usually says, he makes it sound like a phone rang, "Ron? Jim. Jim? Ron. Are you coming over for lunch? How is John, Ron?" That sort of thing. Things on a first-name basis.

Mr. WINN. So the morale sounds like it is very good.

Mr. MARTIN. It is, sir.

Mr. WINN. Does criticism from organizations or the press have a tendency to disturb the morale of the officers?

Mr. MARTIN. No, sir; we just get a little closer.

Mr. WINN. It sounds like some of the soldiers in the war.

Mr. MARTIN. Better; like the Marines. Even better, sir.

Mr. WINN. Any of you might want to answer this, particularly the commissioner. Why do you think, other than the accidental episode with the sheriff's deputies, your relationship with the press is so bad? Don't you have a public relations officer with the police department?

Mr. NICHOLS. I really don't think the relationship with the press is so bad. What I do see is the fact that STRESS has become a, I guess it would be safe in saying, nationwide symbol now. And any time anything happens the press will seize on it. In many instances, it is good; in some instances it is not good.

I think what we have is a situation where the press is capitalizing on something that is of news value. Most of the articles, I think, if you can wade your way into them, are fairly objective. But it is the headline that does the trick, "STRESS Officer Involved." And I think most people are headline readers.

Mr. WINN. I don't think there is any doubt about that. But as a former member of the press I know they jump into the glamorous things. But usually, there is an out-and-out attempt made by the department to get together with the press and say, "Look, we need your help in this case. You are right and we were wrong," or whatever the situation might be. If this is done I think you find they will work with you. I think you badly need the press in the Detroit area.

Sure, people read headlines basically. I would like to make the suggestion you might try to work out some kind of situation where you could sit down with those that cover the news stories—it is pretty hard to sit down with the headline writers because that is an entirely different bunch of people—and discuss the situation, because you need the press to do the job. You need the community to do the job.

Mr. Chairman, we are running out of time. I yield the balance of my time.

Mr. RANGEL. We will conclude the examination of this panel with some final questions from Congressman Conyers and counsel, keeping in mind the committee has a distinguished panel of police officers from St. Louis which it intends to hear before luncheon recess.

Congressman Conyers.

Mr. CONYERS. Thank you, Mr. Chairman.

Everyone who complains about the operation of STRESS is not necessarily politically motivated. I presume we can begin without even discussing that. And they may not always be vocal elements; there may be a lot of quiet people who do not like STRESS.

Mr. NICHOLS. Absolutely. There may also be a lot of quiet people who do, sir.

Mr. CONYERS. I am willing to agree with that. You wouldn't call the Wolverine Bar Association a vocal element in the community, would you?

Mr. NICHOLS. A vocal element, yes. They are vocal.

Mr. CONYERS. They are a good bunch of lawyers?

Mr. NICHOLS. Let's define the terms, Mr. Conyers, if I may. When I say "vocal element," I mean those individuals who have sufficient horsepower and sufficient access to the press to say something and have it listened to. That is what I mean by vocal. I am not impugning their motives nor anything else, nor their capability as attorneys or judges, whoever they may be.

Mr. CONYERS. You are using "vocal elements" in a derogatory sense?

Mr. NICHOLS. I didn't intend it to be derogatory. I don't think there necessarily has to be that connotation. I would consider myself a vocal element of the police profession.

Mr. CONYERS. It is not one of the vocal elements in the derogatory sense, but they have been critical of some of the operations conducted by STRESS.

Mr. NICHOLS. They have been critical of specific areas in the use of fatal force. Their criticality directs itself primarily to the fact their argument basically is with the law as personified by the STRESS operation.

Mr. CONYERS. That is a pretty valid observation on the part of members of the bar, wouldn't you think?

Mr. NICHOLS. I cannot answer for members of the bar. I am not an attorney, sir.

Mr. CONYERS. Then the Michigan Commission on Civil Rights, a State organization, has been critical of STRESS?

Mr. NICHOLS. They have been critical of areas of STRESS and we have corrected those areas where their criticality has been expressed.

Mr. CONYERS. So, we can understand why the media may sometimes write articles that may not always be favorable to the conduct of officers in the STRESS units?

Mr. NICHOLS. Certainly, we understand it, and I accept it.

Mr. CONYERS. And you can understand why a State judge held the breaking and entering into houses by STRESS officers unconstitutional, since it did not conform to the law. You can understand that, too, can't you?

Mr. NICHOLS. I can understand that is his prerogative as a judge. I may not agree with it, as also a fellow individual who must live within the law.

Mr. CONYERS. So, given those circumstances, you can see where a great number of citizens might be very seriously concerned about the legality and validity of the operation of STRESS in the Detroit community, and whether it is operating within the law? Since it has been in the courts, it has been criticized by State governmental units, its members have been arrested and charged with murder, bar associations are critical, and this does not really mean that they are trying to wipe out STRESS. It means they have some criticism about whether they are getting more safety for their dollar, or danger and possibly death. Would you agree with that, Commissioner?

Mr. NICHOLS. Not necessarily; no, sir.

Mr. CONYERS. Where do you disagree with it?

Mr. NICHOLS. I disagree with the point of view; and I would say each individual under our democracy is entitled to his point of view, but I do not say I must subscribe to it.

Mr. CONYERS. What point of view do you disagree with?

Mr. NICHOLS. I disagree with the point of view they are not getting their dollar value. I disagree with the point of view it was illegal entry. I disagree with the point of view the operation involves itself with illegal tactics. I disagree with the point of view that the decoy operation is in effect entrapment. Those are the points of view I disagree with.

Mr. CONYERS. So you disagree with the courts and bar associations, civil rights units, and other civil rights organizations as a matter of exercising your rights?

Mr. NICHOLS. As a matter of looking at the thing as a police officer and, yes, in a manner of speaking, within my rights.

Mr. CONYERS. Let me just finalize this, Mr. Chairman. I know time is running out.

We were talking about the reduction of crime by 15 percent in Detroit as a result of STRESS.

Mr. NICHOLS. Roughly, 15 percent. It is slightly under 15.

Mr. CONYERS. How do we establish any causal connection between its alleged reduction in crime and the operation of the STRESS unit? Do you have some way of doing that?

Mr. NICHOLS. Yes; I think we can extrapolate a certain amount of credibility to the statistics. Statistics show something like this: There were 23,000 robberies, there are now 17,000 robberies. During the period of STRESS we have reduced that crime about 6,000. Numerically speaking it was one of the most predominant crimes. So I think that when we take those facts we can reasonably assume STRESS has had a fair impact. I will not deny the fact that our sophistication in the area of narcotics enforcement certainly has had an impact.

I would not deny the fact that increased public support may not have had an impact. I will not deny the fact, in deference to Mr. Winn, that the newspapers may not have had an impact. But I think as long as we are dealing in theory, we can reasonably say that STRESS has had a profound effect on it.

Mr. CONYERS. Hasn't the murder rate gone up in Detroit?

Mr. NICHOLS. Yes, the murder rate has gone up in Detroit.

I don't see what that has to do with STRESS, Mr. Conyers.

Mr. CONYERS. Well, doesn't it have something to do with the reduction of crime?

Mr. NICHOLS. It has something to do with the fact that we have a syndrome in which the average murder takes place in the confines of a home, or some private place, that the individuals are generally killed with the handgun, that the individuals are generally killed at the peak of an emotional charge, and that handgun violations, we do not believe as police officers, are treated with the same degree of seriousness that they should be. And I still fail to see what this has to do with the crimes that are preventable by police.

My officers cannot alter the makeup of the human mind. And when you have an individual at the peak of that emotion and the means of snuffing out a life easily and readily accessible, I submit we will have that.

Mr. CONYERS. In the first 3 months of 1973, nine Detroit citizens died at the hands of their police department. This figure represents 6.5 deaths per 1,000 Detroit police officers. Is that a little high to you?

Mr. NICHOLS. I don't know because I never made any attempt to view statistics from other cities.

Mr. CONYERS. I want you to know it is the highest rate in the United States of America.

Mr. NICHOLS. Would the good Congressman tell me what the rate of policemen shot in comparison to other cities is?

Mr. CONYERS. No; I do not have statistics on that.

Mr. NICHOLS. I would like to submit this same correlation might be true there.

Mr. CONYERS. Do you have statistics to submit?

Mr. NICHOLS. No, sir; I don't.

Mr. CONYERS. When you do, and if you do, why don't you send them in to this committee and we will incorporate them and the conclusions you draw from it, Commissioner, into the record.

Mr. NICHOLS. I would be delighted to do just that.

[The information requested was not received.]

Mr. CONYERS. Mr. Chairman, I was not here during your previous hearings, in which you had the New York police chief in to discuss the comparable STRESS unit in New York. But I think that the testimony showed that no one has been killed by that unit, that no one has even been wounded, and that they do not have nearly the degree of controversy raging among the citizens of New York over that unit. It would seem to me, somehow, that this committee ought to be able to correlate this drastic difference of operations and see if it can perhaps find out what other cities are doing. I do not know if that is part of your purposes here.

Mr. RANGEL. This committee does intend to compare the testimony with other law enforcement agencies.

Mr. CONYERS. Do you believe that gives you some cause to review STRESS performance with Commissioner Murphy, who, incidentally, was one of your predecessors in the Detroit Police Department, as you well know? Do you believe that suggests that there may be a great deal of validity to some of the concerns by the so-called vocal elements in Detroit and around Michigan, in and out of the law enforcement business, about some of the tactics and procedures used by STRESS?

Mr. NICHOLS. It would influence me to ascertain if there are several other variables that are anywhere close. I think that to make a broad statement like that with as little information as I have available—possibly the good Congressman may have more—demography enters into it, State law enters into it, the number of men available, the number of guns in the community enter into it. A great many factors should be considered. But I assure you we have continually corresponded with other cities who are using a concept close to this and we will continue to do this.

As I said before, we are not adamant, we are not attempting to sell the concept to anybody. We merely appear here to tell you exactly what we have done and what we think the results are.

Mr. CONYERS. Mr. Chairman, I want to thank you very much for allowing me to participate in this hearing. I also want to thank our commissioner of police and his top officers who joined us here this morning.

We obviously could not be dispositive of the subject in this short time. This would require a number of hearings and far more time

spent on individual urban police departments than your committee can allow.

I also add my thanks to Commissioner Nichols and all of the men who have joined him here, because I think these kind of public hearings are vital to insure the support of the community. Although it has not been mentioned here, Mr. Chairman, I think we need to remember that 5,000 policemen can never effectively control the crime situation in the high crime urban community of Detroit in 1973, with 1.6 million people, unless you are receiving community support.

I think these kind of discussions that are open, free, and unfettered will lead the Detroit Police Department to investigations and greater understanding of the New York anticrime unit and others, and will result in continuing modifications and, hopefully, improvements in their operation.

So I say, sincere thanks to Commissioner Nichols for the way he has conducted himself with such candor this morning.

Mr. NICHOLS. Thank you, sir.

Mr. RANGEL. Thank you, Congressman Conyers, for taking time to sit with us.

Mr. Winn?

Mr. WINN. Mr. Chairman, I just want to ask one question.

With the criticism you received from the Wolverine group and the newspapers, have any of these organizations asked you to drop STRESS, throw it out of the program?

Mr. NICHOLS. I think most of them by their rhetoric would indicate they would be much happier if we did. We have been invested by petitions to drop STRESS, but in all fairness we also have stacks and stacks and stacks of petitions in support of STRESS, Mr. Winn.

Mr. WINN. Have they asked to meet with you and discuss the problems?

Mr. NICHOLS. We have met periodically with various elements of the community in candid discussions of STRESS in those periods of time when there was not a STRESS trial before a judge. We necessarily had a moratorium during the period in time when Officer Martin was before the courts. We had a period of silence when the entire STRESS concept was being tested in front of a court. And this was only to protect the integrity of the cases.

We have been as candid with the public as we have here and I would like to say, if I may, to respond to Congressman Conyers' remarks, that we have atempted to be candid. We appeared with Officer Martin because we didn't want it to appear we had anything we were attempting to hide. We believe we are doing right. We believe our officers on the STRESS program are much of the same cut of the two gentlemen you see here, fine young examples of good, honest policemen.

And I would submit that if I have said anything to which anybody took offense, please accept my apologies.

Mr. WINN. Mr. Bannon, did you have something to add?

Mr. BANNON. Just this, Congressman. Many of the things that have been raised here—I am with MCCR, Mayor's Commission on Civil Rights—many of the issues Mr. Conyers was referring to, go back to the inception of STRESS, which was much more violent than it has been after the changes made by the unit, the organizations that you allude to. I think there has been a dialog, it has been a successful dialog,

because we have made structural changes responsive to those criticisms. I don't think we should leave you with the impression we have the same organization today that we had when those criticisms were laid.

Mr. WINN. Thank you, Mr. Chairman.

Mr. RANGEL. Congressman Steiger.

Mr. STEIGER. No questions.

Mr. RANGEL. Counsel may proceed to conclude the inquiry.

Mr. LYNCH. Thank you, Mr. Chairman.

Mr. Commissioner, earlier this week, Chief Winston Churchill of the Indianapolis Police Department indicated before this committee, that in his judgment as a police administrator the public perhaps played as important a part in controlling crime as the police department. Could you comment on that?

Mr. NICHOLS. I would certainly say that any police administrator of any city, large or small, who does not recognize, as what was so eloquently put by Congressman Conyers, that the public is the most important element in the entire police relationship and ability of the department to control crime, certainly has not got it together.

Because without that public support, without the public approbation, without the public appearances in court, without them no police department, however large, could ever hopefully manage a metropolitan area.

Mr. LYNCH. So your position, the position to continue STRESS, is not one you have lightly taken without consideration of what implications it may have on continued public support within Detroit?

Mr. NICHOLS. Not at all, because I am the recipient and I would be glad to send the Congress hundreds of such letters if it wants to see them, that come from the very individuals who are in the areas heavily hit by crime. Their stories tell me an entirely different one. I recognize there can be probably no progress without a certain amount of conflict, and we have attempted to minimize that conflict. We have attempted to modify, as Bannon said, many of the areas where we felt the concept should be modified.

But by and large we feel the public does support it, and that is the several publics we serve, including, we believe, a majority of the black public.

Mr. LYNCH. Mr. Commissioner, certainly the testimony you gave earlier indicating that 85 murders of citizens were committed during 1 year, presumably in the act of robbery, was a factor in the establishment of this unit. Since it has been established, according to your testimony, 18 citizens or residents of Detroit have been killed by police officers, again, presumably, in the act of committing serious crimes or felonies, and a number of Detroit police officers have been killed. I think there is a general concern about the levels of violence associated with this operation.

Commissioner Murphy, incidentally, did testify at length about his citywide anticrime section. Detroit does have a lower crime rate than the city of New York. In New York the robbery rate, for your information, is one of the highest in the country. It is 790 per 100,000. The rate in 1971 in Detroit was 605 per 100,000. Detroit, of course, is much smaller. Commissioner Murphy has 4.5 policemen per 1,000 inhabitants. I wonder if you have a comparable figure at hand?