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Commissioner Nichols' Remarks to
Common Council STRESS

Hearing

Ford Auditorium
January 11, 1973

The events of the past month have brought a great deal of publicity to those incidents -- some of it true, some of it false. Some fact, some fiction. I shall attempt to set the record straight.

It is not my intent to stand before you today to justify the lawful rights of a police officer in effecting an arrest. They need no justification. It is not my intent to attempt to justify the right, nay the duty of a police officer, upon presentation of reasonable and probable cause to enter without a search warrant in search of an individual for whom a felony warrant has been issued. That is the principle of law. Neither is it my intent to be so naive as to attempt to discount the emotionalism that has entered into the case on both sides, including, certainly, police emotionalism.

Police conduct is expected to be professional. Each complaint that has been voiced will be given a full investigation. If there are disclosed instances where deviation from right and proper police conduct as prescribed by our rules and regulations, as laid down by the police officer's Code of Ethics, they will be dealt with in accordance with those rules and those ethics.

I think it fair and proper that I address myself to what I consider some of the burning issues in this environment.

First, I say firmly and honestly, and objectively, this is not a police "crackdown". It was never intended to be a "police crackdown". It is an attempt to remove from this community, by lawful arrest, three dangerous individuals.

Let me put another factor to rest. The killing of a police officer is not the only charge for which these individuals are sought. Many people in our public are completely unaware that it is alleged that another murder victim of their gunfire was a black man. Let's not attempt to obscure the main issue in terms of racial connotations.

Whether we like it or not, the fact remains that there are yet, in our community, three individuals who are charged with the heinous crime of murder of two individuals in two separate instances. Three individuals who have shown their willingness to respond to anyone who looks like a police officer with murderous gunfire. Three individuals for whom the community and the police should be sharing a joint and coordinated effort to arrest and bring them into the Criminal Justice System.

I recognize, as a police officer with some 30 years' experience that in an intensive search for felons, many leads are provided that can be checked out only by pursuing them vigorously. I am also not so naive to believe that on occasion, we do get wrong information, either accidentally or deliberately, either to embarrass the third party, embarrass the police, impede the investigation, or to do what seemingly has been done -- to create unnecessary friction between citizens and their police.

We have several instances where we believe false information has been furnished the Department.

If we are directed to a location which is wrong, certainly we can reasonably be expected to make whatever amends are necessary and under no conditions are physical or verbal abuse acceptable or condoned.

Citizens might well reflect upon the danger to themselves, as well as the police, when violent fugitives are on the loose and at least to be as objectives about any over-zealousness on the part of the police, as police are expected to be about the apprehension of criminals.

We ask that our citizens report factually and accurately, any instances of police misconduct that do occur. But, we also ask that they refrain from emotional mis-statements and indictments of the entire Department for what may be, at best, a small fraction of the possible violations.

Regrettably, in an intensive search such as this, and dealing with individuals who are the subject of this discussion, necessarily police officers very often will be fully-armed and fully-ready to use those weapons. Bear in mind this: they are trained and professional. But also bear in mind that the environment under which they operate is one that dictates that if they fail to take preparatory action, they may be deprived of any chance in the future. The lack of readiness may be fatal to them.

Neither police nor citizens should allow the side-issue of possible police misconduct to take priority over the investigation of heinous crimes or the apprehension of individuals whose continued freedom in the community is more dangerous than a time bomb.

This Administration has attempted and has been successful, we believe, in reducing the incidents of crime. We have been successful because our people have understood that police presence in the high crime areas is a necessary part of that.

It is difficult, at times, to understand the philosophy that translates these honest and sincere efforts to police the so-called "center city" areas to harassment. The Department firmly states its position and its policy.

It abhors and disavows any action by police officers that abuse or alienate citizens. The Department will conscientiously investigate and discipline, if indicated, officers who violate these rules. It likewise will not be dissuaded from its sworn duty to attempt to remove from that community individuals who, by virtue of their conduct, have offended the laws of this state by preying on their fellow citizens.

I would hope that citizens of all persuasions, of all races, of all economic levels, would recognize that now is the time to unite behind the efforts to make this a better and a safer city in which we may all peacefully reside.