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INTEROFFICE MEMORANDUM

To: Mr. Nelson

From: Mr. Wilson

Subject: The following information was obtained during an interview with three members of the Citizens Complaint Bureau of the Detroit Police Department. The interviewees were Inspector Heffernan, who heads the Bureau, Lieutenant Owens, who is the number two man of the Bureau, and Reginald Turner, a Negro patrolman and one of the investigators.

The Citizens Complaint Bureau was established within the Detroit Police Department in May, 1961. All of its members are police officers. The Chief of the Bureau is Inspector Heffernan, white. The number two man is Lieutenant John Owens, a white, and the number three man is Sergeant Jason, a Negro. There are 15 patrolman investigators, seven of whom are white, eight of whom are Negro. The present size of the Bureau staff represents an increase of four or five people over the pre-July disorder.

Bureau Staff. The Bureau is primarily an investigatory body, but it also has some small public relations functions. Its primary function is to investigate complaints of police misconduct brought by individuals or sent to the mayor or police commissioner, or referred to the Bureau by numerous other agencies, such as the Michigan Civil Rights Commission, the NAACP, the Urban League, or any other body. In its public relations function, the members of the Bureau spend a good bit of time talking to community groups and participating in meetings at the various precinct houses around the city. We were told

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INTER. CITIZENS COMPLAINT BUREAU

that the public relations function has become significant only in the last year or so in terms of the amount of time devoted to that aspect of the Bureau's operations.

When a complaint is received in the Bureau it is assigned by one of the supervisory persons to one of the investigators who then has primary responsibility for gathering all of the facts concerning that particular complaint. In response to questions, we were advised that all of the investigators have at least ten years of experience on the police force.

In addition to his own time and talents, the investigator assigned to a particular case can call upon other aspects of the police apparatus to assist him. When the investigation is completed an objective report of all the facts is presented to the supervisory personnel within the Bureau without any recommendation as to what sort of conclusion should be reached, ~~based upon the investigation,~~ and never any recommendation as to what sanction should be imposed should a finding of misconduct be made. It is the function of the three supervisory personnel to arrive at certain conclusions based upon the factual data presented by the investigator. Once these conclusions have been made, the file is then transmitted to the Commissioner of Police, to whom the members of the Citizens Complaint Bureau report directly. If the conclusions of the supervisory personnel ~~are~~ ^{are} that the accused officer is guilty of misconduct, the file is transmitted to the Commissioner ~~the~~ may contain a recommendation that action be taken. However, it is not the practice to recommend to the

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Commissioner what sort of action should be taken.

The question of the degree of the sanction, or whether or not any sanction will be imposed at all is left solely to the Commissioner of Police.

Each of the interviewees admitted that in many instances they felt that the penalties for police misconduct ^{were} ~~was not as~~ stringent as ^{they} ~~it~~ ought to be. Patrolman Turner told us that in one case handled by him, he had taken up the matter of the sanction imposed with his superior officers, because he felt that the penalty did not fit the degree of misconduct. When asked what kind of sanctions were generally imposed, we were told by the interviewees that the matter may be disposed of ^{by} with a letter of apology to the complainant, or a letter of reprimand which would go into the file of the miscreant officer, or transfer out of a particular precinct into another or in very severe cases, suspension and discharge were possibilities. However, none of the interviewees could recall many cases in which the sanction was suspension and/or discharge. We were told that only about ten percent of the complaints filed resulted in a finding of police misconduct. The bulk of the complaints also involved charges of verbal abuse rather than physical abuse. In such cases, we were told, that it's quite often a matter of the word of the complainant against that of the officer. In such cases, it is apparently the feeling of the Bureau that there is an irreconcilable conflict of ~~testimony~~ ^{no} positions. This results in a finding in favor of the accused officer. ~~one way or the other and of course the officer is not punished~~

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II-M - POLICE COMPLAINT PROCEDURE -

SANCTIONS

LENIENT

CLAIMS
I-8-A POLICE MALPRACTICE

1070 CASES MISCONDUCT

VERBAL NOT PHYS. ABUSE

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COMPLAINT - 4 -
I-1-M POLICE PROCEDURE BLACK COMM. UNAWARE OF COMPLAINT BUREAU

When asked what the black community opinion was of the Bureau, Patrolman Turner told us that probably 80 percent of the people in the black community had never heard of the Bureau. Of those who ~~were~~ ^{are} aware of its existence, he felt that they ~~were~~ ^{are} generally distrustful of its credibility because it is an integral part of the police department. We were told that there had been upward of 50 complaints of police brutality filed in the aftermath of the July disorders.

This had necessitated an increase in the work load of the investigatory staff and also the addition of some more investigators.

Prior to the July disorders, we were told that each investigator carried one or two investigations ^{per} ~~for~~ a month. This has increased with increased the/number of complaints growing out of the July disorder. Only today are they starting to clear up some of the riot related complaints.

We were told that the Bureau and the Commissioner is ^{at} aware of the pressures under which the officers were working during the July disorders and that probably many of the sanctions imposed for riot related misconduct would be lenient except in extreme cases such as the Algiers incident. (This, by the way, was not investigated by the Bureau but was handled by Homicide Bureau.) We were told that it would probably be impossible to clear up many of the complaints growing out of the riot disorder, because of the fact that there was no way in which to identify the police officers involved, since the complainants ^{were unavailable} ~~did not have~~ badge numbers. The police wore no badges during most of the riot. Nor could they ^(be identified) ~~identify~~ a particular squad car by number or by license plate since both numbers and license plates were taped

I-1-M POLICE - [REDACTED] CLAIMS OF MALPRACTICE

50 AFTER RIOT

I-8-A POLICE - CLAIMS OF MALPRACTICE - IMPOSSIBLE TO CLEAR RIOT ONES

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over during much of the disorder.

When asked about this policy of the removal of badges, we were told that this was done because the identifying insignia of the police officer made the officers easy prey for snipers. The leadership of the Bureau said that it recognized the definite need to change the image of the police force in the Negro community. They expressed hope for a change in the recruitment policies of the department with the retirement of some of the old line recruiting officers, and their replacement by younger people and some additional Negro recruiting officers.

V-I-D POLICE-COMM. RELATIONS
IMAGE CHANGE NEEDED

Inspector Heffernan stated that he thought the image of the Bureau of the police department was changing somewhat since there had recently been two high level promotions of Negro officers, and that the number of officers had increased over the last two or three years from approximately 130 to 234. Each of the interviewees admitted that the July disorder had resulted in a serious setback in relations between the police and the community. Inspector Heffernan particularly noted that the attendance at meetings between the precinct officers, members of his Bureau, and community persons in the precinct houses, had declined after the riot and were only at present starting to pick up again.

Interviewer's Evaluation. The appointment for the interview discussed above was made with Patrolman Reginald Turner, for the purpose of talking to him alone. However, when members of the team arrived at the offices of the Citizens Complaint Bureau,

V-I-D POLICE-COMMUNITY RELATIONS
RIOT SET BACK

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Patrolman Turner felt compelled, I think, to introduce us to his superior officers. When we then moved into a separate room for an interview, Inspector Heffernan and Lieutenant Owens, both of whom are white, accompanied us into the room. For the first 15 or 20 minutes of the interview Lieutenant Owens answered most of the questions and did most of the talking. Whenever he had occasion to leave the room or Inspector Heffernan had occasion to leave the room, one always stayed behind so that we never had an opportunity to talk to Patrolman Turner as a Negro police officer, and ascertain what his view of the operation of the Citizens Complaint Bureau was.

There seemed to be an obvious effort to prevent Patrolman Turner from speaking to us in privacy, even though Lieutenant Owens and Inspector Heffernan had been interviewed at an earlier time during the same day by other members of the Detroit team. They insisted on sitting in on the later interview which included Patrolman Turner. It is the opinion of the interviewers that the Citizens Complaint Bureau is not very effective. Their findings of misconduct in only ten percent of the cases filed differs drastically from what the people in the community view as the extent of police brutality in that community. In addition, the Citizens Complaint Bureau finds itself in the anomalous position of not being trusted by the black community and also not being trusted by the Detroit Police Officers Association. While we were in town, there appeared in the newspaper some comment regarding the fact that the Detroit

I-I-M POLICE COMPLAINT PROCEDURE

CITIZENS COMPLAINT BUREAU NOT TRUSTED BY COMM, OR POLICE

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Police Officers Association was unhappy with the Citizens Complaint Bureau because the Bureau was sharing its findings with the Department of Justice, the FBI, and the Michigan Civil Rights Commission.

Patrolman Turner later telephoned a member of the team and stated that the picture was not quite as rosy as painted in the afternoon interview. He stated that contrasted to the two black officers who had recently been promoted there were dozens like himself who had been on the force for ten years or more and were still patrolmen. He has taken and passed the written exam for promotion but has never been promoted because his superior officers have not given him good performance scores. He stated that discrimination definitely exists within the Detroit Police Department.

II-E POLICE, N: VIEW OF
DISCRIMINATORY PE EMPLOYMENT

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INTEROFFICE MEMORANDUM

To: Mr. Wilson
From: (Ursu)+ Dobranski
Subject: Interview with Inspector Carl Hefferman, Lt. William Owen
and Sgt. Henry Jason of D.P.D.'s Citizen Complaint Bureau

This unit of the Detroit Police Department is vested with the duty of receiving and investigating complaints against police officers. Upon conclusion of each investigation, a report is filed directly with the commissioner. The bureau had formerly sent its report "up through the career officer administrators", and by the time it reached the commissioner, there was little left of its recommendations. Girardin was responsible for the change in procedure.

This bureau was described as the most integrated unit in the Detroit Police Department with nearly a 50-50 split in white and non-white officers. Hefferman and Owen are white and Jason is a Negro. They are the top permanent officers in the bureau, and a Negro inspector, George Harge, was assigned there for temporary duty after the riot. Altogether, there are 19 officers assigned to the bureau. In 1966, 119 complaints were received.

Attached to this report are copies of the bureau's report for ^{1964-date,}
for 1966 and ^{for} the first nine months of 1967. The significance of the letter codes for disposition are as follows:

- (1) U - Unfounded: Allegation is false and not factual.
- (2) E - Exonerated: Incident complained of occurred, but was lawful and proper.

(3) N.S. - Not Sustained: Insufficient evidence either to
POLICE COMPLAINT PROCEDURE
THE CITIZENS COMPLAINT BUREAU
(SD SD N.-W.)

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prove or disapprove the allegation.

(4) S - Sustained: The allegation is supported by sufficient evidence.

(5) P.S. - Partial Substantiation: Allegation and/or other violation is evidenced by the investigation.

The 1967 report lists sixty-one complaints against the Detroit Police Department relating to riot-connected incidents, and these cases are still open. (A breakdown of the nature of these complaints was not readily available. However, I have attached a compilation of complaints received and prepared by Congressman John Conyer's Detroit office, which does indicate the type of abuse allegedly suffered by the complainants.

The ^{Interviewees} interviewed said that the bureau has a good working relationship with the older Civil Rights groups. Many citizens' complaints are directed to the bureau by the NAACP, ACLU, and the Michigan Civil Rights Commission (MCRC). The latter organization has a working agreement with the bureau, a copy of which is attached hereto.

Although the bureau purports not to be a "civil rights" group, it was estimated that only 5% of the total complaints received are filed by whites. Prior to the riot, the vast bulk of complaints filed by Negroes related to verbal abuse and discourtesy, and there were very few incidents of physical abuse.

All three of the officers expressed concern over a lack of support for the bureau's work on the part of the career officers

V-I-M POLICE COMPLAINT PROCEDURE
CITIZENS BUREAU GOOD RELATIONS W/ CIVIL RTS. GROUPS
V-I-M POLICE COMPLAINT PROCEDURE, CITIZENS BOARD
5% COMPLAINTS BY WTS

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from patrolmen to "third floor" administrators. The "Blue Curtain" falls in front of the Citizen Complaint Bureau in the same manner as it would for a civilian review board. The interviewees were especially dismayed over the failure of the top career administrators to support the community relations aspect of the bureau's responsibilities. Their request for a special section of officers to devote full-time efforts in this area has fallenⁿ on deaf ears. The bureau cannot do an ~~adequate~~ adequate job in both areas with the small resources made available to it.

Lt. Owen believes that community relations could be improved if someone would teach basic law and enforcement to citizens in the schools. People often are ignorant of what police may legitimately do, and this causes unneeded friction. More police officers should be available for visits to the schools.

All the interviewees requested that we emphasize the importance of the bureau's work to overcome the negative feelings of top police administrators.

Evaluation: Either Inspector Hefferman or Lt. Owen would be an effective spokesman for the bureau. They are willing to be critical of the top brass.

✓ JHM POLICE (POWER STRUCTURE) COMPLAINT PROCEDURE
"BLUE CURTAIN" DIVIDES ADMIN. FROM BOARD