

**DETROIT (MICH.) POLICE DEPARTMENT ANALYSIS OF STRESS, SUBMITTED BY
JOHN F. NICHOLS, COMMISSIONER**

(Statistics including December 31, 1972)

BACKGROUND

One of the major elements in the overall increase in crime in Detroit in recent years has been the felony known as robbery, in which the criminal confronts the victim with violence or the threat of violence.

While all major crimes in the city increased 32 percent from 1968 to 1970, robberies increased 67 percent. Of the seven major crime categories (murder, rape, robbery, assault, burglary, larceny, and auto theft), Robbery alone accounted for 24 percent of the overall increase between 1968 and 1970.

In actual numbers of crimes committed in Detroit, robbery ranks third behind burglary and larceny, and first among crimes in which force or the threat of force is involved.

To deal with this most prevalent of the crimes of violence, a special operation was devised and announced with the Detroit Police Department on January 13, 1971. Its mission was stated succinctly in its acronymic code name, "STRESS," meaning "Stop The Robberies—Enjoy Safe Streets."

The nature of the mission was to operate in plain clothes in such a way as to "merge" with the environment, and to appear to be the type of person that a thug seeking a victim would be likely to confront. Officers would be expected to work in teams. One member of the team on occasion might be expected to pose as a prospective robbery victim.

January 18, 1971, the first arrest was made by one of the earliest volunteers. April 5, STRESS operation results were reported publicly for the first time.

RECRUITING

Initially, officers assigned to the STRESS operation were selected primarily from the precinct support unit (PSU), one of three special task forces within the department's patrol division. As its names suggested, the PSU of about 80 men, reinforces the precincts on response and patrol assignments when the work load is exceptionally high, or pays particular attention to certain types of high-incidence crimes.

Men are assigned to the PSU itself on a volunteer basis. As experience with the STRESS operation increased and its use was expanded, men volunteering specifically for STRESS have gradually filled the entire complement of the PSU, so that to all intents and purposes, the precinct support unit and the STRESS task force are one and the same.

To launch the program, a description of the new operation and its objectives and risks are circulated throughout the department, and those interested were encouraged to seek a transfer to STRESS. As transfer requests were received, each volunteer's record was carefully studied.

Elements of the record of special interest were the volume of arrests, the number of arrests resulting in eventual prosecution, the types of duty previously performed, any citations, disciplinary action or citizens' complaints, physical health, and service rating, particularly in the categories of quality of work, attitude, initiative, judgment, cooperation with fellow officers, and community contacts.

The volunteer's immediate supervisors and the men he has worked with are interviewed. Finally, STRESS supervisors interview the candidate and make their decision as to his suitability for the assignment. In addition, each applicant is given a psychological examination and is personally evaluated. About one-fourth of the applicants are accepted.

Since the operation was announced, about 800 officers from various units have volunteered for STRESS. About one-half of that total have been screened. Of those screened about one-fourth are accepted. A considerable waiting list of applicants remains. Some STRESS officers have been promoted out of the operation, while others have voluntarily transferred out or been reassigned by the STRESS command after an evaluation of their on-the-job performance.

[At present, nine of the assigned STRESS officers are black. This figure fluctuates widely due to varying physical needs.]

The principal source of personnel has been the precinct support unit, however, there are applicants from many other units in the department.

Of the present complement, about 60 percent have from 5 years to 17 years experience and the remaining 40 percent have from 2 to 5 years.

Of the approximately 4,000 patrolmen in the entire department, the experience level runs: 55 percent with 5 or more years, 33 percent between 1 and 5 years, and 12 percent less than a year.

TRAINING

Officers are briefed by STRESS supervisors on a variety of functions: posing as potential robbery victims, response to "silent sentinel" alarm systems installed in selected businesses in high crime areas, plainclothes mobile and foot patrol, and uniformed duty in backup cars. Although the name STRESS has been popularly associated exclusively with the so-called target operation, officers in the program rotate through the other assignments.

In preparation for "target" operations, they are briefed on the specific types of crimes and the types of victims most frequently accosted in the areas they are to patrol. STRESS officers have posed as pedestrians, indigenous to the neighborhood—and all that implies as to dress and appearance—cabdrivers, deliverymen, bill collectors, newsboys, and just plain citizens. A few have donned wigs and dresses to walk in areas where purse snatching has been running high.

After general briefing on overall operations, including warnings on alertness and personal safety, and refresher briefing on the law and department policy affecting police use of weapons, volunteers are assigned to work on specific teams with more experienced officers.

The work of new volunteers, in particular, is watched closely and evaluated by supervision. Critiques are held at daily rollcall. Briefings for a specific day's mission include the latest crime reports, updated daily by computer and plotted on patrol area maps as to location and time of occurrence.

OPERATIONS

The "target" phase of STRESS operations is conducted by plainclothes crews, some in unmarked cars and some in civilian-type vehicles—trucks, cabs, and cars of a model and body style not usually associated with police duty.

The crews may be two, three, or four men, depending on the mission and availability of personnel. The most experienced officer is designated as the crew chief. The most popular operating periods are between 9 a.m. and 5 p.m., and 8 p.m. to 4 a.m., although different work spans may be assigned, depending on the nature of the particular crime problem being attacked.

Geographically, a crew will be assigned to a district covering two to four precincts. While the normal precinct scout cars are patrolling their scout car territories, the STRESS unmarked cars are checking the specific streets or neighborhoods showing a high current rate of street crimes.

Depending upon street "activity"—observation of the number and kinds of individuals on the street in a neighborhood at a given time—the STRESS crew, at its own discretion, may decide to "drop off a target," that is, place one of its members on foot in the street situation, in an appropriate disguise. Cover is provided by other members of the crew, on foot or in cars.

To make the operation effective, covering officers have to remain far enough away from the crew's target member to avoid exposure.

This heightens the element of risk, not only for the officer posing as a victim, but also for any teammates covering on foot. There have been instances in which the covering officer, also in disguise, has been accosted while the intended victim has been unmolested.

Depending on the time of day and ethnic characteristics of the neighborhood, the race of the officer may give him away, so this is an important consideration in team composition. At times, even a black and white pair of officers might attract attention. In some predominantly black neighborhoods, even a black officer might be conspicuous in certain disguises at certain times.

Many STRESS arrests have resulted from criminal response to this kind of operation. However, far more apprehensions have resulted from the presence of officers on or near the scene of the crime, operating as surveillance units, unrecognized by the criminal. Occasionally, prospective attackers seemingly recognized something unusual about the disguised officers and avoided contact. In an instance or two, a disguised police officer has been surprised to receive a friendly warning from "street people" that the "man" was in the area, or "watch out, he looks like a STRESS copper."

RESULTS

Since STRESS officers were first assigned to the street, they have witnessed or been the target of on-the-spot street crimes in more than 70 separate cases. Each case involving anywhere from one to five perpetrators.

In addition, the officers have observed and made arrests in numerous other "off-street" crimes, including residential and business burglaries, possession of stolen property, auto thefts, arson, murder, carrying concealed weapons, narcotic sale and possession, and a variety of misdemeanors and traffic offenses.

They have arrested a number of fugitives sought by the Detroit Police Department and other agencies. They also have obtained search warrants and conducted narcotic raids based on information developed from street activity.

STRESS officers have made 5,633 arrests for felonies or misdemeanors during the period the program has been in operation through December 31, 1972. These resulted in 1,635 felony warrants and 413 misdemeanor warrants. Others are pending. Of those arrested, 503 previously had outstanding warrants against them, a total of 372 juveniles were detained, and 1,491 guns were confiscated, 1,253 of which were handguns.

Of the total arrests, over 2,551 have been referred to court or other criminal justice agencies, many more have been turned over to other law enforcement agencies and Federal, State, and local parole or probation authorities, and others have been cited to traffic and ordinance courts.

Since the inception of STRESS in January 1971, robberies for the subsequent 11 months decreased 10 of the months and showed an overall decrease of 9.9 percent. The percentage of decrease for the year 1972 was 17.3.

Robberies in January 1973 were 9.9 percent fewer than the same month a year ago, and for the entire year to date are down 17.3 percent. This compares with a 67 percent increase from 1968 to 1970, a marked improvement.

In the course of the STRESS operation, two white officers and one black officer have been killed and some 100 other members were wounded or injured.

Sixteen criminals—15 black and 1 white—were shot to death by STRESS officers and 58 were injured. This includes those who jumped out of cars, windows, etc.

Coincidentally, police robbery figures for the year indicate that 89.8 percent of the known perpetrators were black, 5 to 6 percent white, and the rest unknown.

Let no one have any illusions about the violence of the mugger, the strong-arm artist, the armed bandit, who elect often as their victims, the weak, the drunken, the aged—those least likely to offer resistance.

Let no one have any illusions as to the wave of misery and injury left in their wake—almost 500 injured, many elderly victims sentenced for life to a wheelchair or hospital bed.

Already 112 victims are known to have been killed by criminals in the course of robberies in the year 1972.

USE OF FIREARMS BY POLICE

The policy of the Detroit Police Department on use of firearms by police officers is derived from State law, section 71, Michigan Criminal Law and Procedure—amount and use of force says: "an officer may use such force as seems to him to be necessary in forcibly arresting an offender, or in preventing his escape after arrest. Both officers and private persons seeking to prevent a felon's escape must exercise reasonable care to prevent his escape without doing personal violence, and it is only when killing is necessary to prevent his escape that the killing is justified."

The Detroit Police Manual (ch. 4, sec. 28, "Use of Firearms in Police Action") instructs Detroit police officers as follows:

"Revolvers are issued to insure that each officer has the best means of protecting himself from death or serious bodily harm while performing the duties of a law enforcement officer.

"There can be no question concerning its use for these purposes. What the officer may do for his own protection or defense he is authorized and required to do for a fellow officer, a citizen, or a prisoner.

"Firing the revolver to prevent the escape of persons known to have committed the crime of murder, rape, robbery, burglary, and arson is justified when, in the sound discretion of the officer, it appears to be the only means of preventing the felon's escape.

"However, under such circumstances, just as the law recognizes degrees of severity in crimes by providing a minimum and maximum sentence for a par-

ticular crime, the officer about to fire his revolver should carefully plan this action and recognize its severity and possible consequences, particularly in those cases where the crime committed did not result in personal injury.

"Firing the revolver cannot be justified when used as a warning device, nor can it be justified when used for apprehending persons suspected of committing a crime or persons fleeing from the scene of crimes other than murder, rape, robbery, burglary, arson, or the like."

Department Training and Information Bulletin 53, April 30, 1968, interprets both the State law and department policy as follows:

"... The use of the revolver is confined only to those crimes of extremely serious nature—murder, rape, robbery, burglary, and arson, or the like. Here the criterion is clearly indicated: there should be no doubt in the officer's mind as to the guilt of the fleeing felon. Even then, the officer must give some consideration to the severity of the crime, and the danger of injuring an innocent person.

"Before firing a shot an officer must consider the fact that regardless of what a man has done—multimurder or what have you—the State of Michigan has no capital punishment. The stresses of our environment at the present time demand that a continuing emphasis be placed on the seriousness of taking a life.

"Michigan State law clearly states that every effort should be made to effect the arrest by peaceful means whenever possible. Aggression on the part of the felon to resist arrest, or to escape from custody, will justify the use of force by an officer, only in sufficient quantity to effectively overcome the resistance. Under these circumstances, the officer would be justified in using his firearm when confronted with an armed resistance, or when he is threatened with serious body injury. The law does not justify the use of force when no resistance has been offered, and when no intention to escape has been indicated."

It is apropos at this time to deal with the subject of entrapment, which has been offered as an argument against STRESS.

"To constitute entrapment, an officer, by law, must instigate a criminal act which would not have occurred to the perpetrator except for the actions of the officer. To hold that police officers in civilian style of dress constitute entrapment is to take the ludicrous position that all victims of crime are guilty of entrapment, because if they hadn't been there the crime would not have occurred." This is a quotation from a letter written by an executive of the Detroit Police Department to the Public Letter Box.

In response, Justice Eugene F. Black, of the State supreme court, wrote the author, "Your statement of the law of entrapment is precise and accurate in every way."

It would appear, then, that the element of entrapment does not exist in the STRESS operation.

CITIZEN RESPONSE

The most visible citizen response to STRESS operations has been organized protest of some groups that followed the shooting death of two teenagers, who assaulted and robbed a STRESS officer on September 17, 1971. Unorganized response has been overwhelmingly favorable.

Prior to that date, such mail that reached the police department dealing with the STRESS operation, without exception, praised the operation and, in many cases, asked for its expansion.

In the 10 days following the shooting incident of September 17, when public attention was at a peak, the commissioner's office received 138 letters or cards from citizens, 11 wires, and dozens of phone calls. All but two of the letter writers supported STRESS (98.5 percent), including 19 citizens who specifically identified themselves as black.

Of the wires, nine were in support and two were opposed. Of all the phone calls, only one was in opposition.

Comments from black citizens included the following:

"We are a group of black people who support rights over wrong, not color. We support this program 100 percent."

"Keep the STRESS units intact, and rest assured that you do have a lot of silent support, like me. We ordinary black citizens fear reprisals and do not oftentimes express our true sentiments."

"I am black and have come very close to being another one of your police statistics—at the hands of black youths. I do not favor the abolition of STRESS. And any black who does, evidently has not been a victim of their brothers. It is true the young men killed recently were leaving the scene of the crime

and no longer a threat to the officers; but they were still a threat to me or any other individual they would decide to rob or attack."

"I am black and am no law and order man of the ilk of Vice President Agnew, but I am no thief and robber either. Many other blacks are glad to have policemen around regardless of their race, but for them to say so publicly leaves them open for much criticism and harassment."

"It's time we started thinking about the victims of these assaults rather than the criminal."

Two letter writers with personal experience of victimization wrote:

"My husband is still suffering from the results of his encounter almost a year later. He has no sense of smell or taste and has had to have an operation. Fortunately, however, he is still alive."

"* * * I was attacked, very near the parking lot in Palmer Park, by a group of about eight to 10 Negro boys, and was being beaten until rescued by an officer of the STRESS unit. There is no way for me to thank this officer for his very resourceful and efficient handling of the incident in a way which saved me from serious injury."

Finally, a black minister submitted to the police department the results of a poll he took of citizens in his area, including 704 adults and 440 teenagers. Of 1,144 people, 818, or 71.5 percent, supported STRESS and 326 opposed it. Of the adults, 699 or 89.2 percent supported it, and 5 opposed it.

Of the teenagers, 119 were in support and 321, or 72.9 percent, were opposed.

AN EVALUATION

There is an old maxim in police work that the rapidity and certainty of apprehension, and a speedy and fair adjudication in a court of law, is the most effective deterrent to crime.

In spite of the best intentions in the world on the part of concerned citizens, judges, attorneys, police officers, lawmakers, and others of good conscience in the criminal justice system, the various statistics of law enforcement suggest that this concept of deterrence becomes less and less "certain" over the years.

This factor of the certainty of apprehension is the principal external deterrent to the criminal. This is how he measures his risk, the odds he faces when he gambles on a criminal career.

As mentioned before, this is why today's robbery opportunist picks on easy marks—the elderly, the infirmed, the vulnerable. They are not only less physically capable of resisting him, but they are more apt to fail to appear or to make confused and uncertain witnesses in a court case, so that even when apprehended and charged, he stands a good chance of avoiding conviction.

By utilizing police officer volunteers to stand in place of potential victims, the department has increased the degree of risk to the criminal, both as to apprehension and final conviction in court.

STRESS has, to some degree, increased the certainty of apprehension for the crime it is aimed against. This, combined with the public attention focused on the operation, should make many a potential robber more reluctant to take the crime risk than he would be if there were not such operation.

The use of fatal force in some arrests is a tragic necessity which neither the department nor individual police officers take lightly. The department's rules and guidelines could hardly be more explicit. Nevertheless, there is always the element of final discretion in a street situation.

Once the officer is actually confronted with the visible or hidden threat of a gun, a knife, or a physical attack, he has not time for conscious and deliberate evaluation of the suspect's age, race, sex, or emotional condition, or the abstract conceptualization of comparative punishments.

He has to operate on the evidence instantly apparent to him.

All his conditioning is directed to restraint in the use of firearms—to use only as a last resort. But when this moment of last resort has arrived, the police officer in such a situation knows that the difference between life and death for himself or the person he confronts may be simply a matter of split-second timing. He also must and should consider the danger and menace to life to which the next victim of the fleeing felon might be subjected.