

Equal Opportunities Commission

SUMMARY OF
REPORT TO THE COMMON COUNCIL
AS DIRECTED BY
RESOLUTION NO. 18,140
August 22, 1968

April 24, 1969
City of Madison

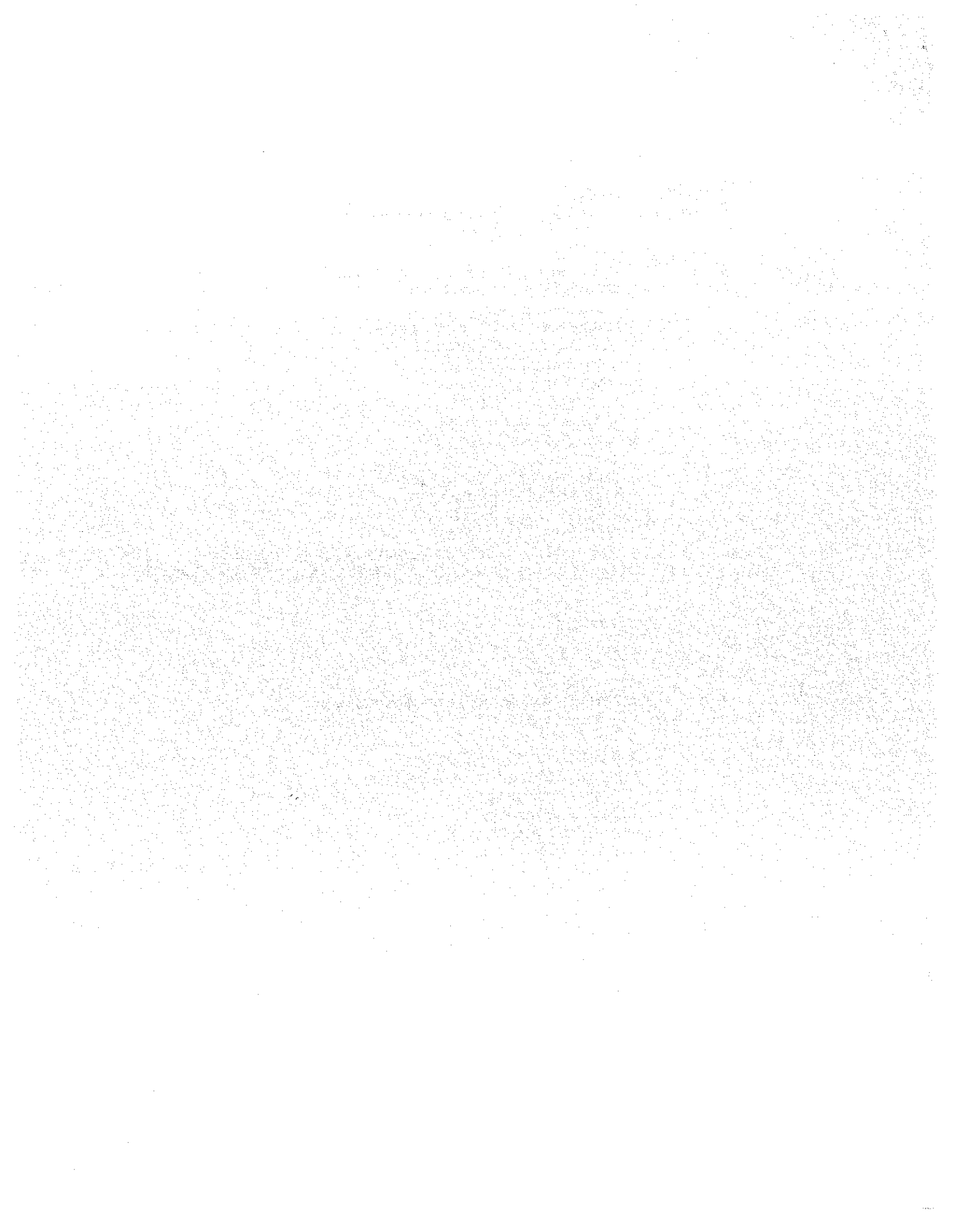


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STATEMENT OF FINDINGS

The Equal Opportunities Commission, after hearing testimony from Madison youths, adults and members of the Police, has concluded that tensions do indeed exist between the black community and the Police Department. These tensions are expressed in many different ways. This report will identify some of the tensions, some of the causes of these tensions and some of the effects on our community. Also presented in this report are recommendations which are the result of testimony, study of relevant sources and consultation with experts in psychology, police-community relations, personnel and administration.

The completion of this report is merely the first step in bringing about necessary changes indicated for the community. The question to be answered now is what will be done with it? It is essential that the recommendations be implemented rapidly, for they are directed toward elimination of causes of racial tension in our city. As the black population increases the persistence of present conditions will intensify tension. Citizen participation at all levels is imperative for achieving improvement that is relevant to the needs and demands of our community.

GENERAL RECOMMENDATIONS

1. The single most important component of a successful relationship between the police and the community is a continuing, active commitment by the Chief and departmental/division heads to understanding community problems and to the goals of good police-community relations.
2. The Common Council should assume responsibility for implementation of this report and starting six months from now conduct a yearly review of progress made in implementing the recommendations made.
3. Regular channels of communication should be established between the Chairman of the Police and Fire Commission, Chief of Police, the police staff responsible for community relations, and the EOC to discuss handling of racially tense situations and complaints of racial discrimination.
4. Broad citizen interest and concern should be mobilized in order to:
 - a. Publicly recognize present day demands made upon police; and the need for changes in traditional law enforcement procedures to meet these demands,
 - b. Educate Madison citizens to problems faced by the police and the black community,
 - c. Support police-community relations programs,
 - d. Increase efforts to eliminate racial discrimination in Madison,
 - e. Encourage appointment, election and participation of blacks, as well as other racial and ethnic minorities, in all aspects of community life.

The Charge to the Equal Opportunities Commission

A teenage dance, held at Breese Stevens Field on the night of August 3, 1968, was closed at an early hour because of a series of altercations that had taken place during the dance. The movement of over two hundred teenagers into adjoining streets led to another series of incidents, including the arrest of a number of young black people. The indignation of the arrested parties, and that of many of their peers and much of Madison's black community led to a number of allegations about the relationship that exists between the black community and the Madison Police.

The Common Council, in response to Mayor Festge's request, issued a charge to the Equal Opportunities Commission (EOC) to study

the allegations of racial tension in the Madison community between the black community and the police. It shall determine the extent to which such tension exists, its causes and its effect on the welfare of the City, and make such findings and recommendations to the Common Council as it deems appropriate.

The Commission is restricted from making any quasi-judicial determination pertaining to any alleged individual violations whether they may be of the Equal Opportunities Ordinance or the Madison Police Department's Rules and Regulations. Such decisions shall remain exclusively within the jurisdiction of the Equal Opportunities Commission and/or the Police and Fire Commission.

The first public hearing was held Sept. 17, 1968; the last on January 20, 1969. A total of eleven public and ten executive session hearings were conducted. Fifty-seven

individuals testified, including black and white teenagers, black and white adults, ten members of the Police Department, and experts. (See appendix) As directed by the Council resolution, findings and recommendations of the Equal Opportunities Commission are herein submitted to the Mayor, Common Council, Chief of Police and the Police and Fire Commission.

II. SUMMARY

The tension in Madison which derives from historic poor relations between races can now be remedied only by changing attitudes and behavior of citizens of both races, by eliminating institutional practices of discrimination which perpetuate the blacks' resentment and feeling of second class citizenship. Both the public welfare of Madison and the welfare of individual citizens are deeply involved in how rapidly and effectively we recognize this fact and eliminate racial tension. The violence which has occurred between antagonistic racial groups and police has led to widespread tragic and destructive consequences in communities all over the United States. "Police-community relationships have a direct bearing on the character of life in our cities, and on the community's ability to maintain stability to solve its problems."^{*}

A. Identification of Tensions

A large part of the testimony heard by the Commission in the course of the hearings involved descriptions of the problems in the relationship between the police and the black community as seen by members of both groups. A review of the major points emphasized by each group reflects the

^{*} Chapter 6, The Police, Task Force Report of President's Commission on Crime, p. 145

distance between the two points of view and some of the major factors involved in the tension which exists.

Attitudes Expressed

1. Prejudice

Blacks - Many policemen are prejudiced and show it in the way they deal with black citizens.

Police - Police officers are trained not to show their prejudices and to treat everyone the same.

Unequal treatment is against regulations.

2. Relationships between black youth and police

Blacks - Police watch blacks more closely, expect the worst from them, tend to blame them and more frequently arrest them when both black and white youths are involved, tend to be rougher with them both verbally and physically and make arrests for less reason.

Police - Black youths have less respect for the law, are hostile and uncooperative with police officers, seem to feel that the police are out to get them.

3. Provocative behavior

Blacks - Some police really want blacks to misbehave so that they [the police] will have an opportunity to arrest or abuse them. Close surveillance, following, questioning, etc. often seen in this light.

Police - Some black youths push police just to see how far they can go. Use of profanity sometimes seen as an attempt to insult the officer's authority and provoke him into making an arrest. Blacks taunt police with threats of EOC action.

4. Black personnel in Police Department

Blacks - The fact that there are no black policemen is evidence of prejudice. The Department doesn't really want blacks on the force, isn't making any real effort to attract them. Qualified blacks have applied and been turned down in the past. A black recruit would be given a rough time by his fellow officers.

Police - Department is interested in having any well-qualified applicant, black or white; advertises as "equal opportunity employer"; gives all applicants same tests, same opportunity; doesn't get many black applicants; last two failed to qualify.

5. Other feelings expressed by blacks:

- Police reports never tell what police did wrong.
- Doesn't do any good to make complaints because nothing will be done.
- Department ignores the fact that some policemen are strongly prejudiced and shouldn't be assigned to handle situations involving blacks.

- Some policemen resent interracial dating and single out interracial couples for harrassment.
- Some officers can be depended on to be fair and are seen as persons who take time to know citizens and their problems.

6. Other feelings expressed by police

- You can't win. If you don't make an arrest the kids think you're afraid to. If you do make an arrest it's police brutality.
- All the talk about police brutality, black power, etc. has made black youths more hostile toward police.
- When people resist arrest, it is safer for everyone if two or three officers are on hand to assist. This is often seen as use of excessive force.

B. The Breese Stevens Incident

Patterns of prejudiced and provocative behavior have emerged from testimony and police reports about the August 3 event. Small groups of black and white teenagers have been involved in a series of fights since the fall of 1967. The police have had to intervene in most of them. A substantial number of them have occurred in and around teen dances. The EOC has been involved since the beginning in attempts to reduce resulting racial tension, but has been only partially successful. There has been new

recognition on the part of school authorities, police, probation officials and parents that they all have a direct concern in what is happening. Effective efforts to get at causes of hostility are gradually developing but changing deep-seated negative attitudes is a difficult task.

The mistrust and hostility which black youth feel toward the police clearly contributed to the violence of both their verbal and physical behavior at many points during the events of that evening. Similar feelings on the part of some police officers toward black youths clearly influenced their behavior and judgment in dealing with the situation. The assignment of so many officers to follow the group of black youths so closely was an over-reaction to the actual threat of damage to property and to the size of the group. Allowing officers to follow so closely that frequent verbal exchanges could occur was unwise. Whether there was any intention of provoking the antagonism of the group or not, this was one of the results. Tension was increased rather than diminished by the strong presence of the officers as the group moved toward the Square and the decision to make arrests escalated it still further.

The hatred and resentment which are evident give a clear warning to Madison. It cannot be dismissed by saying

it was only the usual troublemakers who were involved. Of those arrested, only two had previous records. The fact that leaders of the black community responded immediately demonstrates that there is widespread involvement in this kind of tension. Both officers and black youths told the EOC that tension between them increased after August 3, 1968.

Violence is apt to occur between blacks and the police because the police represent white domination and the police have the uniform, badge and gun, and other symbols of this power. From the standpoint of the police, it requires great restraint to respond wisely to provocation by blacks, because the police have the authority and the means to assert it. There must be extraordinary understanding if there is to be extraordinary restraint.

Tension must be alleviated. Our concern must be directed to doing whatever is necessary to eliminate elements of prejudice which lead to black-white confrontations, and to eliminate any beliefs of double standards in law enforcement. The dehumanizing effect of the double standard upon the individual who suffers under it is intolerable. If any citizen believes he cannot expect equal treatment under the law, he is apt to question the validity of any laws by which the Madison community controls and protects itself.

The community and the police are obligated to confront their consciences at once: widespread conviction among the city's black citizens that laws are not applied equally and that white youths are being reared in prejudice is too compelling to delay action.

C. The Role of the Madison Police Department

1. The Police and the Community

Mutual respect and cooperation between citizens and police are desired goals of good police-community relations and are directly involved in effective and just enforcement of laws. The tensions which exist between groups of people-- in this case between blacks and whites--frequently necessitate police intervention. The police are seen as symbols of white institutional power, which in the centuries-old experience of black people has been tragically repressive instead of protective. Protest and resentment are now finding expression in police-baiting. Response on the part of police must reflect understanding of the dynamics of social change and of the individual citizen's position in relation to such social changes. Without such understanding, mutual hostility and disrespect tend to escalate.

The Madison Police Department is increasingly aware of tensions that exist between them and Madison minorities as indicated in the program and policy changes which already

have been implemented. The public posture of Department spokesmen continues to be that there is no discriminatory behavior and that the Department has no problems in relations with minorities. It is essential that existing anger and resentment be openly recognized and discussed in order for us to arrive at policies and procedures to alleviate the friction, which are acceptable to both police and citizens.

Broad community support for police policies, programs and administration which are responsive to the changing needs in the community is vital. Community leadership should direct its attention to eliminating prejudicial attitudes and discriminatory behavior in all segments of the community. Because Police Department policies have been a reflection of what is acceptable to the community, the community must encourage innovative programs which will enable police personnel to meet the needs of all our citizens.

2. Personnel Practices

The personnel policies and practices of the Madison Police Department are of major concern to the black community. The simple fact that there has never been any black personnel in the Madison Police Department is widely known and very significant to the black community. The fact that this continues to be the case is clearly a major obstacle

to community confidence in the Department's current attitudes, understanding and ability to deal fairly with all citizens. Blacks who have lived in Madison for many years are convinced that there have been qualified applicants in the past who have been prevented from joining the force because of their race. Former chiefs of police are widely believed to have been prejudiced individuals who would not have hired a qualified black applicant. Problems in the recent past in this area are largely attributed to them. At the present time there is less agreement on the reasons for the continuing absence of any black personnel. Inadequate recruiting and screening, the negative image of police held by blacks and lack of interest and commitment on the part of Departmental leadership have all been mentioned in testimony before the EOC.

Madison's black citizens feel that individual officers rather than the whole Department are largely responsible for the behavior which causes resentment and mistrust in the black community. There is a strong feeling that greater efforts should be made to screen out those officers and future applicants whose personal prejudices are so strong that their judgment is likely to be impaired in dealing with some citizens.

It is essential that there be a vastly increased understanding and sensitivity on the part of the Departmental leadership to the nature and extent of the problems which exist in the relationship between the police and the black

community--here in Madison as well as in every other city in the country. The need for active recruiting of black personnel, the need for serious efforts to screen out strongly prejudiced individuals, the need to recognize the existence of differences among personnel in their ability to understand and deal fairly with all citizens, the need to create a climate within the Police Department in which many qualified citizens can comfortably work and advance on merit--all this is obvious to anyone close to the problems involved. The black community, the Police Department and the community at large must work together to create the understanding necessary to recognize and meet these needs and many others defined in this report. The problem lies in the fact that the critical role played by the police in the life of the community and in the individual lives of its citizens demands a far greater sensitivity, understanding and self-discipline than is required of other citizens.

3. Police Training

The principle that police training, if it is to be viable, must correlate closely with the role of policemen in society is not open to debate. There is almost united agreement that the role of the police in a rapidly changing society can no longer be viewed in the traditional manner.

As the President's Commission on Crime has stated, "a great majority of the situations in which policemen intervened are not, or are not interpreted by the police to be, criminal situations in the sense that they call for arrest..."*

The police training program in Madison, while continually being updated, requires increased emphasis on the changing nature of community needs. The Madison Police Department's training program has followed the traditional concept of emphasizing the technical aspects of police work involving the physical protection of life and property and crime prevention. The Department now has an opportunity through restructuring of basic goals which recognize the new and highly complex role of the police officer, to make a unique contribution to community wellbeing.

Such an approach requires re-evaluation of the course content in pre-service and in-service training programs, placing greater emphasis on knowledge of community and minority problems. This new training orientation only can be effective if the training includes all levels of the Police Department. No human relations program can be effective unless supervisory and command officers are involved.

To accomplish these ends, the training staff should be freed from the multiplicity of non-training duties for which they now have responsibility in order to afford maximum time to maintenance of a high quality training program.

* The Police, Task Force Report of President's Commission on Crime, p. 150.

D. Effect of Tension on Welfare of City -
Citizen Responsibility for Change

All of us must be concerned about the effect on the welfare of the city of existing tension between the police and black citizens. In its broadest sense, the city government comes into being in order for the needs of citizens to be met in an orderly fashion. Human beings must have a supportive, protective environment in order to flourish. This is the responsibility of government as it functions for the common good and welfare. At best, the police represent the overt expression of the power of government as guarantor of a healthy environment.

When the confidence and respect which a segment of the population has in the ability of its government to insure justice is undermined as in the present case, the feeling of responsibility for contributing to the welfare of that community is damaged. The cooperation necessary for peaceful law enforcement is withdrawn, and expression of resentment becomes routine and disruptive. For a black individual, the abuse of rights--which are his by virtue of being a citizen--reinforces anger and futility which are already part of his life as a result of experiences in the white community as a whole. The tolls extracted from a black individual's "life, liberty and pursuit of happiness" are intolerable to him and to any person who cares about other

human beings. In addition, as long as the rights to equal treatment of one black person are ignored, it follows that the rights of anyone could be ignored and the fibers of democracy dangerously weakened. When blacks and other minorities receive just and equal treatment from police everyone can be confident that they, too, will receive just and equal treatment. The resulting cooperative support of law enforcement pays tremendous dividends to the healthy progress of the total community.

Discrimination in housing and employment have had grave economic consequences to this city. When the earning power of people is not that which they are capable of achieving, the buying power of those individuals is lost. When people are forced to live in second rate housing because of discrimination and economic pressure, neighborhoods deteriorate and become an economic drain on the total city economy. The psychological effect on minorities of the multi-faceted deprivation described in this report results in a loss to the community of responsible, productive individuals.

White citizens must assume the responsibility for removing racial discrimination and all its tragic fallout in employment, housing, education and in police-community relations. Police officers must be given broad community support for their work. Public recognition must be made of the difficulties faced by police as they meet demands resulting from intergroup conflict in Madison. We, as a

community, must demonstrate that we expect the police to administer justice in a cool and equitable fashion and we must support them in achieving this goal.

When citizens demand justice in law enforcement, it is the citizens' responsibility to provide the necessary components of a capable well-trained police force, as well as the supportive community environment in which it can operate.

D. Recommendations

1. The Police and the Community

- a. There should be broad community support for police policies, programs and administration which are responsive to the changing needs in the community.
- b. The scope and importance of police-community relations should be upgraded and given high priority in all the operations of the Department.
- c. Responsibility for police-community relations should be established as the only responsibility of one bureau.
 - 1) To be effective the head of the bureau must have authority to advise all other divisions and bureaus in matters related to police-community relations and be responsible to the Chief of the Department.
 - 2) The bureau head should develop effective programs; promote community relations-oriented policies in all divisions; be concerned with planning for and handling of demonstrations and civil disturbances.
 - 3) Programs such as a speakers bureau should be used to conduct school programs designed to build respect for police and to demonstrate responsiveness to problems of young people. Programs should be offered for community groups on community relations topics as well as standard subjects now in use such as drug abuse, juvenile delinquency, etc.
 - 4) Establish liaison with appropriate public and private organizations for two-way communication and to provide opportunity for police to be aware of a buildup of racial tension.
 - 5) Small group discussion should be actively utilized with all kinds of citizens participating.
 - 6) Personnel for the bureau should be hired, assigned and promoted on the basis of appropriate special skills, knowledge, experience, sensitivity and training; consideration should be given to the possibility of filling positions by recruiting outside the Madison Police Department with equal opportunity to apply given to those already in the Department.

- d. A citizen advisory committee should be utilized in developing community-relations programs and policies.
- e. An effective complaint procedure should be established, separate from formal complaint procedure to the Police and Fire Commission, to handle more routine complaints concerning service to the community.
 - 1) Consistent procedure for handling these complaints should be worked out by Services Division.
 - 2) Such procedure should include courteous response to complaints and take into consideration the opinions of the policemen themselves as to how complaints should be processed.
 - 3) A record should be kept of all complaints and be made available to the Police and Fire Commission.
 - 4) Proper complaint procedures should be publicized widely in the community.
 - 5) There should be flexible procedures established--able to respond quickly to racially tense situations--to permit actual dialogue and positive confrontation between members of the Police Department and hostile groups.

2. Personnel Practices

Recruitment and Promotion

- a. The recruitment of a significant number of black personnel should become a high and urgent priority of the Police Department and the Police and Fire Commission.
- b. The recruitment of all Police Department personnel should be professionalized by delegating major responsibility for recruiting to the City Personnel Department.

- c. An aggressive recruitment program designed to reach and attract black candidates should be developed. Such a program would include:
- 1) Active outreach into areas of high minority density - statewide.
 - 2) Involvement of the local black community in the recruitment program, i.e. NAACP, Urban League, employment counselors, youth workers, etc.
 - 3) Recruitment of at least one experienced black officer to enter the Department at a status level.
- d. There should be nationwide recruitment for professional vacancies in the Department. As police work becomes more technical and complex, the Department should not be limited to internal promotion--especially to fill its more sensitive administrative jobs.
- e. An advisory committee should be formed to work with the Police Department and the City Personnel Department on the development of an effective recruitment program. Members of the Madison Personnel Association and others with special recruitment experience have expressed their willingness to assist the Department in this way.
- f. In the selection of more specialized personnel, such as for sensitive administrative positions, it would be wise to expand the screening board to include individuals from the community with special concern or expertise in the area concerned.
- g. Steps should be taken to insure that the promotion of personnel is based on over-all qualifications and is not influenced by the personal prejudices of one or two superior officers.
- h. Where the present principle of promotion from within the Department and seniority hinder the selection of the best qualified person for sensitive administration positions, consideration should be given to recruitment from both outside and inside the Department.

Screening and Testing

- a. Major responsibility for interviewing, testing and other screening procedures should be delegated to the City Personnel Department.
- b. An advisory committee of professionals in the areas of psychological testing and personnel selection should be established to assist the Police Department and the City Personnel Department in revising the screening procedures.
- c. An initial interview with a skilled interviewer should precede any testing.
- d. Personality evaluation should become a part of the regular screening process, as recommended by the International Association of Chiefs of Police. The exact tests or other procedures utilized should be worked out in consultation with the advisory committee.
- e. Rigid cut-off scores should not be utilized to eliminate applicants at any one point in the screening procedure. Evaluation of an applicant's total record, including interviewing, psychological testing, high school record, background information, physical examination and agility tests should be made in consultation with an experienced psychologist or other professional skilled in the interpretation and evaluation of such data.
- f. Every effort should be made to utilize testing and other assessment procedures which reduce the influence of differences in cultural and socioeconomic background.

3. Police Training

General Recommendations

- a. Training goals should reflect a shift in emphasis from concentration mainly on the technical aspects of police work to increased emphasis on understanding of community problems.

- b. The Department should utilize talent and community resources from outside--as well as from inside--the Department.
- c. Training should be related to the specific job to be performed.
- d. Status of the members of the police force should continue to be raised through increased educational requirements at all levels and through a long-range program of higher entrance standards and continuing education achievement.
- e. Responsibility for developing the police training program should be assigned to staff solely devoted to this function, so that it receives the greatest possible attention.
- d. Policy guidelines should be formulated to aid police officers in the exercise of their police authority.

Specific Recommendations

- a. Pre-Service and In-Service training should be extended to permit incorporation of a wider range of human relations subjects, including:
 - 1) History and culture of minority groups,
 - 2) Knowledge of local community, including the economics of race relations,
 - 3) Psychology and Sociology,
 - 4) Child Development and Juvenile Delinquency,
 - 5) Extensive instruction in handling types of situations which are likely to provoke reaction.
- b. Less emphasis should be placed on clerical subjects--particularly during the Pre-Service program in order to make more time available for some of the above recommended subjects.
- c. The training period should be extended to provide for broadened course content.
- d. The assistance of appropriate University and community talent should be sought in designing course content.

- e. Some of the teaching in specialized areas (a. above) should be done by experts in the subject matter.
- f. Re-evaluation should be made of credit given for technical courses in comparison to those courses dealing with community awareness and educational upgrading.
- g. Class size should be as small as feasible, particularly in those courses or sessions specifically designed to provide an opportunity for greater understanding of minority groups through more interaction and more discussion.
- h. Experienced officers who have demonstrated particular understanding and aptitude should be assigned to provide field training for recruits.
- i. Training should include some "walking the beat" as well as "ride along" experience for all recruits in order to provide opportunity for greater knowledge of people in the community in "non-adversary" relationships.
- j. Opportunities for orientation and evaluation sessions should be arranged for officers selected and assigned to train recruits, in order to regularly measure success of the program and make changes as needed. Recruits should be examined on their training experience to ensure that anticipated results occur.

Continuing Education and Training

- a. Opportunity should be provided for officers as well as supervisors to attend professional meetings or other local and national conferences of special interest to the police and the community.
- b. All police personnel should be encouraged to take advantage of the pay incentive plan with particular emphasis on those courses which lead to greater understanding of the role of the police officer in today's society.