

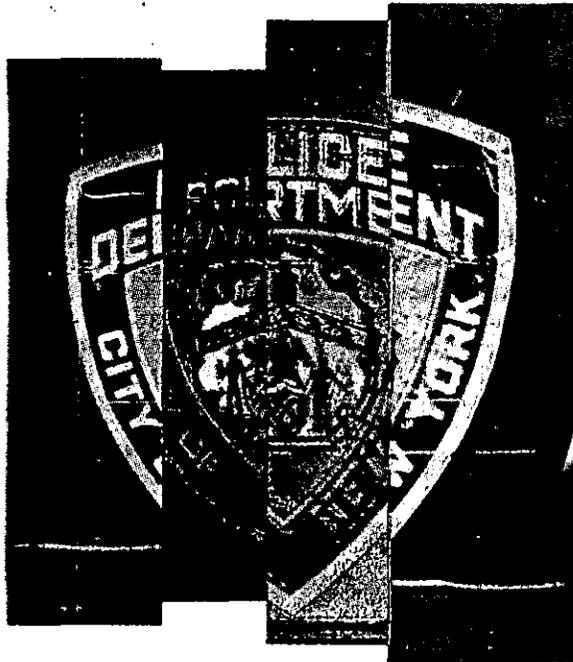
NLWJC - Kagan

DPC - Box 011 - Folder 027

Crime - Police Brutality

Diallo's Death and The Costs of Protest

By TAMAR JACOBY



BY MARGARET RIEGEL FOR THE WASHINGTON POST

Last Thursday's march across the Brooklyn Bridge and into downtown Manhattan capped 10 weeks of demonstrations in New York, sparked by the police killing of 22-year-old West African street peddler Amadou Diallo. Now the protest is going national. Organizer Al Sharpton said he plans to accompany Diallo's mother on a 16-city tour, and the campaign is being celebrated as a triumph for decency and civil rights everywhere. Comparing the Diallo protesters to the followers of Martin Luther King Jr., civil rights veteran Rep. John Lewis (D-Ga.)

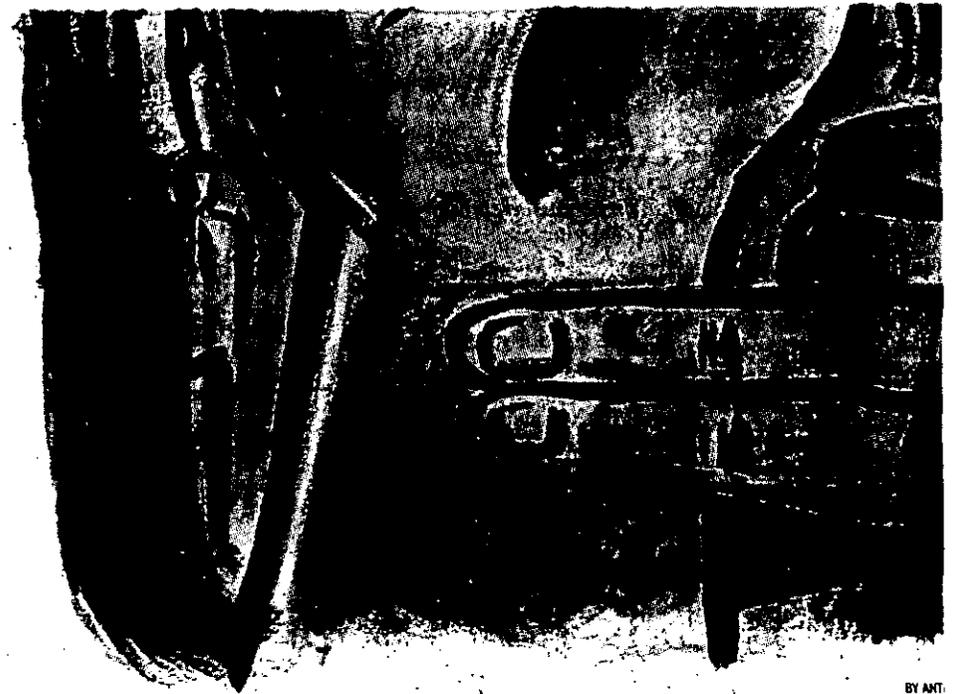
said last month that "they, too, are standing up to gross injustice and saying, 'No more.'"

The comparison with King's movement could not be more misleading. Today, as in the '60s, there is a place for political protest. But as the Rev. Sharpton has proved often enough, it is easy to abuse King's great and glorious legacy.

The demonstrations in New York have caught the city's—and the nation's—attention. The arrests of nearly 1,200 protesters have prodded apathetic citizens to think about policing in minority neighborhoods and produced an apparent show of

See DIALLO, B2, Col. 3

Tamar Jacoby, a senior fellow of the Manhattan Institute, is author of "Someone Else's House: America's Unfinished Struggle for Integration" (Free Press).



BY ART

Vital Signs

I'm Watching Two Different Wars

By ALEX TODOROVIC

BELGRADE

For many of the Serbs I've met and talked to over the past three weeks, this conflict is about anything but refugees. The idea that 19 countries would go to war for the sake of Albanian refugees strikes people here as absurd. Taking their cue from state-run television, the vast majority of Belgraders seem to believe that the refugee crisis was caused by a combination of NATO bombing and the Yugo-

slav army trying to ferret out terrorists. Contributing to Serbian incredulity is the fact that nobody blinked when 300,000 Serbs were driven out of the Krajina region of Croatia three years ago.

I'm a first-generation Serbian American, born and raised in Los Angeles. I speak Serbian, but not well enough to be mistaken for a native. These days, when people learn that I am American, they almost always ask, "What do you think about this bombing?" with the emphasis on "you."

"I want the bombing to end, just like everyone

Alex Todorovic is a stringer for U.S. News and World Report in Belgrade.

See BELGRADE, B4, Col. 1

Crime-Police Instability

The Path of Protest

DIALLO, From B1

contrition by Mayor Rudolph Giuliani. But over the long run, these apparent benefits will come to look meager indeed, and the costs to the city—to blacks and whites and civic comity—will overshadow any gains.

The first cost is already obvious: The police are holding back. Pilloried by the demonstrators as racists and criticized across the city by whites as well as blacks, police officers are telling reporters that they can see the mistrust in people's eyes as they ride around town or walk the streets in uniform. In the toughest neighborhoods, they are openly taunted by defiant youths, and in response, some are less willing to risk their lives in doing their job. "It has put a second guess in the minds of officers. It is making them question their obligation," Patrick Lynch, an officer in Brooklyn, told a reporter last month.

The number of stop-and-frisks by officers in the Street Crime Unit—the elite squad that has come under fire in the Diallo incident—has fallen precipitously. So have its arrests, which are down by more than half in the two months since the shooting. This new restraint may mute complaints that the cops are overly aggressive. But it is also likely to make them less effective, and evidence suggests that the streets are already less safe—particularly in poor minority neighborhoods. In the Brooklyn enclave of East New York, there were eight shooting incidents in March, up from five in the same period last year. In the neighborhood of Bushwick, also in Brooklyn, the number jumped from two to six.

The second cost, and it affects both white and black New Yorkers, is the blow to truth and truth telling. Just what happened in the dark Bronx vestibule on the night the unarmed Diallo was killed is still unknown to anyone but the cops who shot him. Plainly enough, some sort of ghastly mistake occurred: An innocent man is dead, and with 41 bullets fired, no one can doubt that the four white officers used excessive force. The officers have been indicted on charges of second-degree murder. They have yet to tell their side of the story, though their lawyers say they thought Diallo was armed. But as the case goes to court, there has been no evidence yet that the cops were driven by racism, conscious or unconscious.

This doesn't seem to matter—not to the demonstrators at police headquarters, anyway, or the thousands of people whose consciences have been pricked by the protests. Well-intentioned, middle-class people who would not dream of joining Sharpton on a picket line air their concerns at dinner parties and elsewhere. But many seem to care surprisingly little about the facts of the case, and when questions about the circumstances of the killing come up, they brush them away. "What do you think actually happened that night in that vestibule?" I asked one man, white, well-heeled and politically astute. "I don't know," he answered, not even pausing, "but it doesn't really matter. The bigger truth is the truth that counts here—the way the mayor and other city authorities have signaled to the cops that racist behavior is okay."

There is no evidence of that either, though the protests—including placards comparing the mayor to Hitler—seem to have convinced the public that it must be so. Giuliani is a stubborn man, deliberately brash and often impolitic. He treats his political opponents, white and black, with a contempt guaranteed to backfire, and he makes no secret of his determination to keep the crime rate down—a determination that may breed occasional misjudgments.

But on race, the mayor has been resolute: Color should not and does not enter into city policy. All New Yorkers, he has repeatedly insisted, must be treated similarly: no discrimination, no favors, no "special things," as he once put it, for any group, but rather the same "general things"—"safety, education and jobs"—for everyone. The dramatic drop in crime on his watch has benefited black and Hispanic New Yorkers more than anyone else, but not because he has ever singled them out.

The third cost—and perhaps the most tragic—is being borne by black New Yorkers: a growing sense of alienation and exclusion that risks becoming a self-fulfilling prophecy. You hear the anger and mistrust not just at the rallies, but also in classrooms, at impromptu campus meetings, in discussions among professionals. Spurred by the rhetoric of the demonstrations, many blacks have come to believe that not just the cops, but also ordinary New Yorkers and the "power structure" are irre-

deemably racist. Wounded and angry, they wonder if they will ever feel safe or at home in New York—if they will ever feel that the city is *their* city, too. "How can you talk about blacks and whites coming together?" one student asked emotionally at a campus gathering. "We can't even walk in the same public spaces you do. This isn't our campus. This isn't our country. Diallo just proves what all of us have known in our hearts all along."

Meanwhile—and this is the last cost—concerned black and white New Yorkers have come no closer to the kinds of reforms that would improve the quality of policing in the city. Like any big urban force, the NYPD includes its share of rogue cops. Impulsive, even disturbed recruits slip through enlistment procedures designed to weed them out; power corrupts, and some brutality and graft are inevitable. The challenge for the department is to prevent abuses of power with tighter screening, better training and severe punishment in cases—such as the 1997 torture of Haitian immigrant Abner Louima—where the rogue elements turn criminal.

Racially focused reforms of the kind called for by the protest coalition—sensitivity training, a residency requirement and the hiring of more minority officers—may or may not make the force more welcome in minority neighborhoods. But these changes do nothing to increase accountability or improve police judgment in dangerous circumstances, and they have proved no panacea in other cities. Public perceptions matter—in policing particularly—and city authorities must do their best to address them. By misdiagnosing what is wrong with the department—by mistaking a tragic killing for systemic racism—the demonstrators have only made it harder to achieve the kinds of reform that would make the city safer for everyone.

But the problem with Sharpton's protests—the difference between his movement and King's—goes well beyond a misdiagnosis, large or small. "It's open season on blacks," civil rights leader Jesse L. Jackson claimed last week—an inflammatory exaggeration that would have been unthinkable under King's leadership. Dishonesty, demonization and political posturing had no place in King's historic crusade, not only because he was a man of integrity, but also because he knew that even a touch of bad faith would obliterate his only advantage: his moral power. Unlike the Diallo rallies, born of political calculation and fueled by rage, King's protests were driven by a basic faith that decent people everywhere would understand the justice of his cause and that the country could change for the better. His followers came out into the streets with a list of focused demands, and when authorities in a given city eventually agreed to address them, the protests stopped. Sharpton, in contrast, will not take yes for an answer. Nor does he grasp, despite the painful lessons of the civil rights era, the difference between conditions that authorities have the power to change—such as segregation and police practices—and those they cannot.

The tensions the Diallo incident have brought to light are neither new nor unique to New York. Every urban police force experiences complaints from minority citizens, and many, if not most, have a shameful, bigoted history to live down. But the truth, in New York and elsewhere, is often more complicated than simple racism.

Though no one likes to admit it, there is mistrust and stereotyping on both sides of the street—in minority communities as well as police officers. Teenagers blaring gangsta rap, acting "bad" and sporting loose clothing in imitation of what prisoners wear may not intend to signal a disrespectful attitude toward authority. But in bad neighborhoods, they draw the attention of officers who see them as potential troublemakers. As long as cops know that blacks account for a disproportionate share of arrests and convictions in the major crime categories, there will be more police activity—and more cop-community tensions—in those high-crime communities.

These inevitable strains ought to be of grave concern to everyone. But angry, inflammatory protest that distorts the problem and exaggerates the threat will not ease the animosity on either side of the color line and will only make it harder for police to do their jobs in minority neighborhoods.



BY ED BAILEY—ASSOCIATED PRESS

Rev. Al Sharpton leading a Diallo rally at NYPD headquarters in March: Would he ever take yes for an answer?

Crime - police brutality



Jose Cerda III

03/04/99 04:44:47 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Irene Bueno/OPD/EOP

cc: Leanne A. Shimabukuro/OPD/EOP, Laura Emmett/WHO/EOP

Subject: Follow-up from today's meeting

BR/EK:

Attached please find: (1) a draft one-page memo on our radio address proposal; (2) a slightly re-worked version of our policy recs; and (3) the latest police brutality q/a.

BR: You asked me to update the question, but it seems our latest version already incorporates much of what we want to say. Does this work? Or do you want me to re-do w/more specifics on our potential policy recs?

jc3



POLICE.ME



POLICE2.MI



POLICEBR.WP

Police Abuse and Misconduct Policy Announcements

1. Increase funding for police integrity and ethics training. Currently, the federal government invests only a limited amount of funds to promote police integrity and to keep officers from turning to misconduct or abuse. With community policing helping to decentralize the management of police, this training becomes increasingly important. However, of the approximately 25 regional training centers funded by the Justice Department's COPS Office, only 2 specialize in this important area. By increasing the percentage of funds in the COPS program that can be used for training, we can make police integrity and ethics the priority it should be in all 25 of the federally-funded regional training centers.

2. Develop early warning systems to detect abuse and misconduct. Studies show that many of the police officers who engage in serious misconduct and abuse tend to be the source of a disproportionate number of complaints. Local police departments can and should do more to implement early warning systems that allow them to identify and discipline problem police officers sooner. Funds could be authorized to help police departments put such early warning systems into place.

3. Develop a national system to track serious misconduct and abuse. The federal government could establish a national database that tracks police officers who are found guilty of serious misconduct or abuse. State, local and federal law enforcement agencies would then be required to consult this database when screening prospective recruits. Such a database would help ensure that rogue cops who are disciplined or let go in one jurisdiction are not simply re-employed by another law enforcement agency.

4. Enhance police recruitment of minorities. Former New York Police Commissioner William Bratton has recommended that police department diversify and improve their workforce by aggressively recruiting and educating minority candidates. He has proposed offering 12-to-14 year-olds summer jobs and training, establishing public safety high schools, and continuing to pay for the education of police cadets in the City College system. The Police Corps and/or COPS program could easily be amended to support such long-term minority recruitment efforts.

5. Raise police force education levels. A fundamental reform in policing that is supported by both police management and labor is an overall increase in the education level of America's police. Our budget this year already includes \$20 million for such scholarships.

6. Establish citizen police academies. In some cities, police departments offer a version of their police academy training to citizens and community advocates. The goal of this training is two-fold: (1) for police department to better understand the concerns of its citizens; and (2) for citizens to better understand how police make important decisions, such as when and how to use force, when to stop a motorist, etc. Support for such academies could be specifically authorized by the COPS program.

7. **Promote tough enforcement of our laws.** Tough enforcement of our civil rights laws must be a central element of any plan against police misconduct and abuse. Our budget includes an increase of more than \$1 million dollars (and 10 new attorneys) just for this purpose.

8. **Complete the transition to community policing.** Over the long term, the most important thing we can do to affirmatively strengthen the bond between police and the people they serve is to renew the COPS program, which has helped to sow the seeds of change in thousands of law enforcement agencies throughout the country. If COPS is not renewed this year, or if it is replaced with a block grant, the federal government will lose the leverage it has gained over the past 5 years in helping to promote changes in law enforcement at the local level.

Police Misconduct and Abuse Q&A
March 2, 1999

Q: The Diallo case in New York has raised the issue of police abuse and misconduct across the country. Last week, a number of civil rights groups including the Urban League held a press conference on the issue. What do you intend to do about this matter?

A: With respect to the Diallo case in particular, as the Attorney General said last week, the Department of Justice's Civil Rights Division, the local U.S. Attorney's Office, and the FBI are working with the local prosecutor and local authorities to ensure that every possible step is taken in this case.

As to the larger issue of police brutality, the criminal justice system must be fair and have the support of all law-abiding Americans. I've asked the Attorney General to consider the thoughtful recommendations submitted by Mr. Price as she continues to work with state and local law enforcement agencies on these matters.

My Administration is committed to vigorous enforcement of our civil rights laws against those police officers who would betray the public's trust through lawlessness or brutality. Our record shows that. Since 1993, the Justice Department has criminally prosecuted over 300 officers, resulting in more than 200 convictions. And our budget for next year includes a 15 percent increase for civil rights enforcement across the board, and an even more substantial increase for the Civil Rights Division of the Justice Department, which has responsibility for much of the work involving police misconduct.

We must also work proactively to ensure that the criminal justice system serves the public safety needs of all Americans. The Justice Department is actively working with law enforcement organizations across the country to develop training programs to address issues of misconduct and abuse. And our community policing initiative has been instrumental in strengthening the bond between community residents and their local police, as well as reducing the victimization of minorities. Building this kind of trust is essential if we are to move forward to make our criminal justice system more responsive and fairer for all of our citizens.

**Talking Points
Police Misconduct
February 24, 1999**

Criminal Prosecutions

- Law enforcement officers have one of the hardest jobs in America — they must enforce the laws and protect our communities in a way that is both vigorous and fair. The vast majority of police officers in this country do just that. However, we have a responsibility to ensure that we do not hesitate to prosecute law enforcement officers who cross the line.
- By rooting out misconduct, we preserve and protect the integrity of most law enforcement officers who perform the important duty of being on the front line of enforcing our nation's laws.
- We take the matter of police misconduct very seriously. At any given time, the Department is investigating several hundred allegations of criminal police misconduct around the country. Since 1993, the Justice Department has criminally prosecuted more than 300 law enforcement officers who have engaged in misconduct -- resulting in over 200 convictions.
- In order to prove a violation of the federal criminal civil rights statute that applies to alleged police brutality, we must prove beyond a reasonable doubt that the subject officers had the specific intent to use more force than was reasonably necessary under the circumstances, given their training, experience, and perceptions. This is a very difficult standard to meet. Even with this high standard of proof, last year we had a 89 percent conviction rate.
- During FY 1998, a total of 74 law enforcement officers were charged with federal criminal civil rights violations — the most law enforcement defendants charged in a single year. In addition, 48 defendants, including some defendants charged during prior fiscal years, were successfully prosecuted either by conviction or guilty plea — an 89 percent success rate.
- Specific examples of successful federal prosecutions of law enforcement officers include: (1) a chief deputy with the DeSoto County, Mississippi Sheriff's Department was convicted for kicking an arrestee (a teenage girl) in the head during a street arrest while the victim was handcuffed; (2) a corporal with the Prince George's County, Maryland Police Department pled guilty to beating the victim, who was handcuffed, with a nightstick after being summoned to a dispute between neighbors. As a result of the beating, the victim received several nightstick shaped bruises on his arms and legs; (3) six former U.S. Marine M.P's were successfully prosecuted in connection with the beating of undocumented migrant farmworkers living near the Marine base at Camp Pendleton, California, and for conspiring to commit false statements to coverup the beating; and (4) a Boston police officer was convicted of perjury and obstruction of justice in conjunction

with the investigation into the beating of a plain clothes Boston police officer by other officers who mistook him for a shooting suspect they had been chasing. The defendant was sentenced to 34 months in prison.

- In investigating allegations against law enforcement officers and in bringing prosecutions, we have sought to pay particular attention to officers engaged in a pattern of criminal misconduct and problem departments.

Civil Pattern or Practice Investigations

- Under the 1994 Crime Act, the Justice Department has the authority to file civil suits against police departments that engage in a pattern of police misconduct. Using that authority, we are currently investigating a handful of law enforcement agencies across the country. Those investigations may result in court orders or settlements requiring police departments to change the way they operate -- so the problems of the past are not the problems of the future.
- For example, on February 26, 1997, the Justice Department entered into a consent agreement with the city of Pittsburgh that provided new and enhanced measures for operating and managing the city's police force. The agreement, approved by the district court in April 1997, established a set of guidelines for the training, supervision, discipline and complaint procedures of the Pittsburgh Bureau of Police. The agreement resolved an investigation by the Department into allegations that the Pittsburgh police engaged in a pattern of misconduct. The Department has also used this authority to investigate and enter into a consent decree with the police department in Steubenville, Ohio.
- We have also been involved in several investigations concerning traffic stops and searches by law enforcement officers. Examples include investigations in Orange County, Florida and Eastpointe, Michigan, as well as reviewing the practices of the New Jersey State Police.
- The Civil Rights Division is involved in several ongoing civil investigations or reviews of police departments regarding issues of excessive use of force. These include an investigation of the New Orleans Police Department, a review recently begun of the Metropolitan Police Department here in D.C., and a preliminary review of the New York City Police Department undertaken in conjunction with the U.S. Attorney for the Eastern District of New York.

Education and Training

- Last December, the Department of Justice — including the Civil Rights Division, the Office of Justice Programs, and the COPS Office — sponsored a problem-solving meeting on law enforcement stops and searches. The meeting discussed the nature and scope of concerns about racial profiling, and preventive measures that the Department and state and local law enforcement agencies may undertake or promote, particularly with

regard to training. Attendees included police chiefs, state police directors, civil rights leaders, police reformers, representatives of national police organizations, theoreticians, and federal law enforcement.

- The Civil Rights Division has been working with the Civil Rights Unit at the FBI headquarters to enhance the civil rights training provided to local law enforcement officers attending the FBI's National Academy at Quantico.
- Efforts are underway for the NAACP and NAPO to initiate public meetings in several cities to discuss issues of police-community relations. In addition, the Civil Rights Division and the COPS office are discussing a NAPO proposal to provide training for police officers on civil rights violations.

Crime - Police Brutality

THE WHITE HOUSE
WASHINGTON

March 5, 1999

MEMORANDUM FOR THE PRESIDENT

FROM Bruce Reed *BR*
Charles Ruff *CR*

RE: Police Brutality

We wanted to update you on our discussions regarding Hugh Price's letter to you on the issue of police brutality. Mr. Ruff met with Mr. Price, who believes -- along with many of the other civil rights advocates -- that you need to speak to this issue as soon as possible. Attached is a follow-up letter from Mr. Price suggesting some approaches to dealing with the issue. Key White House and Justice Department staff share this sense of urgency, and we also generally agree that it is important for you to focus on the constructive steps the Administration has taken and will take to root out police brutality and strengthen the bond between police officers and the communities they serve. Accordingly, we recommend the following:

- (1) Use your next radio address to bring together a group of civil rights advocates, mayors, police chiefs, and rank-and-file law enforcement organizations;
- (2) Ask these leaders to work with you to make sure that the criminal justice system serves the needs of all Americans, and to make the system both fairer and more effective;
- (3) Discuss new provisions to be included in your 21st Century Crime Bill that will help accomplish this, such as more and better police training, early warning systems to detect problem police, better educated police forces, improved efforts to recruit minorities, and a long-term commitment to strengthen community policing efforts across the country; and
- (4) Direct the Attorney General to convene a meeting of representatives of the interested groups to examine ways of addressing the problem, identify cities that have had success, and recommend actions that the Administration can take.

Attached please find a brief description of initial proposals some of which you may want to consider supporting in such a radio address. Although these require further development -- and we have not yet consulted with any of the affected groups -- we thought you might be interested in our initial recommendations.

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Crime-police credibility

knew this was happening
look at all we've done

- Porus comm w/ AG
- budget bump.

public hearings - whenever asked, we do

Task force - NOT investigative
other stuff - we're ~~at~~ already doing

AG tomorrow will tell story of what's in the TP.
why w/ Tachon, etc.
Want to have a dialogue

Ridman can't wait submit.

Poies referred
APrice letter
to her to
review.

Other info to Price ←

- Ltr to Price tonight
- AG tomorrow - press avail / mtg
 - 2:1a for Porus
- work exposure for COPs II
- Think these letters response
in driving



Jose Cerda III

03/12/99 05:41:05 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP, Karin Kullman/OPD/EOP

cc:

Subject: Embargoed Scully Statement on Radio Address

FOR IMMEDIATE RELEASE
March 13, 1999
Embargoed 10:06 a.m. EST

CONTACT: (202) 842-3560
Pager (888) 969-0600
Jody Hedeman Couser

STATEMENT OF ROBERT T. SCULLY, EXECUTIVE DIRECTOR
NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS (NAPO)
ON THE PRESIDENT'S RADIO ADDRESS ON POLICE MISCONDUCT

Washington, D.C. – “Today, President Clinton praised the majority of our nation’s law enforcement officers for their success in lowering the nation’s crime rate to its lowest levels in decades. And, the National Association of Police Organizations agrees that even one incident of police misconduct is one too many. However, the majority of our nation’s nearly 700,000 law enforcement officers are honest, hardworking individuals who are willing to put their lives on the line to protect the public. If we want to end the few cases of police misconduct that do happen, we must both re-evaluate hiring practices and institute better training and education programs. That is why NAPO has asked the Administration and the Department of Justice for backing to produce training and education programs to inform both police academy cadets before they begin their law enforcement careers and those officers already on the street exactly what happens to police officers that practice misconduct – time in federal prison. For the police to maintain its strong stance against corruption, it is up to the municipalities to raise the officers’ salaries and hiring standards so that the more qualified find the job appealing. In addition, funding must be made available for important training and education programs to prevent cases of police misconduct.”

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves in Washington, DC to advance the interests of America’s law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents 4,000 police organizations and more than 220,000 sworn law enforcement officers.

###

Crime-police brutality
and
Race book

Maria Echaveste

02/23/99 09:48:45 AM

Record Type: Record

To: Robert B. Johnson/WHO/EOP, Bruce N. Reed/OPD/EOP, Charles F. Ruff/WHO/EOP
cc: edley @ law.harvard.edu @ inet, Clara J. Shin/WHO/EOP, Elena Kagan/OPD/EOP
Subject: Hugh Price letter

In connection with the crime section of the book, we had scheduled a meeting (right now on Mon 3/1) on racial profiling to see if we couldn't reach agreement on what the President should say about this. At the same time the NYC african immigrant shooting caused Hugh Price on 2/17 to write an open letter asking the President to take a more visible role on minorities and the criminal justice system, asking, inter alia, for DOJ to issue guidelines on how law enforcement should conduct its work while protecting civil rights and liberties. In some ways the crime section of the book addresses some of these issues. So we need to be coordinated both as to how we respond to Price letter and how we finalize the crime section of the book. Seems to me a quick meeting today, tomorrow or friday on the price letter, keeping in mind monday's mtg, would help us agree on a strategy here--Chuck, Bruce, Elena--I'll be happy to call the meeting if you haven't done so already.

Crime-police brutality

THE WHITE HOUSE
WASHINGTON

March 6, 1999

MR. PRESIDENT:

This is a police brutality update.
The recommendations are still being
developed.

Sean Maloney

*File this
with the
other files
on this*

*copied
Reed
Ruff
Podesta*

THE PRESIDENT HAS SEEN
3-7-99

3-7-99

THE WHITE HOUSE
WASHINGTON

'99 MAR 5 PM 5:27

March 5, 1999

MEMORANDUM FOR THE PRESIDENT

FROM Bruce Reed *BR*
Charles Ruff *CR*

RE: Police Brutality

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- (2) Ask these leaders to work with you to make sure that the criminal justice system serves the needs of all Americans, and to make the system both fairer and more effective;
- (3) Discuss new provisions to be included in your 21st Century Crime Bill that will help accomplish this, such as more and better police training, early warning systems to detect problem police, better educated police forces, improved efforts to recruit minorities, and a long-term commitment to strengthen community policing efforts across the country; and
- (4) Direct the Attorney General to convene a meeting of representatives of the interested groups to examine ways of addressing the problem, identify cities that have had success, and recommend actions that the Administration can take.

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**Police Abuse and Misconduct
Policy Announcements**

✓ 1. **Increase funding for police integrity and ethics training.** Currently, the federal government invests only a limited amount of funds to promote police integrity and to keep officers from turning to misconduct or abuse. With community policing helping to decentralize the management of police, this training becomes increasingly important. However, of the approximately 25 regional training centers funded by the Justice Department's COPS Office, only 2 specialize in this important area. By increasing the percentage of funds in the COPS program that can be used for training, we can make police integrity and ethics the priority it should be in all 25 of the federally-funded regional training centers.

✓ 2. **Develop early warning systems to detect abuse and misconduct.** Studies show that many of the police officers who engage in serious misconduct and abuse tend to be the source of a disproportionate number of complaints. Local police departments can and should do more to implement early warning systems that allow them to identify and discipline problem police officers sooner. Funds could be authorized to help police departments put such early warning systems into place.

NO ✓ 3. **Develop a national system to track serious misconduct and abuse.** The federal government could establish a national database that tracks police officers who are found guilty of serious misconduct or abuse. State, local and federal law enforcement agencies would then be required to consult this database when screening prospective recruits. Such a database would help ensure that rogue cops who are disciplined or let go in one jurisdiction are not simply re-employed by another law enforcement agency.

✓ 4. **Enhance police recruitment of minorities.** Former New York Police Commissioner William Bratton has recommended that police department diversify and improve their workforce by aggressively recruiting and educating minority candidates. He has proposed offering 12-to-14 year-olds summer jobs and training, establishing public safety high schools, and continuing to pay for the education of police cadets in the City College system. The Police Corps and/or COPS program could easily be amended to support such long-term minority recruitment efforts.

✓ 5. **Raise police force education levels.** A fundamental reform in policing that is supported by both police management and labor is an overall increase in the education level of America's police. Our budget this year already includes \$20 million for such scholarships.

✓ 6. **Establish citizen police academies.** In some cities, police departments offer a version of their police academy training to citizens and community advocates. The goal of this training is two-fold: (1) for police department to better understand the concerns of its citizens; and (2) for citizens to better understand how police make important decisions, such as when and how to use force, when to stop a motorist, etc. Support for such academies could be specifically authorized by the COPS program.

✓ 7. **Promote tough enforcement of our civil rights laws.** Tough enforcement of our civil rights laws must be a central element of any plan against police misconduct and abuse. Our budget includes an increase of more than \$1 million dollars (and 10 new attorneys) just for this purpose.

✓ 8. **Complete the transition to community policing.** Over the long term, the most important thing we can do to affirmatively strengthen the bond between police and the people they serve is to renew the COPS program, which has helped to sow the seeds of change in thousands of law enforcement agencies throughout the country. If COPS is not renewed this year, or if it is replaced with a block grant, the federal government will lose the leverage it has gained over the past 5 years in helping to promote changes in law enforcement at the local level.


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KORRY C. LARSON

'99 MAR 5 PM6:34

March 4, 1999

VIA FAX

President William J. Clinton
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

Let me begin by thanking you again for hearing our collective call for you to get more deeply and visibly engaged in the vexing issue of police brutality and abuse. The issue is definitely touching a nerve in minority communities and, if I may say so, the press conference we convened last week has struck a chord with our constituencies.

At your suggestion, I have since met with Ben Johnson, Eric Holder and, just this week, Charles Ruff. All of the discussions have been extremely cordial and candid. Once Charles and I got past comparing notes on our mutual affection for baseball and the Cleveland Indians of days gone by, we proceeded to have a very productive conversation about the issues, considerations and options.

Our concerns about police behavior and practice fall basically into two categories. What might be called Category #1 encompasses those all-too-frequent instances of inappropriate force and brutality that occasionally escalate into fatalities at the hands of police. These cases – Diallo, Grimmert, Louima and King – often capture headline coverage. But there are lower profile encounters that involve unwarranted use of force as well.

Category #2 covers the use by police of what might be called “dragnet” techniques that sweep up thousands of innocent people and trivial offenders along with the admittedly bad actors. With the relaxation of civil liberties protection has come a sharp rise in the use of these methods.

I speak, of course, of racial profiling on New Jersey's highways and accosting Latino-American residents of Chandler, Arizona who've

President William J. Clinton
March 4, 1999
Page Two

done nothing wrong. Over the last two years alone, the street crimes police unit in New York City has stopped and frisked 45,000 people and released 35,000 of them uncharged because the policemen "mistakenly" thought they were carrying weapons.

The demonstrations, the angry exchanges on talk radio stations and the remarks by leaders at our press conference indicate clearly that minorities are fed up with the brutal behavior of police and rapidly losing patience with the way these dragnet tactics are deployed. Since the abuses are spread all across the country and cut across ethnic groups, this is a national problem that demands presidential visibility, leadership and action.

If I may, let me suggest a couple of options for how you might proceed from here. One approach entails a public event; the other, a private conversation. The two are not mutually exclusive.

Scenario #1: The National Urban League joins with several other respected organizations in co-convening a serious working conference on these issues. The working title might be something like "Police and the Protected: Building Trust and Promoting Collaboration." The two-day conference would be by invitation only.

The opening sessions could focus on identifying and documenting the major sources of tension that undermine trust and collaboration. That done, we'd swing quickly into a purposeful and constructive examination of what can be done to ameliorate the tensions without undermining the quest for public safety.

I would envision presentations of several case studies that are examined, critiqued and culled for lessons. We would ask police chiefs, mayors and scholars who have implemented or studied these successful practices to make the presentations.

Some presentations would focus on cities that have successfully curbed police brutality without undercutting their crime reduction efforts. Other case studies might

President William J. Clinton
March 4, 1999
Page Three

concentrate on cities that have achieved reductions without resorting to dragnet techniques or that manage to utilize them in ways that avoid ensnaring excessive numbers of innocent people. The enclosed Op Ed article from this Wednesday's *New York Times* is right on point.

The lessons would be widely publicized and form the basis for recommended guidelines for local use. We would ask C-SPAN to cover the conference and try to secure additional media coverage as well.

We would look to you to bless this conference publicly by delivering a keynote speech when it opens or during the course of the meeting. Later on, if you find the final recommendations to be constructive and workable, you could officially receive our report from the conference and instruct the Justice Department to transform them into "best practice" guidelines:

1. that are distributed widely to police chiefs and commissioners, the media and general public;
2. that organizations like the U.S. Conference of Mayors, International Association of Chiefs of Police and others are strongly encouraged to embrace; and
3. that are used as fodder for a major address on this topic and other speeches that you deliver.

As to co-sponsors, I would envision groups like the NAACP, National Council of La Raza, National Conference of Communities and Justice, National Asian Pacific American Legal Consortium, and National Organization of Black Law Enforcement Executives.

Scenario #2: An alternative or perhaps even complementary approach is for you to invite a small cross-section of leaders from various relevant sectors to come to the White House for a private conversation. Once the

President William J. Clinton
March 4, 1999
Page Four

primary sources of tension are summarized, the principle point of this meeting is to enable you to explore many of the same issues and solutions that I suggested under the first scenario.

In other words, what are the best practices for ameliorating the kinds of problems that fall under Category #1? Law enforcement officials from communities that have beaten down crime without trampling on civil liberties would discuss how they've gone about it.

The conversation could equip you to utilize your bully pulpit more effectively and to provide guidance to the Justice Department about what more it can do. This meeting could set the stage for subsequent activities, including a White House summit and/or the conference described in the first scenario.

Recommended guests for this type of gathering might include the leaders of the same civil rights and community organizations that I cited above as potential co-sponsors. To this list I would add Congressman John Conyers and Ed Lewis, the publisher of *Essence*, both of whom care deeply about this issue.

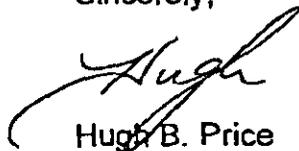
From the public sector, I would see inviting thoughtful leaders like Mayor Lee Brown, as well as mayors and police chiefs from cities like Boston, Charleston and San Diego that seem to have figured out how public safety and civil liberties can peacefully co-exist.

I dashed this off in something of a hurry. Additional thoughts may come to us in the days ahead or during the course of further conversations with your staff.

President William J. Clinton
March 4, 1999
Page Five

As I said at the outset, we stand ready to work with you and your Administration to find more effective ways to ameliorate the police-community tensions that impede – and indeed imperil – our nation's ability to become One America.

Sincerely,



Hugh B. Price
President

cc. Charles Ruff, Esq.
Ben Johnson

**CONFIDENTIAL DRAFT
(NOT FOR DISTRIBUTION)**

**Police Abuse and Misconduct
Policy Announcements**

1. Increase funding for police integrity and ethics training. Currently, the federal government invests only a limited amount of funds on the issue of police integrity and ethics -- an issue that is central to community policing and the changing nature of policing in America. For instance, of the approximately 25 regional training centers funded by the Justice Department's COPS Office, only 2 specialize in this discipline. By increasing the percentage of funds in the President's COPS program that can be used for training, we can make police integrity and ethics a priority in all 25 of our regional training centers.

2. Develop early warning systems to detect abuse and misconduct. Studies show that many of the police officers who engage in serious misconduct and abuse tend to have had a disproportionate number of complaints filed against them. Local police departments can and should do much more to implement early warning systems that allow them to identify and discipline problem police officers -- before its too late. Funds should be authorized to help police departments put such systems into place.

3. Develop a national system to track serious misconduct and abuse. The federal government should establish a national database that tracks police officers who are found guilty of serious misconduct or abuse. State, local and federal law enforcement agencies could then consult this database as they screen new officers, helping to prevent against the re-hiring of abusive or corrupt police officers.

4. Enhance police recruitment of minorities. Former New York Police Commissioner William Bratton has recommended that police department diversify and improve their workforce by aggressively recruiting and educating minority candidates. He has proposed offering 12-to-14 year-olds summer jobs and training, establishing public safety high schools, and continuing to pay for the education of police cadets in the City College system. Our Police Corps and/or COPS program could be amended to support such long-term minority recruitment efforts.

5. Raise police force education levels. A fundamental reform in policing that is supported by both police management and labor is an overall increase in the education level of America's police. Our budget this year already includes \$20 million for such scholarships.

6. Establish citizen police academies. In some cities, police departments offer a version of their police academy training to citizens and community advocates. The goal of this training is two-fold: (1) for police to better understand the concerns of its citizens; and (2) for citizens to better understand and experience the training received by police and how they make decisions, such as when to use deadly force. Our COPS program could help more communities to establish these citizen academies.

7. Promote tough enforcement of our laws. Tough enforcement of our laws must be a central element of any plan against police misconduct and abuse. Our budget includes an increase of more than \$1 million dollars (and 10 new attorneys) for this purpose -- the largest ever proposed.

8. Complete the transition to community policing. Any plan to reduce police abuse and misconduct must be coupled with a long-term commitment to affirmatively strengthen the bond between police and the people they serve. There is no better way to do this than to renew the President's COPS program, which has helped to sow the seeds of change in thousands of law enforcement agencies throughout the country. If the President's COPS program is not renewed this year, or replaced with a block grant, we will lose all the leverage we have gained over the past 5 years to promote changes in law enforcement at the local level.



Robert B. Johnson

03/05/99 05:17:26 PM



Record Type: Record

To: Charles F. Ruff/WHO/EOP

cc: Maria Echaveste/WHO/EOP, Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP

Subject: Hugh Price letter

The letter has some interesting points. I beleive however, that we should try the radio address approach first. This would not prevent hugh from convening a panel of experts under his auspices to look at this problem. I don't know if its necessary to have the President invoplved at that juncture.

Crime-police brutality

THE PRESIDENT HAS SEEN
3-7-99

THE WHITE HOUSE
WASHINGTON

99 MAR 5 PM 4:56

Copied
Johnson
Podesta

MEMORANDUM FOR THE PRESIDENT AND VICE PRESIDENT

FROM: BEN JOHNSON

cc: Maria
Reed
Ruff

SUBJECT: OFFICE ON THE PRESIDENT'S INITIATIVE FOR ONE AMERICA
WEEKLY REPORT (March 1 - March 5)

ACTIONS

good

OK

OK

US Civil Rights Commission: I spoke to Mary Frances Berry regarding the three new appointments to the Commission. According to Mary, you have one, Senator Daschle has one and the remaining appointment belongs to Congressman Gephardt. Senator Daschle is likely to use his slot to appoint the first Native American to the commission. Mary Berry has recommended to Congressman Gephardt that he appoint an African American to replace Judge Higgenbotham. She suggests you appoint a white woman (independent or Republican). We believe that when the Native American is appointed, we should have a swearing-in ceremony at the White House because it will be a historic first.

Happy
They
along

Police Misconduct and Racial Profiling: We participated in several meetings with other White House offices to discuss issues related to police misconduct and racial profiling. Additionally, we spoke with several current and former police officials including Lee Brown to get their opinion regarding what to do about the accusations being made by minority communities against some police departments. We also met with Hugh Price of the Urban League and spoke by phone with other civil rights leaders in an effort to show that we were sensitive to both issues. We expressed our willingness to work with them to bring resolution to the problem. The civil rights leaders have requested a meeting with you and have asked you to lend your voice against profiling and alleged police violence against minorities. We are working with DPC and the Counsel's office to determine next steps.

good

Agency Participation: We attended the Agency Chiefs of Staff meeting to reiterate the One America goals of the administration and asked for their continued assistance. I requested their help in identifying agency programs that tie directly into closing the opportunity gaps between the races and asked them to recruit agency representatives to assist this office. They welcomed the idea of having One America speech inserts for Cabinet members and other Agency surrogate speakers. We expect to receive the inserts from Speech Writing in 10 days.

THE PRESIDENT HAS SEEN
3-7-99

recognize a new program created with the assistance of OCR that will allow graduates of PA community colleges to enter any SSHE institution as third-year-students. The state will also begin establishing programmatic links between Cheyney University and predominately white institutions.

Environmental Protection Agency

Environmental Justice Advisory Committee: On March 1-2, EPA's Environmental Justice Advisory Committee held its final meeting in Alexandria, VA. Under Title VI of the Civil Rights Act, EPA is required to ensure that minority communities are not disproportionately affected by pollution. Administrator Browner created the Committee to develop a plan to assist states in developing state permitting programs that would address environmental justice concerns while allowing for economic growth. Currently, most environmental justice concerns are resolved after a permit is issued by the state and an individual files a petition with EPA. The Committee's goal is to ensure that the concerns of minority communities are addressed early in the permitting process, thereby eliminating the need for a petition. The Committee soon will forward its recommendations for action to the Administrator.

Office of National Drug Control Policy

National Youth Anti-Drug Media Campaign Update: On Tuesday, March 9, nine minority contractors will meet at ONDCP to discuss current minority media issues and how to create better synergy between the advertising component and ethnic outreach efforts.

good - Mark this

4239953


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ROBERT C. LARSON

February 17, 1999

President William J. Clinton
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

We of the National Urban League movement were pleased to learn recently that you intend to carry on your commitment to improve race relations in this country. The establishment of the White House Office on One America serves to keep the spotlight on this challenge and to ensure that the federal government does all that it can to ameliorate racial strife and promote harmonious race relations.

I am writing this open letter to implore you to exert every means of leadership at your disposal to address the festering issue of police abuse of minorities that is undermining the very goals you espouse. As you know from previous discussions that we've had on this subject, I speak of the recurring instances of improper use of deadly force, excessive use of force, racial profiling, abuse of basic civil liberties, and routine harassment of minorities who have done little or nothing wrong.

While these outbreaks may appear to be isolated, they create a clear pattern of police abuse that destroys the credibility of our criminal justice system by stoking racial tension and undermining the legitimacy of civil authority in communities from New York City to Riverside, CA. The situation cries out for systematic attention and concerted leadership by you and your administration. This nation cannot possibly fulfill your dream to evolve toward One America if the crisis of police misconduct continues to fuel mistrust and fear along ethnic lines.

Recent incidents provide abundant evidence that this crisis is not abating. Just this week, there was the heart-wrenching funeral service in Guinea for the African immigrant named Amadou Diallo. He was slain in the vestibule of an apartment building at 1157

President William J. Clinton
February 17, 1999
Page Two

Wheeler Avenue in the Bronx. The assailants were four police officers who fired forty-one shots at him in a matter of seconds, hitting him with nineteen of the bullets.

Amadou Diallo wasn't armed with a Uzi machine gun. All he had on him was a beeper and some house keys. He wasn't a violent criminal. In fact, he'd never been arrested. Amadou wasn't a drug dealer. He was a street vendor, struggling gamely to earn a decent living.

Amadou Diallo lived scrupulously by America's rules. Yet he died at the hands of our law enforcement officers and has now returned to his homeland in a coffin. He is the latest on a list of black victims who in recent years have met senseless violence or death at the hands of police officers.

Last week, Pittsburgh took its place, again, in the hall of shame. A white police officer was arrested for shooting a black motorist named Deron Grimmett to death last December. Evidently the driver had slowed down to peer through the side window at the policeman who was making a drug arrest. This is probably the first case on record in which so-called "rubbernecking" is considered a capital offense.

Horrific cases like these capture headline coverage. But day in and day out, there are lower profile encounters that undermine trust and foment tension as well. In a column published in *The New York Times* on February 10th, David Gonzalez recounted the experience of Floyd Coleman, a 27-year-old youth worker with an agency called Youth Ministries for Peace and Justice. A few weeks ago, he and four teenaged friends were stopped and frisked by the police. What triggered the encounter? Evidently it was the fact that they were walking home from the movies after dark.

The encounter further embittered Mr. Coleman toward the police. As he said:

"It makes me want to cry. Here I am, steering young people in the right direction and doing things for them. And we have cops approaching us for no reason. I feel like we're in prison.

President William J. Clinton
February 17, 1999
Page Three

There are no bars, but the cops are like corrections officers standing around and watching you."

In his column in last Sunday's *Times*, Bob Herbert shared the stories of other young people who'd had similarly frightening encounters with police officers. The very next day, the newspaper ran a front-page story on the elite street crimes unit established by New York City to reign in violent crime and gun-related offenses. In their gung-ho aggressiveness, though, this unit has instituted a reign of terror in the city's neighborhoods which is trampling on the civil liberties of civilians and fueling widespread racial tension.

The notorious practice of racial profiling is another source of suspicion and tension. Though law enforcement agencies steadfastly deny it, the practice has been documented by the ACLU and others in several lawsuits. These profile stops often anger innocent civilians and can escalate into dangerous confrontations.

These snapshots of police misconduct were taken just in recent weeks. Yet the patterns of abuse have plagued the nation's cities for years. At first blush, they seem to be unconnected incidents that are isolated to this community or that. But the cumulative impact on constructive race relations all across the country is devastating. Black and Latino people read newspapers, watch television and tune into radio like everybody else. The word of these senseless encounters and systemic abuses spreads like wildfire throughout our communities. They claim victims all across the socioeconomic spectrum.

Nor can these acts be taken out of America's historical context. The bitter memory of lynchings and of beatings by the likes of Bull Connor is still too real. These sores have not healed, and cannot, when acts of instant injustice are meted out on America's streets against innocent people of color. Silence will not provide a salve to those who think their pain is unanswered. Inaction allows the sore to fester longer.

Mr. President – State and municipal politicians and criminal justice officials who revel in crime reduction statistics have no incentive whatsoever to tackle this issue forthrightly. They lack the

President William J. Clinton
February 17, 1999
Page Four

language and the context to address such a delicate issue. They must continue to support police who are charged with doing an extraordinarily difficult job, often in admittedly impossible situations. Other insistent voices must be heard and new national venues for addressing these issues honestly must be created – and soon – in order for the unjustified abuse to abate.

Mr. President – It is morally wrong to expect the victims of police abuse to seek justice through protest in the streets and prosecution in the courts – always after the damage has been done. How much longer will young people listen to community leaders who preach tolerance, patience and understanding when, as these news accounts illustrate, these same youngsters are routinely subjected to harassment and abuse – or worse – by overzealous police officers? As citizens and taxpayers, we are entitled to proactive protection of life and limb, not to mention our civil liberties.

As the all-too-frequent victims of crime, we African Americans want to rid our communities of crime. But surely we also have the right not to be preyed upon by our protectors.

That is why the National Urban League implores you to exert leadership right away to address this divisive and increasingly explosive issue. Having presided over a welcome decline in national crime statistics and having spearheaded an increase in federal assistance for local law enforcement, you have the credibility to force this needed dialogue and forge a balanced solution. More specifically, we urge to take the following steps:

- Show the nation unequivocally you care. If, perish the thought, there's another unjustified fatality at the hands of police some day, you or the First Lady could attend the funeral of the victim.
- Utilize your bully pulpit to draw national attention to this crisis and urge that elected officials, law enforcement officials and community leaders work together to devise genuinely effective solutions.

President William J. Clinton
February 17, 1999
Page Five

- Convene a White House summit this spring to place the national spotlight on this problem and to press the key stakeholders – mayors, police chiefs, civil rights and community groups, young people, and others – to find constructive answers.
- Instruct the Attorney General to prosecute vigorously all egregious abuses of civil rights, such as the wanton slaying of Amadou Diallo in New York City and Deron Grimmitt in Pittsburgh, and to investigate any practices of racial profiling and harassment.
- Instruct the Justice Department to conduct public hearings around the country to ferret out evidence about the patterns of police misconduct, excessive use of force and abuse of civil liberties.
- Direct the Justice Department to convene a task force to devise guidelines for state and local law enforcement agencies that employ tactics like New York's elite street crimes unit. The guidelines could cover such issues as the need for careful training and psychological screening and mandated use of in-car police video cameras to monitor, record and thus influence police behavior. The point of the guidelines is to prevent the offensive practices and protect civil liberties without undermining effective law enforcement.
- Instruct the Justice Department to be aggressively supportive of language to track racial disparities in the juvenile crime legislation.
- Request that the U.S. Commission on Civil Rights conduct its own inquiry into the recurring patterns of police/community tension around the country and to identify the law enforcement practices contributing to those conflicts.

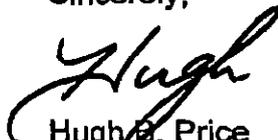
President William J. Clinton
February 17, 1999
Page Six

Mr. President – I know that you do not view your Initiative for One America as an empty gesture. I know that you see improved race relations as a centerpiece of your legacy. And I know that you are profoundly committed to eliminating the gaps in life circumstances that separate the American people.

But in order for your Initiative to be taken with the full measure of seriousness that you rightly seek, there is no way to sidestep the searing issue of police misconduct and abuse. There simply cannot be One America if law enforcement officials have license to split America apart.

Mr. President – We await your leadership with great hope and anticipation.

Sincerely,


Hugh B. Price
President

THE WHITE HOUSE
WASHINGTON

February 24, 1999

Mr. Hugh Price
President
National Urban League
120 Wall Street
New York, New York 10005

Dear Hugh:

Thank you for your thoughtful letter on the issue of police abuse and misconduct. I appreciate your recommendations on this critical issue. I know you are meeting with Deputy Attorney General Eric Holder tomorrow, and I have asked him and the Attorney General to consider your recommendations as they work with you and with state and local law enforcement agencies on these matters.

My Administration is committed to vigorously enforcing the law, including against those police officers who would betray the public's trust through lawlessness or brutality. We are equally committed to strengthening the bond between community residents and their local police, and making the criminal justice system more responsive to the public safety needs of all our people.

Again, thank you for your letter. I have asked Chuck Ruff, the White House Counsel, to follow up with you personally.

Sincerely,

A handwritten signature in cursive script, reading "Bill Clinton", with a horizontal line extending to the right from the end of the name.

Crime - Police brutality

THE WHITE HOUSE
WASHINGTON

March 1, 1999

TO: Bruce Reed
Elena Kagan
Maria Echaveste
Chuck Ruff
Minyon Moore
Ben Johnson
Jose Cerda

FR: Phil Caplan *PC*

I received the attached letter from Mary Frances Berry today.

The Correspondence office will work with DPC on a reply.

cc: Dan Burkhardt

*Tom -
Please work w/
correspondence in
this + let me see
a draft
Elena*



UNITED STATES
COMMISSION ON
CIVIL RIGHTS

624 Ninth Street, N.W.
Washington, D.C. 20425

'99 MAR 1 AM 9:29

February 23, 1999

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500-2000

Dear Mr. President:

I have had conversations in the last few days with Reverend Jesse Jackson and some other human rights leaders about the recent rash of killings of African Americans by white police officers and individuals. They include the lynching of James Byrd in Jasper, Texas; the shooting by police of the young black woman in her car in Riverside, California; and the shooting of Amadou Diallo in New York. The killings that have come at the hands of the police are of particular concern. While everyone wants police officers to act as guardians, no one wants the police to kill innocent unoffending people seemingly because of the color of their skin.

When the killings appear to be racially-motivated they reveal that still lying underneath the surface in our nation are some very dangerous stereotypical attitudes. We all make immediate decisions based on what we see and hear; seeing black, or brown or red, male or female, hearing a different language. We all do it. But exercising the power to kill is an extreme reaction. The perpetrators of these incidents may be encouraged to believe that other Americans, eager to contain crime or caught in the web of their own biased attitudes, will condone their behavior. Perhaps, such matters as the demons unleashed by the anti-affirmative action campaigns, and the disclosure of the association of certain members of Congress with a racist organization, has helped to make bigotry appear acceptable again to some people.

In addition to everything else you are doing, I believe you should take the opportunity to address these issues -not in terms of any particular incident- by trying once again to clear the atmosphere of the underlying bigoted assumptions that appear to have taken on new strength in our land. I also hope that the Attorney General would personally become involved in the investigations of the latest incidents. Although she is decidedly burdened with other matters, leaving any appearance that these investigations are left at the Assistant A.G. level or as the concern of African Americans alone is precisely the wrong signal to send the nation.

Respectfully,

A handwritten signature in black ink, appearing to read "Mary Frances Berry", written over the word "Respectfully".

Mary Frances Berry
Chairperson

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HEADLINE: Dispelling New York's Latest Fear

BYLINE: By William J. Bratton; William J. Bratton was New York City Police Commissioner from 1994 to 1996.

BODY:

There was a crisis of fear in New York City in the early 1990's, and for good reason. Annual totals of 2,000 homicides, 6,000 shootings and 100,000 robberies are enough to frighten anyone. Residents had little confidence in the ability of the police to control and reduce violence, especially in minority neighborhoods.

But from 1994 on, the Police Department changed the reality and the perception. The department replaced what had been an uncoordinated, scattershot enforcement effort with focused strategic plans. In the 1990's, felony crimes have been cut in half, homicides reduced by nearly 70 percent, and order has been largely restored. The crisis of fear about crime is over.

But now we know that New York is facing a different crisis of fear. Though minority communities have benefited enormously from reduced crime, they now see themselves as under attack by the police. The tragic shooting of Amadou Diallo has become a rallying point for general resentment about aggressive police stops and searches.

People are worried that they themselves -- and particularly their teen-age sons -- are at risk, but from cops. They are not feeling the benefit of safer streets.

Although we can't know for certain until all the facts are in, the Diallo shooting appears to have been an error committed by fallible human beings. It is beyond imagining that these officers gunned down an innocent man intentionally. The New York Police Department shows more restraint in the use of force than do Federal enforcement agencies and most other big-city police departments.

But all that is irrelevant to the current crisis of fear. People are often afraid of crime out of proportion to its reality, so it should not be surprising that they fear police abuse out of proportion to its reality.

The challenge for the city government and the Police Department is not to prove frightened people wrong. It is to make visible and effective changes that ease their fears and restore their confidence in the police. The department can combine several strategies to find a way out of this crisis of fear.

The first strategy is openness. A police organization that willfully shuts itself off from scrutiny and public exposure can lose public trust. The role

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of police power in a democracy should be the expression of social consensus. But how can a consensus be reached if the Police Department, responding to orders from above, routinely withholds information from the state comptroller and the public advocate as well as from the press and public?

When I was New York City's Police Commissioner from 1994 to the spring of 1996, I tried to run an open department. But Mayor Rudolph Giuliani closed down this effort. He forbade "ride alongs," in which the public or press accompany patrolling police officers. He also dismantled the department's public information staff because its officials were too free with information, and he questioned the loyalty of anyone who didn't speak from a prepared script.

Things have gotten even worse. The concrete barriers around City Hall and Police Plaza that were erected last year send the wrong message. If you don't want your Police Department to appear as an occupying army, you shouldn't run the city from a fort.

The second strategy is outreach and recruitment in minority communities, so that the police will look more like the city they serve. It was one of my continuing frustrations as Police Commissioner that I could never get the money to start a youth career program that would have significantly increased the college-educated minority representation in the department.

I was drawn to policing at a very early age, and I believe that many minority youths could be, too, if the effort were made to interest them during their high school and post-high school years. The program would have begun with our existing summer youth academy for 12-to-14-year-olds and continued on through a proposed public safety high school and all the way to the City College system.

This would have fostered friendlier relationships between young people and the police. It would also have provided focus, direction and mentoring to teen-agers, while simultaneously giving the Police Department a stronger field of potential candidates to choose from. Unfortunately, the idea was not allowed to go forward. Even an expansion of existing cadet programs, which were 70 percent minority, was stopped, despite the recommendations of the department and of experts at John Jay College.

The third strategy is imaginative police training. I believe that expanding the department at this time would be a mistake. Instead, resources should be used more wisely to raise the pay of the officers we have, to attract the best qualified new candidates and to create a "learning organization" that continuously and tirelessly trains them throughout their careers for the challenges and complexities they face on the streets.

The Police Academy must be given the resources to establish itself as a center of leading-edge ideas and reality-based training. It should put into practice many of the recommendations made by the panel on police-community relations appointed by the Mayor in 1997.

There is no more difficult challenge in a free society than the legitimate exercise of force. There are thousands of police officers in the department who meet that challenge every day with extraordinary discretion, judgment and intelligence. It's up to the department and the city to support them with open lines of communication to the public, a genuine commitment to minority recruitment and the best and most sophisticated training.

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New York City should not waste this opportunity -- and, yes, the current crisis should be viewed as an opportunity -- to face up to and resolve the issue of relations between the police and minority residents. With crime down so dramatically, we have a chance to forge a lasting alliance in the communities that need the police the most. Not only would such an alliance heal racial divisions in our city, it would also give New Yorkers more of what they want: continued success in reducing crime and a police force that is better woven into the fabric of city life.

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