THE IMPACT OF BLACK CITY ADMINISTRATIONS AND POLICE ON RACIST POLICE VIOLENCE

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Introduction

It is today indisputible that Black and other non-white people* in the United States have suffered a brutal and disproportionate share of violence at the hands of the police. All indications are that racist police violence against Blacks has not ceased to be an overwhelming problem. As a result, the issue of the police role in the Black community has, in many cities, continued to be a central concern and perhaps the most symbolic reminder of Black oppression in this country. As in the 1960s, it is racist police violence which has sparked off contemporary urban revolts, such as that which followed the murder of Arthur McDuffie at the hands of Miami police in 1980.

Yet, there is little agreement about either the reasons for, or solutions to, this reality. In the recent past, demands from reformers and organizations in the Black community have called for solutions ranging from police review boards under genuine civilian control, more restrictive policies on the use of deadly force by police, and vigorous enforcement of federal, state and local laws against police misconduct. Also prominent among the proposals for change has been the hiring of Black police officers and the election of Black city

*For purposes of this paper, I have focused on the question of racist police violence in the Black community, although Latinos, and to a lesser degree, Asians, also face pervasive racist police violence.
administrations in the hope that Black officials will be more inclined and better able to control racist police violence.

This paper attempts to make a preliminary examination of impact of greater numbers of Black police and of the growing number of major city Black administrations on police violence against Black people. My tentative conclusion is that Black mayors have had a significant impact in reducing racist police violence in some cities, while in others there appears to have been little change. Moreover, it is not clear that police violence against Blacks in those cities where change has been achieved will be lasting given the economic and social decline of most cities with Black administrations.

The Problem

Racist police violence against Black people is not an isolated phenomenon. At all stages of the "criminal justice" system, Blacks are disproportionately the victims of investigation and punishment -- both legal and extra-legal -- by the authorities.

A 1980 report by the National Minority Advisory Council on Criminal Justice, a Department of Justice task-force which advises the Law Enforcement Assistance Administration (LEAA), reported that in 1978, urban Blacks constituted 49.7% of all arrests for violent crimes, although Blacks make up between
only 11-12% of the national population. N.Y. Times, October 18, 1980.

In 1978, James Q. Wilson, a political science professor at Harvard, reported that 5% of the Black population (1 million) reported themselves unjustifiably beaten by police, as opposed to 2% (4 million) of the white population. Guardian, May 17, 1978.

But it is in the area of deadly police force that Blacks have suffered most. Paul Takagi reported in 1978 that Black males were killed by police at a rate 13 times higher than white males. Id. In 1979, the LEAA said that 45% of the victims of all police shootings were Black and the report concluded that there was "voluminous evidence that race is a factor in police killings." N.Y. Times, December 25, 1979. And the International Association of Chiefs of Police has reported that between 1975-79, 60% of those who were killed by police were Black. N.Y. Times, November 13, 1983.

Such information, combined with other evidence, suggests that such police violence is rising. The National Center for Health Statistics said in 1980 that the Community Relations Service of the Department of Justice received 142% more complaints of police misuse of force between October 1979 and March 1980 than it did in the same period in the previous year. It also reported that while the total number of deaths caused by police averaged 254 a year between 1950-67, it reached 342 a year between 1968-76. Over half of those killed
were Black. Guardian, June 25, 1980. The Community Relations Service confirmed this trend when it reported that both the incidence and reporting of police brutality was rising nationwide, and that non-whites were the most frequent victims. "No community is immune," said Wallace Warfield, the Associate Director of Field Coordination for the CRS. N.Y. Times, April 3, 1983.

Overall, the extent of racist police violence led Amnesty International to conclude in a 1980 report that

Police brutality, especially toward members of ethnic minorities, is widespread and severe, resulting in death in many cases. Although it is probably not due to official policy, it is undoubtedly able to occur so frequently because it is officially tolerated. N.Y. Times, December 10, 1980.

At the end of the process, Blacks make up 50% of the country's prison inmates, N.Y. Times, October 18, 1980, and by the end of 1982, 42% of those awaiting capital punishment were Black. N.Y. Times, October 23, 1982.

The Roots of Racist Police Violence

Damu Smith, writing in the Black Scholar of January-February 1981, argued that the police as an institution in the United States developed for the purpose of maintaining the control of rich over poor, workers and particularly non-white people.* Smith found the origins of U.S. police forces in the

*"The Upsurge of Police Repression: An Analysis."
slave patrols of the pre-Civil War South, the purpose of which was to terrorize Blacks into accepting their status as slaves. After the war, these patrols were reorganized in the post-Reconstruction period to enforce the continued subjugation of Blacks, with "[w]hite policemen...called upon to officially enforce Jim Crow," and where "[w]hen white mobs attacked blacks for violating Jim Crow laws, police stood by or actively participated." Id., at 37-8. In the north, the development of modern police forces coincided with industrialization and working class resistance to "intolerable working and living conditions for workers and their families" in the late 19th Century. Id., at 37.

The role of the police in the 1960s in suppressing the Civil Rights and Black Power movements demonstrated that the anti-Black nature of the police had not diminished by the middle of the 20th Century. Id., at 38. Moreover, says Smith, the late '60s and early '70s saw, if anything, "the development of the police institution as a larger more modern, professional and organized" repressive force against Blacks, which included the COINTELPRO program, coordinated by the FBI and participated in by local police departments, in which the Black political movement was targeted for violent attack. Id., at 39. This development was also symbolized by the Omnibus Crime Control and Safe Streets Act of 1968 which created the LEAA, and whose two part mission was to promote "repressive operations of the police" through increased militarization,
and by organizing community relations programs to improve the police image in the Black community. \textit{Id.}, at 39-40. It is this model of a highly militarized and repressive police apparatus which greets Black people in the 1980s.

Generally speaking, argues Smith, this situation has not been primarily due to individual racism by police or city officials. Rather, he says, "[i]t is impossible to understand the police institution without discussing its fundamental role within the context of the U.S. capitalist system." Quoting Takagi to the effect that one must "analyze contemporary policing as an integral part of the political economy," \textit{Id.}, at 36, Smith then quotes Lenin's view that "[t]he state is a machine for maintaining the rule of one class over another," and that in all societies those who rule "in order to maintain their power possessed an apparatus of physical coercion." \textit{Id.}, at 36. In this society, says Smith, a major part of that role is played by the police. And that part is, if anything, more true today, he says, than ever given the "profound economic and social" crisis in this country, characterized by unemployment, plant closings, inflation, high military spending, cutbacks in social services and the deterioration of the cities. In the area of law enforcement, the trend has been toward greater repression of those at the bottom, characterized by the establishment of a federal death penalty, the greater unleashing of FBI and CIA, the greater number of prisons and jails being proposed or built,
and increased anti-labor activity by the government. *Id.*, at 41-2.

This trend, says Smith, has been accompanied by the rise of ideological and physical strength on the right, and particularly by racist ideology. *Id.*, at 42-3.

As Smith concludes:

> When you add up all the other contributing factors -- the historical tradition of police repression against blacks, other minorities and workers; the racist bigotry and the 'law and order' mentality which is systematically ingrained in the minds of policemen and woven into the fabric of the police institution; the crisis of U.S. capitalism today and the resultant upsurge in racism, conservatism, ultra-rightism and the aggravation of everything ideologically reactionary within our society -- it is little wonder that we are witnessing today a rise in police brutality, use of deadly force and other crimes against the people. *Id.*, at 45.

**Black Police and Political Control**

Does this reality, history and analysis of racist police violence apply to the role played by Black police and Black city administrations today?

Black police are still a tiny minority in law enforcement. Only 4% of the 680,000 police in 1980 were minorities. *N.Y. Times*, October 18, 1980. There is no question but that police forces which are predominantly white will be particularly susceptible to racist violence against non-white people. As even Patrick V. Murphy, the former NYPD Commissioner admitted, "[t]he police world -- I generalize -- is a racist world. We're reflective of society itself."
N.Y. Times, July 8, 1982.

Black mayors, on the other hand, have taken office by 1984 in an impressive list of major U.S. cities, including Birmingham, Atlanta, Washington D.C., New Orleans, Chicago, Los Angeles, Oakland, Newark, Gary, Philadelphia, Detroit, and hundreds of smaller communities. It is possible that New York City will soon join the list when Koch comes up for re-election in 1986.

What has been the effect of this greater Black political control in these cities? A full assessment is not possible here, but a sampling of cities with Black mayors reveals that the results have been greatly uneven.

1. Oakland: The Oakland police have a long and brutal history of rampant racism; it was out of Black victimization by the Oakland police that the Black Panther Party was born in 1966. In light of this history, Lionel Wilson, the city's first Black mayor, ran on a platform against police brutality in the late '70s.

By 1980, little appeared to have changed. In a city with a population between 45%-55% Black, 42 of the previous 55 people killed by the police before 1980 were Black, most of them victims of white officers. Brenda Payton, "Police Use of Deadly Force in Oakland," The Black Scholar, Jan.-Feb. 1981, at 63, N.Y. Times, January 13, 1980. Payton reports that despite some efforts by Wilson, "[s]o far in Oakland the mayor has lost the battle" to have an effect on this violence. Supra, at 64.
In part, this is due to the fact that the City Manager, not the Mayor, directly oversees the city departments. In addition, though after a militant community protest the City Council approved a citizens' police review board, the board does not have subpoena power, cannot review police policy and was precluded from examining any of the nine police killings of Black people in 1979, "leading many observers to conclude that the board too is a powerless and empty political gesture." Id., at 63. Payton concludes that Wilson's power is limited because "no matter what happens politically whether minorities gain control of city offices the police force of non-white cities is still predominantly white and run by whites who continue the status quo." Id., at 64.

2. **Los Angeles**: Tom Bradley was one of the first Black mayors of a major U.S. city, coming to office in 1973 and has been reelected twice since that time. Los Angeles, however, has continued to have one of the worst reputations for racial police violence of any city in the country. In 1978, 85% of all police shootings were directed toward people of Black or Latino descent, and most occurred in the predominantly Black South Central section of the city. Guardian, May 2, 1979. Yet, by the end of 1979, there existed no independent police review Board, nor had any LAPD officer ever been prosecuted for a racially-motivated shooting. Guardian, October 24, 1979.
And in 1980, only 5% of the police force was Black, despite a Black population of 20%. Guardian, June 25, 1980.

A 1980 study released by the City's quasi-independent Police Commission reported that police shootings had dropped between 1974-79, but that nevertheless:

-Of nine cities ranked, L.A. was first in deaths per shooting;
-The percentage of Blacks shot by police was disproportionately high -- 55% of those shot between 1974-78 were Black, as were 50% of those killed and 35% of those arrested;
-While the number of Blacks shot by police declined in 1979, of the total number of people killed by police in 1979 the Black percentage increased;
-Police shootings in predominantly Black areas was disproportionately high compared with the amount of violent crime in those areas;
-A greater proportion of Blacks were fired on for failing to obey an officer or for making furtive gestures;
-The percentage of officers disciplined for "out of policy" shootings of Blacks was lower than that which involved other races;
-More generally, there was "administrative disapproval" of police shootings in 18% of the incidents, and in only 10% was an officer given days off, suspended or terminated. Los Angeles Times, June 26, 1980.

More recently, the issue of Black fatality resulting
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from police chokeholds has become an issue; the response of Chief Daryl Gates to charges of Black deaths due to this practice was that such holds apparently affected Blacks differently than "normal people." N.Y. Times, June 2, 1982.

There is no indication that Bradley has ever made police abuse an issue in his campaigns or that he has attempted to target racist police violence while in office.

3. Detroit: Coleman Young is another the early Black mayors of a major city. Young came to office in 1973, like Wilson of Oakland, in large part based on his opposition to racist police violence, particularly that practiced by the special STRESS unit, a corrupt, militarized and particularly racist branch of the mainly white police department. Herb Boyd, "Blacks and the Police State: A Case Study of Detroit," The Black Scholar, Jan.-Feb. 1981, at 58-60.

Young proceeded to change the composition of the city's police department with affirmative action programs, the result of which is that today the force is about 32% Black. N.Y. Times, September 26, 1983. Boyd reports that the presence of Black police has made a difference:

The increased number of minority officers has vastly improved police-community relations and has definitively reduced the number of civilian complaints brought against the police... With a black officer on the scene of an arrest, especially the arrest of a black suspect, the likelihood of excessive force and brutality are minimized. Boyd, supra at 60.

The U.S. Supreme Court recently refused to review an attack by white officers on the police affirmative action program.
A recent study by three Wayne State professors confirms Boyd's conclusions. The 1982 survey found that 82% of the city residents polled did not see police brutality as a problem, and that the response given was almost identical for whites and Blacks (the city is 63% Black). The mayor's office claims that complaints of police brutality have dropped nearly 75% since 1975. N.Y. Times, September 26, 1983.

It should be noted, however, that of the 403 complaints registered against Detroit police in Detroit for brutality, only 11 were upheld, raising some question about the credibility given by the city to citizen complaints that continue to be made. N.Y. Times, November 13, 1983.

4. New Orleans: New Orleans also has a long history of racist police violence, a reputation which does not seem to have abated under the Black mayorality of Ernest Morial. In 1981, the Department of Justice reported that it received more brutality complaints about the city than any other in the country. While the city is 56% Black, less than 25% of the police force is Black. "I'm more afraid of the police than the dope fiends in the ghetto," said one Black resident in 1981.

Nothing exemplifies the situation more than the November 1980 raid by police on the Black Algiers section of the city following the death of a white police officer. In the ensuing raid four Black residents were killed by police and at least a dozen others injured. The perpetrators were not only
14. white; a Black officer later testified that he participated in the beatings along with white officers. The Black community in New Orleans exploded over the Algiers massacre, but Mayor Morial resisted demands from the community to fire the police involved, citing civil service regulations and, more privately, fears that to do so would jeopardize his position among white police supporters and chances for re-election. Meanwhile, Morial sent police to Miami following the raid to learn riot control from the same department that brutally suppressed the Liberty City rebellion earlier that year. Washington Post, June 23, 1981.

5. Newark: The Gibson administration has a reputation for turning around one of the most racist police departments in the country. Under the Black police director, Hubert Williams, the force has reached the level of 30% Black officers and there were five times as many police killings in Newark in the first half of the '70s (25) than in the second (five). Village Voice, September 20, 1983. Williams says that there were only 14 complaints filed in 1982 for excessive force by police officers, and attributes the change to new policies of restraint from the top of the department and the firing of officers who violate those restraints. N.Y. Times, November 3, 1983.

Yet the record is not unblemished, as indicated by the police killing of Black Guardian Angel Frank Melvin on December 31, 1981. Williams claimed that Melvin had been killed
while fleeing the scene of an alleged crime. The Angels, however, argued that the police shot Melvin after he had clearly identified himself as an Angel, and after he had displayed Angel identification. The group also says that other members were not allowed to give Melvin first aid at the scene. N.Y. Times, January 1, 1982. No action has been taken against the officers involved.

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The foregoing selective survey of five cities indicates that increased numbers of Black police and Black mayoral control of cities has had an uneven effect on levels of racist police violence against the Black community. In cities such as Detroit and Newark, there has been major improvement, though the problem is nowhere solved. In other cities, such as Oakland, Los Angeles, and New Orleans, the police remain as much a problem for Black people as they ever were; in those cities at least, the number of Black police has not significantly increased, and Black mayors don't seem to have brought significant change.

To some degree, these differences appear to depend on factors such as the strength of the particular Black administration in relation to white racist opposition. Another, relate factor is almost certainly the pressure on Black administrations from independent pressure in the Black community.

But even in those cities with the greatest progress,
there remains the question of how long the changes can be maintained given the continuing subjugation of Black people in this country and the worsening position of the Black community in context of a declining economy and the current political climate.

Numerous studies prove that the relative position of Black to white has not been fundamentally altered in the last 20 years, at least in regard to economic status; in fact, the gap appears to be growing. The Census Bureau reported in August 1983 that the overall official national poverty rate rose to its highest point since 1965 in 1982: 15%. The rate for Blacks, however, was almost 36%, three times that for whites. For families headed by Black women, the rate was 56%, as opposed to 28% for those families headed by white women. Among Black children, the poverty rate was 47.5%, nearly three times that for white children. Overall, though Blacks made up only 12% of the population, they constituted 28% of the official poor. Perhaps most revealing about the position of Blacks in society is that "[i]n 1982, as in 1960, the median income for black families was 55 percent of the median income for white families." N.Y. Times, August 3, 1983.

Another Census Bureau report issued later that month reported that though Blacks were more likely to have graduated high school and own homes in 1982 than in 1970, the Black unemployment rate was double that for whites. N.Y. Times,
August 22, 1983. A report from earlier in 1983 by the Center for the Study of Social Police, "a private research group headed by a Nixon administration official," reported that 45% of Black men did not have work and that "if those who cannot be found by the Census Bureau are added, conservative estimates put the proportion of black men without jobs at more than half." The number of Black teenagers without jobs is yet higher. The Study concluded that:

Despite the fact that black Americans have made some gains since the civil rights movement, the economic gap between blacks and whites remains wide and is not diminishing. On measures of income, poverty and unemployment, wide disparities between blacks and whites have not lessened or have even worsened since 1960. N.Y. Times, July 18, 1983.

In a word, as the economy declines and poverty programs are cut for everyone, Blacks suffer disproportionately.

Ironically, it is just as this process is becoming acute and the major urban centers are decaying, that Black mayors are in larger numbers taking office in cities across the country, with little power to deal with the Black poverty they encounter. As one author has pointed out,

Several cases studies of black mayors in big cities suggest that the often unrealistically high level of public expectations creates unique pressures on the mayor and sets the stage for swift and deep disillusionment among the black electorate. Milton D. Morris, "Black Electoral Participation and the Distribution of Public Benefits," Brookings General Series Reprint #379, 1982 at 176.
Detroit and Newark bluntly illustrate this reality. A recent article by John Holusha in the New York Times credits the mayor for having curbed the police, but points out that Young has "been unable to do little to reverse the economic decline of a city where unemployment, at 17 percent, is roughly double the national level." Young has been forced to cut the municipal work force and the city's downtown renovation. The Mayor himself reported that soup kitchens in the city went from 6 in 1982 to 20 in 1983 and that the number of people under the poverty line had gone from 22% in 1980 to 30% in 1983. While Young claims that tourism and conventions will give work to the vast number of unemployed industrial workers, the fact that Detroit has long been completely dependent on the auto industry leads social researchers to "see little likelihood of a quick economic revival." N.Y. Times, January 12, 1984.

A recent article in the New York Times Magazine reports that "[b]y any measure, Newark is worse off than it was when Gibson took office." From 1970 to 1980, more than 50,000 people moved out of the city. A fifth of the total assessed property valuation was lost, as were more than 25% of the municipal work force. In the mid-1970s, the economy grew by only a third of the national urban average and since that time industry has continued to close or move out of the city. By 1977, there existed 30,000 less industrial jobs than in 1970, and employment was only 66% of what it was in 1963. The city's public housing
is in terrible shape. And to make things even worse, the cuts instituted under Reagan and Keane has taken from Newark an annual $25 million in CETA grants, $22 million in welfare payments and food stamps and "nearly all Federal housing subsidies." The result is that one third of the city's population lives below federal poverty standards, as opposed to 22.5% in 1970 and unemployment is between 30-45%. In all, Newark is the poorest major city in the country.

N.Y. Times Magazine, October 2, 1983.

None of this is to argue, as does Paula Span, the article's author, that the Gibson administration could have avoided this situation if only it had more adeptly pursued "the partnership between the public and private sectors."

Id., at 61. In fact, Newark has seen the construction of a number of new office towers during the Gibson administration and the attendant growth in white collar jobs and taxes. Nonetheless, as Span herself admits, even a more ambitious program could not change the fact that "white-collar office jobs fail to provide work for Newark's industrial unemployed."

Id., at 60. The real problem, as Span points out, is that industrial capitalism used up and is finished with Newark:

...when manufacturing no longer required proximity to its markets, investment capital began to drain out of Newark, leaving behind empty factories and stores, unknown quantities of toxic wastes, and thousands of unemployed workers. Id., at 58.
This fact, combined with severe economic depression and the cuts in government spending discussed above, are responsible for Newark's decline. It is this reality which Gibson acknowledges when he explains that "[w]hen the market's slow, cities like Newark suffer worse." As it is, says Gibson, "[o]ur job is to pick up the garbage, sweep the streets and provide some measure of police and fire protection, and we can barely do that." Or, as Williams puts it, "[w]hat can the police do about poverty? What can police do about unemployment?" Even Black police. *Id.*, at 60, 64.

As Kalamuya Salaam explained,

...most black elected officials of whatever office, find themselves so powerless within the status quo, which bestows limited material benefits to them, that today they can hardly even mouth the old seventies shibboleth of 'working within the system' to bring about change. Within the system, most of the changes that have been made of late are changes which generally work against the interests of African Americans. "In the Face of Oppression: A Case Study of New Orleans," The Black Scholar, January-February 1981, at 65.

So, what will Coleman Young and Kenneth Gibson do when, in response to the hopelessness described above, crime continues to rise, mass urban rebellion erupts or radical Black organizations threaten to disrupt the "order" of existing property and power relations? Black officials can't buy off discontent; they don't have the resources to pay. And in order to retain the confidence and backing of the only source of revenue that does exist -- business and state and federal
government -- they cannot allow disorder to spread. What choice will they have ultimately but to use the police to violently repress those in revolt, just as rulers of formally independent Black nations in Africa do against Black people there in response to the demands of the International Monetary Fund?

As Salaam concluded:

New Orleans Mayor Morial, and most other American mayors of color, are faced with the classic dilemma of neo-colonialism: their material interest is with a status quo that conducts and/or condones violent repression of our people. Id., at 65.

Black officers face a similar problem. While many have been forcefully outspoken opponents of racially motivated police violence (as in the case of the Black Guardians Association in New York City who helped organize the Conyer hearings on NYPD racist violence last fall), Black officers find themselves in a difficult position. In part, they face the stiff resistance of white officers and political establishments. Moreover, though they may be "genuinely concerned about crime in the cities," they can't solve the problem since street crime is "deeply embedded in social conditions over which they have no control." Guardian, July 18, 1978. As a result, many Black officers and police officials have come to identify with and participate in the violence perpetrated by police against Blacks. One nearby example is that of Benjamin Ward, until recently the Commissioner of the New York City Department of Correction
(an institution which continued under Ward to practice regular and vicious brutality against non-white inmates in the city jails), and now the NYPD Commissioner. Ward's position on the widely recognized racism of the NYPD is that

We need to put some of the good guys on our side so that when the bad guys say 'police brutality' the good guys will be able to say, 'I've been out there with the police and I know what they do.' N.Y. Times, November 8, 1983.

As Terry Jones explained,

Until major institutions become people-oriented instead of profit-oriented, inclusion of blacks in police work can at best only be considered as tokenism.... one need only recall that many of the policemen and soldiers called upon to 'maintain law and order' in South Africa are black. "The Police in America: A Black Viewpoint," The Black Scholar, October 1977, at 36.

Conclusion

Black political control and Black police officers have had an impact in some cities, and this fact is to be welcomed. But if the unjust distribution of wealth and power along race, class and sex lines inherent to capitalism is responsible for the victimization of Black people by police, any genuine, long-term, effective solution must be based on an entirely different, humane and just society.

This is not to say that nothing can be done until an entirely new society comes about. As Smith argues, the increased hiring of Black police, for example, should be supported as a "legitimate anti-racist and democratic demand."
Smith, supra, at 52. Increased Black political control of city administrations can, under certain circumstances, make a difference, as can genuine community review boards and other reforms.

However, even in the short run, these changes will probably only come about and be sustained through the creation and existence of mass-based independent movements to combat racist police violence. As Smith argues, [t]here is no way that city officials or police departments can ignore the constant, massive and united vigilence of thousands of people." Id., at 53. It was, in fact, the massive popular outcry against racist police violence in cities with Black administrations today that gave impetus to Black politicians' political campaigns, and which has kept the pressure on Black mayors to make whatever changes have been achieved in the area. Moreover, in cities where racist police violence against Black people continues, and that includes almost everywhere to some degree, it will no doubt be necessary for Black communities to resort, as they did in the 1960s and before that, to organized self-defense against both random racist violence and if necessary police violence, whether it be perpetrated by white administrations and police or by Black ones.