manpower on the street is at its peak. We improved and refined our plans on the basis of what our observations, our analyses, our experience and the information we obtained from others indicated would be best. Our plans were updated in 1965 on the basis of these considerations.

All of our plans were developed with full recognition of the importance of continued emphasis upon the necessity of maintaining harmonious police-community relations and employing all of the resources at our disposal to resolve peacefully any difficulties that might arise. Equal recognition was given, however, to preparation to discharge professionally—within the bounds of our legal authority—our obligations as a law enforcement body to protect life and property.

A basic understanding of crowd behavior, efficient police intelligence, good public relations, command functions, staff action, logistic support, communication, and sound judgment were essential parts of this program of action. Paramount consideration was given to restoring order. The course of action and tactics to be taken could not be spelled out precisely in advance, as it depends upon the specific set of circumstances existing at the time. The action must be based upon the judgment, the experience, and training of the police, supervisor, or officer involved, and upon his knowledge and understanding of what he can properly and lawfully do to cope with the situation.

Midsummer of 1966 put our revised plan to the test. A relatively routine police action on Kercheval Avenue on our east side developed in an almost classical riot pattern. A patrol vehicle attempted to disperse loiterers on a street corner. A scuffle occurred, crowds gathered,

jeering, baiting of police and rock and bottle throwing began. The ingredients for mass disorder were apparent. The normal deployment of the department on the 4-12 platoon placed maximum numbers of available patrols in the precincts.

Senator MUNDT. Does "4-12" refer to the time of the day?

Mr. NICHOLS. Yes. Our departmental procedures indicate a platoon designation that actually refers to the time span. Our Platoon 1 is the midnight shift, Platoon 2 the day shift, and Platoon 3 the 4 to 12, or afternoon shift.

Our specially trained and highly mobile reaction forces—the motor traffic commando and tactical mobile units, both of whom have secondary mission of crowd and riot control—were on the street and readily available for commitment to the scene. Reserve forces were dispatched to support the operation. Almost simultaneously our detective division intelligence unit apprehended a vehicle containing weapons and prevented a spread to other portions of the city. For the next few hours rock throwing took place; ineffective fire bombing was attempted; windows were smashed; and a few citizens and police officers sustained injury. The area was heavily patrolled and additional officers were maintained in reserve for reinforcement and relief. Interested religious and neighborhood leaders formed peace patrols and were of great assistance in restoring order. Stability was regained with a minimum number of injuries, arrests and property damage. Most of our plans proved to be sound and effective, although certain concepts were modified. The traditional foot deployment of manpower was not completely applicable. We developed the concept of the mobile squad patrol, 12 men in three vehicles, with area responsibility when deployment of police officers in traditional tactical foot formations was not effective in control. The changes in tactics and strategies that the 1966 Detroit incident dictated were immediately implemented, and plans were updated. Detroit received nationwide recognition as a city that controlled a disturbance without having it develop into a major riot at the time when major riots were taking place in various other cities of the Nation.

A year later—in the summer of 1967—an incident occurred in Detroit on 12th Street which developed into what is described as the worst riot in our history. The details of this occurrence are now a matter of history. Like the incident of the preceding year, it began as the result of routine police action. This time it was a raid of a known illegal after-hours drinking establishment—"blind pig."

This operation was neither unusual nor unique, but rather routine in nature. The raid was effected without incident. The prisoners were shuttled to the precinct station, and the early morning crowd was affable as the transfer of arrestees progressed. The mood changed, however, as a leader of spontaneity urged the crowd to violence by the age-old harangue of "police brutality." The tactics that had been proven by prior experience in similar situations were not effective.

Evacuation by police patrols after the arrestees were removed in the past had been effective, and the crowds had dissipated without major difficulty. On July 23 this technique failed. The mood of the crowd changed from joviality to hostility and belligerence. A police vehicle was stoned, and a lieutenant was injured. Available personnel in the precincts and districts were ordered to the scene but because of the

normal Sunday posture, very minimal forces were available. The density of population in the area, one of multiple dwellings and large apartments, contributed to the ability of the mob to reinforce itself far more rapidly than on-duty police could be diverted to the area.

Looting and destruction began. Department mobilization was ordered. Mobilization of off-duty forces was slow since the hour and day placed many officers in church; others on leave were en route to lakes, recreation areas, and cottages. Notification was difficult.

Efforts to isolate the area and contain the disorder were ineffective because of insufficient forces, and the riotous activity burgeoned beyond police ranks. Street sweeps were futile as the crowd surged in the rear of advancing forces, and hopelessly outnumbered the officers in contact. As rapidly as officers were mobilized, they were dispatched to the forward areas and committed to the action. The fluidity of the tactical situation precluded either isolation or compartmentalization with the forces available.

Civic leaders made efforts to appeal to the mob to return to reason and sanity. Their efforts met no success: the destruction and looting continued unabated. Momentary lulls gave hope to containment, but violence flared with renewed vigor and ferocity in adjacent and distant areas. The outcome is history, and the forces required ultimately to restore order included the Detroit Police Department, Michigan State Police, Michigan National Guard, and elements of the U.S. Army.

In the aftermath of the 1967 disorders, this department began methodical and meticulous in-depth studies of all of our riot procedures and operations to determine where improvements, refinements, or complete revisions were needed. Critiques with supervisory and command officers were held and comments were sought from the street forces so that we might have the benefit of experience and suggestions from the men who were involved in field operations.

This riot took on a new pattern. It occurred in the early morning hours, commonly characterized as the "middle of the night," when street crime is not normally high and when police street forces are not at a particularly high level. Because of this possibility, street-force deployment has been modified so that more personnel will be on street duty at all hours to respond to potentially riotous situations.

A revised riot control manual has been prepared and distributed in the department containing modifications deemed necessary in the light of our experience last summer.

Because of the likelihood that the involvement of the State police and National Guard may be required, we have worked with these organizations in our planning phases and are maintaining close liaison with them so as to effectively coordinate and direct our joint efforts.

Our headquarters and sector command posts will have joint staffs, representing local, State and military forces.

Measures have been taken to provide immediate and close liaison with other city departments and public utilities. Support command posts consisting of other city departments, which would not be involved directly with the suppression of street disorders, have been established to provide logistical support services.

Although the department has always had training programs, new programs for administrative, supervisory and patrol personnel have been conducted continuously since last summer. Thus far, patrolmen

have received special riot training based upon anticipated tactical situations. Special marksmen and reaction forces have been trained to cope specifically with hidden snipers. One of our principal training objectives is to attain maximum effectiveness with a minimum of commitment while guarding against underreaction or overreaction.

In addition to field, range, and tactical training of street forces, all supervisory personnel have either completed or are scheduled for attendance at command training courses. Our supervisors are aware of their prerogative to make decisions based on the situation encountered. Requests have been made for increase in supervisory officers to insure adequate command and greater effectiveness in field operation.

Although our mobilization system has always been technically sound and effective, we have examined it closely and some minor refinements have been made to conserve precious time. The department's mobilization plans are being tested periodically. In the event mobilization is deemed necessary, an immediate alert to the State police and other police agencies in five counties through the State's law enforcement information network is to be instituted. Other concerned organizations will also be alerted, including the National Guard, Air National Guard, sheriff's office, prosecutor's office, mayor's office, and fire department. Consideration has also been given to the procedure required in the event it becomes necessary to request Federal troops.

We recognize the great potential for assistance offered by the police reserve forces and we have undertaken a substantial program to recruit and train reserve forces. They can be utilized in a variety of functions which will relieve police officers from essential support duties and permit their assignment to more vital street duties in critical areas.

The training they have received and the supervision they will be given while on duty should insure effective and proper carrying out of their responsibilities.

Because of the likelihood of mass arrests, considerable attention has been given to the problem of prisoner processing, and details have been worked out.

Having worked with the prosecutor's office, we have developed a plan which will enable representatives of the prosecutor's office to provide legal assistance at the command posts to assure the expeditious processing and control of prisoners. General staff responsibility has been delegated for control, movement, custody, and treatment of prisoners.

A computerized prisoner information center will be put into operation to maintain a constant source of information as to the location and status of prisoners. In the event that mass arrests become necessary, we are prepared to better utilize our own detention facilities and to arrange for the use of other facilities should an overflow occur.

During emergency operations, this department must alter its administrative organization to a preplanned structure, utilizing the command post concept, staffed to provide more direct lines of control and communication to sector commanders. Executive officers are assigned specific and clearly defined responsibilities and authority in specialized areas such as administration, transportation, armament, personnel, medical supplies, and other services. The executive personnel, along with needed assistants have been extensively briefed to eliminate

confusion, facilitate the operational change, and assure direct communication.

In addition to a central headquarters command post, a number of sites have been selected throughout the city for use as a sector command posts, from which field operations in the critical areas can be directed. Manuals have been prepared covering the detailed operation of these command posts.

Communications facilities have been preinstalled in our sector command post sites, detailed instructions, maps, and clerical supplies are available for immediate use at the command posts. Based on experience gained during July of last year, technical aspects of our communications system have been improved.

Following last summer's disturbance, the city of Detroit authorized an emergency bond issue to cover special costs of the disorder and to provide equipment deemed necessary to prepare for possible future occurrences.

While this bond issue did not permit us to acquire all of the equipment we felt was necessary, it did give us equipment and supplies that will place us in a relatively better position from the standpoint of equipment. We are in the process of procuring the equipment as rapidly as we can.

Included are shotguns, carbines, and related items: binoculars, considerable amounts of ammunition, sniper scopes, fatigue clothing, gas masks, tear gas equipment, chemical mace, flak vests, additional PREP units—which I might say in explanation is a self-contained individualized radio which was our mainstay in communications during the disorder of last July—and other radio equipment, emergency power system for headquarters. Other equipment such as camera equipment and dictating systems (to help speed the processing of prisoners and the making of reports) has also been included.

Certain types of heavy-duty motor vehicles, such as armored rescue vehicles, which we used on a loan basis and which proved to be valuable last July, are still among our critical needs.

In summation, I would like to reiterate our position. The police department is concerned primarily with preventing disorders and will continue to strive for a harmonious relationship between the police and the community. However, it is our firm intention to maintain law and order within the limits of our authority. The exact nature of our response must depend upon the specific situation and circumstances which exist.

In closing, gentlemen, I must say solutions in retrospect are painless, easy, and obvious since the results are already known, and time and information are readily available. There is no urgency, no stress, no imperativeness that is attendant to the role of the "second guesser" and the making of the perfect decision at the appropriate point in time requires little expertise. I will repeat here what I have said in the past that I feel strongly, as does the administration of the Detroit Police Department, that the men of our department, together with all other elements of the city, State, and Federal forces, responded magnificently and performed in the face of the most violent and savage riot in history with courage, dedication, and a selfless devotion to duty. Actions and decisions were predicated on the existing circumstance, and each officer gave of himself the best that he had. One can ask no more.