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MEETING OF THE MISSISSIPPI ADVISORY COMMITTEE

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MISSISSIPPI STATE SENATE
OLD SUPREME COURT CHAMBER
400 HIGH STREET
JACKSON, MISSISSIPPI

MAY 25, 1995
9:00 A.M.

VOLUME II

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ORIGINAL

APPEARANCES:

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3 Advisory Committee Members:
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5 Farella Robinson
6
7 Lisa Hall
8
9 Robert Canizaro
10
11 Lisa Milner
12
13 Jerry Ward
14
15 Melvin Jenkins
16
17 Suzanne Keys
18
19 Alice Harden
20
21 Leslie Range
22
23 Willie Foster
24

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1 DR. WARD: Good morning. The meeting of the
2 Mississippi Advisory Committee to the U.S. Commission
3 on Civil Rights shall come to order. My name is
4 Jerry Ward. I am chairperson of the Mississippi
5 Advisory Committee to the U. S. Commission on Civil
6 Rights.

7 With me today are other members of the
8 committee. From my far left, Willie Foster from
9 Hattiesburg; Suzanne Keys from Mendenhall, Leslie
10 Range of Jackson; Senator Alice Harden, Jackson; and
11 to my right Delbert Hosemann in Jackson -- Robert
12 Canizaro from Jackson and Ms. Farella Robinson of the
13 staff from the Central Regional Office.

14 Also with us are Melvin Jenkins, director of
15 the Central Regional Office of the U. S. Commission
16 on Civil Rights, and in the back Ms. Jo Ann Daniels,
17 administrative assistant to the Central Regional
18 Office.

19 We have with us also from the Commission Mary
20 Mathews, who is staff director. And we're very
21 pleased to have her present.

22 This morning and actually today we will be
23 conducting the second part of our two-day fact
24 finding meeting on police community relations, which
25 is entitled Civic Crisis and Civic Challenge, Police

1 Community Relations in Jackson.

2 The issues to be addressed here today will be
3 police policies and practices and how the public
4 views law enforcement in Jackson. I and my
5 colleagues on the Advisory Committee serve without
6 compensation as the eyes and ears of the Commission.

7 The committee is mandated by statute to report
8 on civil rights developments in Mississippi to the
9 commissioners. Based on part on the reports of the
10 51 Advisory Committees, one for each state and the
11 District of Columbia, the Commission is to report to
12 the president and Congress on civil rights
13 developments throughout the United States.

14 The jurisdiction of the commission includes
15 discrimination or denial of equal protection of the
16 laws because of race, color, religion, sex, age,
17 handicap or national origin, or in the administration
18 of justice.

19 The proceedings of this meeting, which are
20 being recorded by public stenographer, will be used
21 along with other information collected through
22 interviews and correspondence with individuals,
23 agencies, organizations in the development of a
24 written report with findings and recommendations from
25 the committee which will be released and distributed

1 to the public.

2 At the outset I want to remind everyone present
3 of the ground rules. This is a public meeting open
4 to the media and the general public, but we have a
5 very full schedule of participants to fit within a
6 limited time.

7 The time allotted for each session must be
8 strictly adhered to. Thirty minutes has been
9 scheduled for each participant, to include questions
10 and answers and dialogue with the committee.

11 To accommodate persons who have not been
12 invited but wish to make statements, we have
13 scheduled an open session on Thursday evening, May
14 25th, at 8:45 p.m. Anyone wishing to make a
15 statement during that period should contact a staff
16 member for scheduling.

17 Written statements may be submitted the
18 committee members, our staff here today, or by mail
19 to the U. S. Commission on Civil Rights, Gateway
20 Tower Two, 400 State Avenue, Suite 908, Kansas City,
21 Kansas 66101-2406.

22 The record of this meeting will close on June
23 20th, 1995. Though some of the information provided
24 here may be controversial, we do want to ensure that
25 all invited guests do not unfairly or illegally

1 defame or degrade any person or organization.

2 In order to ensure that all aspects of the
3 issue are represented, knowledgeable persons with a
4 wide variety of experience and viewpoints have been
5 invited to share information with us. Any person or
6 organization that feels defamed or degraded by
7 statements made in these proceedings should contact
8 our staff during the meeting so that we can provide a
9 chance for public response.

10 Alternately, such persons or organizations can
11 file written statements for inclusion in the
12 proceedings. I urge all persons participating to be
13 judicious and factual in what they say.

14 The Advisory Committee certainly appreciates
15 the willingness of those who have agreed to
16 participate and share information with us. The staff
17 of the Central Regional Office would like to
18 acknowledge the cooperation provided by the Jackson
19 Police Department and the Hinds County Sheriff's
20 Department during the course of this study.

21 Now, I would like to welcome Police Chief
22 Robert Johnson and say thank you for coming this
23 morning.

24 In making your remarks, we would like for you
25 to open by giving us your name and there's a little

1 procedure where you're asking for some reason to
2 spell your last name and also give us your mailing
3 address and then proceed with your presentation.

4 CHIEF JOHNSON: I am Robert L. Johnson, Police
5 Chief for the City of Jackson, Mississippi. The spelling
6 of my last name is common, J-o-h-n-s-o-n. Our mailing
7 address is 327 East Pascagoula Street, Jackson,
8 Mississippi 39217, Post Office Box 17.

9 Let me say good morning to you ladies and
10 gentlemen of the panel. At your request, you have been
11 provided a copy of my biography and I would be happy to
12 outline that for you, but I think you can read that
13 better than I can explain it to you, and I hope it will
14 provide you the information that you requested in your
15 letter of invitation to participate in these hearings.

16 I do know that we have previously provided you
17 with additional information and documents related to our
18 policies and procedures, rules and regulations, and you
19 should also have demographic information about the
20 department concerning calls for service, arrest, and
21 demographics on department personnel.

22 And I hope that our level of cooperation with
23 you in your effort has been at the highest level, and I
24 want to express to you that the mayor, I, and the
25 administration of the police department, are committed to

1 any effort that will ultimately help us to improve police
2 community relations in this city.

3 You in your letter of invitation asked me to
4 provide you with several things. The first being my
5 assessment of the public's view of the police department.
6 Secondly, you wanted some assessment of the operation and
7 management practices of the department and changes needed
8 to improve those practices.

9 Thirdly, you asked for my views on local media
10 coverage of crime, and really I could spend all day
11 talking about that one thing alone.

12 And finally, you wanted a description of my
13 vision for the department. Now, all of these things are
14 of course interrelated, so my responses to them won't
15 necessarily be sequential but may appear to be skipping
16 around some.

17 Let me start by saying that criminal justice in
18 this state I think is at a critical juncture. And that's
19 really a description that can be applied nationwide, if
20 you think about it.

21 And this period that we're facing is really not
22 unlike the late 1960's, when the system, especially the
23 law enforcement component, was just beginning to come to
24 grips with the rapidly changing society, and the
25 realization that the police were unprepared to deal with

1 certain of these changes.

2 We know now with the clarify of hindsight
3 obviously that the criminal justice system at that time
4 was understaffed, ill-trained, not responsive, and
5 outdated in its approach to problem solving. We rushed
6 to catch up, and there was additional money, more
7 training, new equipment, and better qualified personnel
8 throughout the system. And really for a while we did
9 keep pace with those changes.

10 But we've lost ground and we continue to do so
11 every day. The problems plaguing the criminal justice
12 system are reminiscent of that by-gone era, of the
13 1960's. Well over 25 years ago the presidential
14 commission on law enforcement and the administration of
15 justice stated this, there is much crime in America, more
16 than is ever recorded, far more than is ever solved, and
17 far too much for the health of the nation.

18 That was in 1967. The same is still true now
19 here in 1995. Anyone within ear or eye shot of a TV,
20 radio, magazine or newspaper can see and hear the sights
21 and sounds of crime being committed all over the country.
22 As if this overdose of the real thing wasn't enough,
23 televisions, videos and movies offer unofficial versions
24 of the same mindless violence.

25 It would be shallow and naive, I know, for me

1 or anyone else to blame things or to blame these things
2 for the crime problems facing this country.

3 But really as an additional causal factor in
4 the overall scheme of things, it certainly can't be
5 overlooked, but really that's another issue for another
6 time.

7 Despite the disparities in this community
8 between the affluent and disadvantaged and all of the
9 others in the middle, between black and white and the law
10 abiding and the law breakers, there's really if you think
11 about it an interconnection which links us all together.

12 Ironically, that thing that links us all
13 together is crime and a drug problem. I think
14 intuitively, every one of us know that. Every one of us
15 is in a sense a victim of crime. Violence and theft and
16 drug abuse have not only injured and killed hundreds of
17 our citizens, but have directly affected each and every
18 one of us in some sort of way.

19 But while crime and its attendant problems
20 bring us together with its effect, it drives us apart
21 because of its pervasiveness. Our citizens, while they
22 may be sensitive to the victims of crime of every
23 circumstance, they have also become suspicious and
24 resentful of those who they believe are responsible for
25 most, if not all, of the crimes, blacks and juveniles.

1 And while people come together to support the
2 efforts of the police department when crime and violence
3 is on the increase, they also become angry, frustrated
4 and resentful of law enforcement's seeming inability to
5 reverse that trend.

6 There's a tendency for each and every one of us
7 to encourage and support more and more repressive
8 measures to combat crime, and in many cases that happens.
9 The danger obviously is that the very democracy and the
10 laws the police seek to preserve are themselves
11 endangered.

12 In too many cases and far too often, we're
13 being asked to get tough on crime or take a hard-nosed
14 approach, but generally that's asked of us so long as it
15 doesn't include me, my relative, or friend or somebody I
16 know.

17 I recently attended a neighborhood meeting in
18 which one woman complained long and loudly about kids
19 congregating in the street obstructing her passage. And
20 she expressed support for any effort on our part to
21 prevent this from happening in her neighborhood including
22 writing tickets and making arrests and whatever it took
23 to resolve the problem.

24 And when I reminded her and the other people
25 present that enforcement was really a two-edged sword,

1 and that while they may support us, others would
2 criticize, and ironically but really not so surprising,
3 to me the same woman during the same meeting began
4 criticizing a police officer for giving her son a ticket
5 for running a stop sign.

6 Her son, she explained, had a job and was a
7 good boy and that we should be out catching real
8 criminals, perhaps like someone else's child, who is
9 playing in the street.

10 The public's view of the police department is
11 in a large measure shaped by the media, and unfortunately
12 in this city that's been mostly negative, at least in the
13 past it has.

14 It's almost a daily occurrence for me in the
15 course of talking with a citizen about a complaint or
16 concern, that one of them will say to me, I guess I'll
17 have to go to the newspaper to get something done about
18 this, or they'll say I'd hate to have to call the TV and
19 report this, and in some cases when I receive
20 correspondence concerning a problem, the letter will
21 contain a carbon copy notation at the bottom to the CEO
22 of one of the local TV stations.

23 Now, the implications for me from this is that
24 our citizens have been exposed to a steady diet of
25 stories in which the police department has failed to act

1 or has in some way screwed up, and only by the media's
2 intervention has anything been done about it.

3 I have no doubt that this has had a detrimental
4 effect on the public's confidence in our ability and
5 competence to do the job, and what's worse, however, is
6 that it's had as much or more of an impact on the police
7 officers themselves.

8 Many of them have come to doubt their own
9 ability and have lost confidence. Others have become
10 frustrated and resentful, and still others start to
11 neglect the basic responsibilities which results in
12 almost continual spiral of neglect and complaint. It's
13 almost the chicken and egg scenario in which nobody is
14 quite sure which comes first.

15 We're determined to address these issues, and
16 indeed I think we are seeing some improvement. I think
17 we're seeing some improvement at least during times other
18 than the sweeps month, which we refer to as TV news'
19 silly season.

20 It has been no secret that I've been critical
21 of the operation and management abilities of the police
22 department. There are dedicated, bright capable people
23 throughout the ranks of the department. But through no
24 fault of most of them, they have been in a department
25 that had no promotions for 17 years and with no

1 opportunities for growth or experience at the management
2 and administrative level.

3 We have undertaken an aggressive in-service
4 training program aimed at correcting some of these basic
5 deficiencies. And recently through collaboration with
6 the consultant, we developed a promotional and testing
7 system for the position of lieutenant.

8 Six months ago we promoted 25 new sergeants.
9 The first such promotions, as I indicated, in 17 years.
10 Training is and will continue to be emphasized throughout
11 the ranks of the department at all levels for both our
12 sworn and our civilian personnel.

13 At the recruit level, we are revising our
14 training academy curriculum to include nearly 120
15 additional hours above and beyond the 400 hours required
16 by the State of Mississippi.

17 These additional hours will include subject
18 matter related to such things as interpersonal skills,
19 community policing, and cultural diversity.

20 We're hoping the end result of these effort is
21 a more responsible and responsive police force. During a
22 recent editorial board interview with the local
23 newspaper, the Clarion Ledger, I stated to them that it
24 was my impression that our citizens seemed too
25 preoccupied with crime.

1 The resulting editorial from that interview was
2 somewhat critical of that statement, and I received
3 several calls and comments generally echoing that same
4 sort of sentiment.

5 Taken alone, such statement would appear to be
6 either insensitive or indicate a lack of knowledge about
7 the pervasiveness of crime and its effect in this city.

8 I'm not and I don't -- the full context of my
9 remarks were simply this. The media in many cases hypes
10 crime stories. My reaction to the six o'clock news
11 stories when I first arrived here was nothing like I had
12 ever experienced in any other city anyplace.

13 It was almost like a wham, bam, in your face,
14 this is the only thing happening in the city, crime. And
15 my wife's reaction was the same.

16 As a result she's terrified of crime, something
17 she's never been even in our own home. Our youngest son,
18 my sister-in-law and a friend who all visited us with us
19 recently have each had the same reaction, while watching
20 or reading the news stories coming out of the city.

21 I understand that the media has a job to do and
22 I'm aware of what that job is, because I know that an
23 informed citizenry and an unfettered press is important
24 to preserving democracy, but this is the capital city.
25 Surely out of a the thousands of news stories important

1 to all of our citizens, crime is not the only one that we
2 should be well informed about.

3 It is understandable, particularly at a time
4 when crime is a major issue in the country, that the
5 police department's activities will be scrutinized very
6 closely, and that's to be expected.

7 And it's also understood that the priorities of
8 media and law enforcement are sometimes different, but
9 despite these differences we seek a fair and cooperative
10 relationship that is in the best interest of all of our
11 citizens.

12 Now, we not only have to be concerned about our
13 relationships and image with the community, or so-called
14 external customers, we must also recognize the importance
15 of relationships and cooperation with our internal
16 customers, those of the other agencies involved in law
17 enforcement.

18 And that includes judicial and prosecutorial
19 components of the system itself. And in the regard we
20 made very definitive movements toward forging stronger
21 alliances with federal, state and local agencies.

22 Our department currently participates in a
23 violent crime task force that includes officers from the
24 Hinds County Sheriff's Department, Mississippi Highway
25 Patrol, the Mississippi Bureau of Narcotics, the

1 Department of Corrections, and the FBI.

2 This cooperative venture is currently proving
3 very successful in the short time that it's been formed.
4 We are talking now about forming a metropolitan drug
5 enforcement task force to address drug trafficking at the
6 high and mid levels. Hopefully this task force will
7 include members from the tri-county area law enforcement
8 agencies, including state and federal personnel.

9 Let me start to conclude here by stating to you
10 that there's no question in my mind that the problems
11 confronting this city arise from reasons bigger than the
12 city itself and certainly much bigger than any police
13 department's ability to handle or to address, things such
14 as crime and drugs and unemployment and illiteracy and
15 teen-age pregnancy and dysfunctional families and so on
16 and so on.

17 And all of these things really demand our
18 concern and our attention, but the truth of the matter is
19 that giving priority to so many problems is to give
20 priority to none. The most urgent, the very heart of
21 civility and well-being lies in our neighborhoods and in
22 our communities.

23 Safe neighborhoods are really fundamental.
24 Living, working and playing in them is an understood
25 social contract. A city that can't maintain its side of

1 a contract will suffer. The fear of crime in many cases
2 is rising faster than the crime rate itself, even in our
3 best neighborhoods.

4 You can imagine then the fear of people who
5 live in the worst where crime is a daily occurrence.

6 Reclaiming our neighborhoods is essential to us
7 reclaiming our city, and that means attacking on several
8 fronts related enemies such as crime, deteriorated
9 houses, streets, garbage, junk, and filth.

10 And it's only through a restoration of our
11 sense of safety and well-being can we begin the focus on
12 the long-term solutions that we so desperately need.

13 As President Johnson said in 1966 in his
14 address to Congress on crime, the problems of crime bring
15 us together. Even as we join in common action we know
16 there can be no instant victory. Ancient evils do not
17 yield to easy conquests. We must with equal resolve seek
18 out new knowledge and new understanding.

19 And as I close here, let me say that my vision
20 for the police department is really quite simple. It is
21 as a matter of fact, embodied in a mission statement of
22 another police department in another Jackson, and it says
23 this.

24 That police power and authority in a free
25 democratic society is derived from the people.

1 Therefore, it is the community that will define the
2 limits of that power and authority through its expressed
3 expectations and demonstrated support. In recognition of
4 the derivative nature of this power and authority, the
5 mission of the Jackson Police Department shall be to
6 provide the highest standard of performance and service
7 through the ethical and professional conduct of its
8 members.

9 Thank you for allow me this opportunity to
10 share with you in this process. I wish you must success
11 in your efforts and pledge our continuing support. Thank
12 you.

13 MR. RANGE: Chief Johnson, I'd like to thank
14 you for your statement. I especially appreciate your
15 comments about the media. I've heard you make them
16 before and I'm glad that you made them to us again
17 this morning.

18 You said at the end what your vision is for the
19 department. And my question is how long will it take
20 you to get there? How much time do you need to get
21 to where you want to take this department?

22 CHIEF JOHNSON: Tomorrow. Now I'm being
23 facetious obviously. As I indicated to you, our
24 department has been without any sort of systematic
25 way of people advancing through the ranks and

1 assuming additional responsibilities and thereby
2 growing in both the job through experience and
3 additional responsibilities.

4 I had high expectations when I came to this
5 city about being able to move very quickly into
6 community policing and implementing several different
7 programs that I think would improve our
8 responsiveness to the community, and address some
9 issues of community relations.

10 I don't think we're quite ready at this point
11 in time. There are obstacles to be overcome
12 internally. We have to build the internal
13 infrastructure first to support any efforts that may
14 extend beyond the department.

15 The ability to embrace concepts such a police
16 community relations, community oriented policing,
17 other initiatives that have proven successful in
18 other cities, requires a department and its personnel
19 to be ready. We are not quite ready because we have
20 lacked the training and the systematic way of people
21 gaining experience and being exposed to new ideas in
22 police thinking, and we're working as hard as we can
23 to get the people trained and exposed so that they
24 are ready to assume those additional
25 responsibilities.

1 MR. RANGE: Could you tell us something about
2 the police department's budget and the long range of
3 financial planning that you're doing for the
4 department to bring about some of these --

5 CHIEF JOHNSON: In my estimation I think law
6 enforcement has been well supported budgetarily in
7 this city. As a matter of fact, we just recently
8 graduated a recruit class of 35. We will be starting
9 another training academy June 12th with another 40
10 candidates.

11 Our goal is to raise the number of worn
12 officers to 450 by years end. We have currently on
13 board about 400 sworn officers.

14 I think at the point we reach that number we
15 will have an adequate sworn staff to serve a city
16 this size. We intend to request in the next budget
17 cycle, which begins October 1st, additional money for
18 training, additional money for staff support, staff
19 training.

20 MR. RANGE: You indicated that citizens in the
21 community have perception of the police department
22 because of the media coverage. Would you think that
23 the creation of a citizens review panel or committee
24 would be an advantage or a disadvantage to help
25 improve police community relations in the city?

1 CHIEF JOHNSON: A citizen review panel would do
2 what, I'm sorry?

3 MR. RANGE: To review complaints against the
4 police department, perhaps.

5 CHIEF JOHNSON: I don't think so. My
6 experience generally has been that citizen review
7 panels just adds another layer of bureaucracy to an
8 already overburdened process, and generally you find
9 that you have delayed justice in many cases to
10 people's complaints.

11 I would much rather see an internal complaint
12 mechanism that does respond to people's complaints
13 and seeks to resolve those fairly.

14 Adding another layer of bureaucracy I think
15 detracts from that.

16 MR. RANGE: Chief Johnson, you've mentioned in
17 your presentation and Gary Hill yesterday mentioned
18 the public had an unreasonable expectation of the
19 police department. I wonder if you would explain to
20 us in your words what you feel is a reasonable
21 expectation that the public might have of the police
22 department?

23 CHIEF JOHNSON: I'm not so sure that I would
24 characterize the public's expectations as
25 unreasonable. That's simply what we have in many

1 cases come to expect.

2 We recognize and know that we are the visible
3 arm of government, all uniformed services are,
4 especially its law enforcement component, and people
5 when they see a uniformed police officer, sees a
6 representative of its local government and by
7 extension expect that the uniformed representative
8 will be able to solve all of the problems and ills
9 confronting that city, things that really are beyond
10 our ability to do anything about at all, including
11 rehabilitation and all those other things related to
12 criminals.

13 But that's not unusual. People expect that all
14 over the country from its police department. What we
15 have to do is as best we can remind people that other
16 people have responsibilities in city and state
17 government and that people ought to be making demands
18 on those individuals the way they make it on the
19 police department, and I tell people that all the
20 time, is that yeah, I will accept the criticism for
21 any failings that we have as it relates to law
22 enforcement, but you need to make complaints about
23 for instance prosecution and the judicial system to
24 people who have that responsibility.

25 MS. KEYS: Structurally you answer to the

1 mayor. Do you think that the's a good structure
2 because if you and the mayor should fall out, I guess
3 you're the one that's gone, not the mayor, and what
4 would be done in a new administration if you and the
5 mayor's philosophies don't agree? Do you think
6 that's a good structure or would a police commission
7 structure be better for a chief to be able to achieve
8 what you're trying to achieve?

9 CHIEF JOHNSON: Everybody has a boss, whether
10 it's one person or three or four people, the results
11 are generally the same if you don't agree. I mean,
12 you're gone. I mean, whether you disagree with the
13 police commissioner or the mayor or city manager or
14 city administrator.

15 I don't find that to be an obstacle to doing
16 what needs to be done. Generally I found that mayors
17 or city managers or police commissions understand
18 what their roles are in local government and police
19 chiefs usually know what their responsibilities and
20 roles are. Occasionally there may be conflict, but
21 if each party understands, you know, I think those
22 things can be overcome. So I'm not bothered by a
23 mayor-police chief relationship.

24 DR. WARD: Yes.

25 MR. HOSEMANN: Chief Johnson, good to have you

1 here. Welcome to Mississippi. I'm glad you're here.
2 I know you've got a tough job.

3 There are a couple of things that we've heard
4 testimony on in the last day or so that I found of
5 some interest. One was David Sanders' testimony
6 yesterday concerning the significant decrease in
7 crime where private security forces are used. What's
8 your relationship with private security forces? How
9 do you see them becoming involved -- I know you're
10 pressing for reserve officers. How do you see them
11 fitting into that role? I mean, the crime decrease
12 was rather dramatic. Burglaries went down from 137
13 to 21 in one year, a pretty significant decrease.

14 CHIEF JOHNSON: Well, I'm not familiar with the
15 statistics that were presented to you and I suspect
16 that if it came from a security company, then
17 obviously any presentation of statistics would be
18 designed to make that activity look favorable. They
19 have a place in helping to supplement the police
20 department, and obviously if you've got a uniformed
21 presence, regardless of whether it's private security
22 or public law enforcement, the results are generally
23 going to be the same.

24 I have an alarm system at my house and would
25 encourage anybody to do likewise, because I know that

1 the is an effective deterrent to break-ins. If
2 people can afford to employ private security, I would
3 encourage that because it is effective in deterring
4 certain crimes.

5 So we recognize their value and we try to work
6 as cooperatively as we can. In some cases it's an
7 uneasy relationship because of the potential for
8 there to be conflict or overlapping in
9 responsibilities but certainly they have a place.

10 MR. HOSEMANN: It seems to me that it's a way
11 to increase the size of the police department as if
12 the police department was -- if they were working
13 together, particularly from the emphasis that's being
14 placed on reserve officers and others, this could be
15 a supplement to that, if the Jackson Police
16 Department would look at it as such, look at them as
17 being supplement as opposed to someone in competition
18 with them.

19 CHIEF JOHNSON: No, I'm hoping that we don't
20 view them as competition. That isn't what we're
21 about. We're about trying to provide a sense of
22 well-being, a safety in all of our communities, and
23 any legitimate effort that contributes to that, we
24 support certainly.

25 MR. HOSEMANN: There's one other statement they

1 made concerning gating of communities. Is that
2 something the police force, is that something you're
3 in favor of or opposed to or --

4 CHIEF JOHNSON: From a personal standpoint I
5 am, but that has nothing to do with my professional
6 opinion. Professionally I think it does limit or has
7 the potential of limiting our ability to provide
8 emergency response, you know, to the gated community
9 and I generally ask people are they fencing in or
10 fencing out, and I guess that would have to be the
11 question when people talk about gating, is what do
12 you intend to do?

13 SENATOR HARDEN: Chief Johnson, there's a
14 perception on the parts of some communities,
15 particularly the African American communities -- we
16 listened to testimony concerning this yesterday --
17 that the Jackson Police Department and Hinds County
18 Sheriff's Department has in fact written them off.
19 I'd kind of like to hear your response to what your
20 vision is for communities such as Georgetown and
21 Washington's Addition, but not only that, we had a
22 business owner, the president of a business
23 association, to come on yesterday and to also testify
24 that he felt that because of the location in the City
25 of Jackson as to where this particular business

1 organization is, that they had also been written off
2 by the JPD, in spite of the fact that they had tried
3 and had contracted and try to do something.

4 Do you have a plan that would address that
5 perception of the Jackson Police Department with
6 regard to communities such as this?

7 CHIEF JOHNSON: I guess I'm not sure what the
8 speaker was referring to in saying that he had been
9 written off. We have not written off any
10 neighborhood in the city, particularly any business
11 in the city.

12 Our allocation of resources, the way we deploy
13 manpower, is based on crime experience and calls for
14 service. It's done in a logical systematic way. You
15 know, we don't divide the city up equally and put an
16 equal number of police officers in each precinct. We
17 take a look at calls for service, crime experience,
18 and deploy our resources accordingly.

19 That part of the community has a high call for
20 service record. It also has a high crime rate, so
21 consequently most of our resources are deployed in
22 that area. It's unfortunate that any business in the
23 city has a hard time surviving because of crime, but
24 it's not owing to any lack of effort on the part of
25 the police department or any neglect or having been

1 written off.

2 It's simply that the criminal enterprise has
3 taxed the police resources to its very limit.

4 SENATOR HARDEN: Let me just ask you, are you
5 aware of the perception in the African American
6 community that police in fact are not there to help
7 them but rather in many instances there to -- you
8 know, to -- I mean, they aren't their friends, in
9 other words, but in many instances they feel like
10 that the police are a part of the problem.

11 CHIEF JOHNSON: Yeah, I've heard that. I'm not
12 so sure that it's prevalent to include everybody in
13 the African American community. I guess I would
14 disagree that that is a pervasive attitude and
15 opinion among all African Americans in every
16 community in the city. I know that's not the case.
17 I know that people in every corner of this city
18 welcomes the presence of the police department and
19 would much prefer in most cases to see the police as
20 opposed to the gun-toting drug dealing thug that is
21 praying on them in their neighborhood.

22 Part of what we see in many instances, and I
23 alluded to in my opening statement, is that as long
24 as its somebody else's son or friend or relative or
25 somebody that they don't know being arrested, it's

1 okay. But when it comes to us, our friends,
2 relatives or somebody that we know, we don't want
3 anything to happen to them.

4 SENATOR HARDEN: Well, we had testimony
5 yesterday that in -- and I'm asking this because I
6 want it to become a part of the record -- that in
7 African American communities, particularly in the
8 lower socioeconomic communities, that police
9 response, that there is not the kind of police
10 response that there is in an affluent area in the
11 Jackson metropolitan area, and that was very much
12 disturbing to me, but we had two or three people to
13 come and say that the police just did not respond in
14 their communities, and I'd like for you to address
15 that, but I want to get on to something else because
16 I want to ask you to talk a little bit about the
17 training or problems that you had with the people who
18 control what goes on at the law enforcement training
19 and what it is that you were trying to do in -- with
20 the Jackson Police Department and those other
21 entities that you are involved with, with regard to
22 some changes as far as training is concerned?

23 CHIEF JOHNSON: Before I do that, I still feel
24 the need to address the issue of our response to
25 calls in certain of our neighborhoods. That

1 perception not only applies to police response and
2 police resources. If you think about it, that's the
3 same sort of allegations and charges that are made
4 across the spectrum of government services. If you
5 talk to people in certain neighborhoods, they'll tell
6 you that the people don't deliver my mail until later
7 in the afternoon, but in the eastern part of the city
8 they deliver it early in the morning, or that all of
9 the business goes a certain place and not here.

10 So part of that you have to understand is
11 something that we can't do anything about, and that's
12 a general perception about government services,
13 period.

14 The issue of training is one that concerns me
15 greatly, because I believe that the shaping and
16 molding -- any organization starts with its people
17 and how well trained and educated they are and their
18 ability to assume certain responsibilities.

19 We recently asked the Mississippi State
20 Training and Standards Board that governs recruit
21 police training in this state to make some changes in
22 both its curriculum and in the style of its training.
23 We didn't meet with much success.

24 We intend to go forward with some changes that
25 we think would be beneficial, and I mention that we

1 intend to add on 120 additional hours of training
2 beyond what the State of Mississippi requires,
3 because we think it's important enough for our people
4 to do that.

5 MS. ROBINSON: Chief Johnson, I have a couple
6 of questions for you. Thank you for being here
7 today. In your initial statement you had indicated
8 that the media shapes the views of the public. I
9 agree with that.

10 Another area that shapes the view of the public
11 is the complaint process, citizen complaint process
12 and the internal affairs unit, which conducts that
13 process for the Jackson PD. Could you share with us
14 any identified problems with that unit? We have
15 received a number of concerns and criticisms
16 regarding that process and the status of complaints
17 and how people are notified of where their complaints
18 are and that kind of thing, because that is a major
19 area that citizens view quite a bit and see as a
20 major problem.

21 CHIEF JOHNSON: You're actually right. Our ID
22 unit in the past I think has been used more as a
23 disciplinary unit as opposed to what ID units are
24 designed for, and that's to do an objective
25 investigation and present the findings and the facts

1 to the police chief or the administration.

2 What occurred over the years is that when it
3 got every complaint that is ever made against a
4 police officer, many of them should have been more
5 appropriately referred to the officer's or the
6 person's supervisor to be handled as a supervisory
7 problem as opposed to an internal investigation.

8 IAD cases should be reserved for those things
9 that indicate some serious breach of the policies and
10 the rules and regulations. Most complaints can be
11 handled at the supervisory, first line level. But
12 that hasn't been happening.

13 And as a result of that, that unit has just
14 gotten bogged down in just case after case after case
15 after case. And when people don't know the status of
16 their case, they become frustrated and then start to
17 lose confidence in the system itself.

18 We're addressing that by trying to make some
19 changes that will require that most of those bad
20 attitude complaints are handled at the supervisory
21 level, and that serious complaints are handled by the
22 IAD in an effective, prompt sort of way.

23 And I think if we do that and these changes are
24 successful, we will start to see people have more
25 confidence in that process. But I do agree with you

1 totally.

2 MS. ROBINSON: Could you provide us with your
3 views on a consent decree and the effect that it had
4 on the department. During some preliminary
5 information gathering we observed that the consent
6 decree that's blamed for quite a bit on what has
7 occurred in the department that officers really don't
8 understand what a consent decree is, could you give
9 your views on that, please?

10 CHIEF JOHNSON: You're quite right. Even
11 before I got to the city and shortly after getting
12 here I heard to consent decree blamed for everything,
13 including the rising crime rate.

14 But I think that's really been an excuse for
15 neglect. The consent decree is fairly
16 straightforward. Apparently prior administrations or
17 administration of the city just simply didn't respond
18 to it, and apparently were content to just simply let
19 the consent decree lay on the table and do nothing.

20 As a result we never -- we never had
21 promotions, quote, because of the consent decree. We
22 did -- we hired very quickly some recruits and didn't
23 do thorough background checks and let slip through
24 what I consider to be unqualified candidates, we
25 blamed the consent decree.

1 So yeah, it has been blamed, but I have not
2 seen where the consent decree has deterred me or has
3 presented an obstacle to our ability to do some
4 things. We have developed a promotional procedure
5 for lieutenants that I think is a fair and equitable
6 promotional exam that will give us good qualified
7 candidates for promotion in spite of the consent
8 decree or maybe because of it, I'm not sure.

9 DR. WARD: I'm going to ask the final question,
10 Chief Johnson. You began by bringing to our
11 attention all the negative image of the police
12 department has been maintained as it were by various
13 kind of media. You also use the phrase that I take
14 to be very important because you're one of the first
15 people during this fact finding meeting to use it --
16 social contract.

17 That's very important because social contract
18 means that it's not a one-way street, that we as
19 citizens have a part in this process and that perhaps
20 in my mind at least citizens should take a more
21 active role in trying to adjust perceptions against
22 perceptions that are just simply given to them by way
23 of print or electronic media.

24 Question: Do you have any recommendation for
25 improving communities between your agencies and the

1 public to overcome this problem of the overwhelmingly
2 negative image?

3 CHIEF JOHNSON: I guess through time that will
4 improve. I've already started to see an improvement
5 in the short time that I've been here, but there's
6 nothing like taking your case directly to the people.
7 That's the reason that I attend as many neighborhood
8 and business organization meetings as possible.
9 That's the reason that I encourage all of our command
10 staff to do likewise. And as a matter of fact, we're
11 requiring precinct commanders to know every
12 neighborhood and business organization within their
13 precinct and where possible either to attend, have a
14 supervisor or the lead officer to attend those
15 meetings, so that they are able to talk directly to
16 the citizens and the people and get our story out
17 directly from the horse's mouth, so to speak.

18 But it takes a concerted effort to do that.

19 DR. WARD: Thank you very much for coming. We
20 appreciate your statements and recommendations.

21 Mr. Wayne Taylor. Good morning. Thank you
22 very much for coming. Following our usual procedure,
23 we're going to ask that you identify yourself. Also
24 spell your last name and provide for the record your
25 mailing address. After that we would like to hear

1 your presentation.

2 MR. TAYLOR: That's fine, I'd be happy to do
3 that. Are we under any time constraints because --

4 DR. WARD: We're going to have to make
5 adjustments because -- I'm going to give you the next
6 slot, which is 10:15 to 10:45.

7 MR. TAYLOR: That's fine, thank you. My name
8 is Wayne Taylor, T-a-y-l-o-r, and our mailing address is
9 Post Office Box 3484, Jackson, 39207.

10 I brought with me this morning some background
11 information concerning the Metropolitan Crime Commission
12 and some statistical information which I will provide to
13 you, Dr. Ward, at the end of this if I may, for
14 completion of the record.

15 My background is 27 years with the FBI. I
16 retired in July of 1994 as deputy assistant director. My
17 connection with the State of Mississippi -- I'm an Iowan
18 by birth -- my connection with the State of Mississippi
19 derives from being in charge of the FBI for Mississippi
20 for approximately four and a half years, ending in 1991.

21 I've been director of the Metropolitan Crime
22 Commission since September of 1994, which makes us an
23 organization really with a staff and up and running of
24 approximately eight months duration.

25 I thought what I'd do very quickly and

1 certainly for the record and your information is give you
2 sort of a what and a why of crime commissions, and I know
3 I've discussed this individually with a number of you who
4 are on the panel.

5 Crime commissions for the what, what is a crime
6 commission? Crime commissions are not a new concept. I
7 happen to be vice president of a National Association of
8 Citizens Crime Commissions, and there are about two dozen
9 Crime commissions up and running throughout the country
10 at the present time.

11 They are a growing concept with new crime
12 commissions being started in Los Angeles, Phoenix and
13 several other locations. The oldest crime commission and
14 the father of all crime commissions is in Chicago, and
15 that was organized around the turn of the century.

16 The why of crime commissions I guess I could
17 relate by giving you some of our history. The
18 organization is approximately one year old. It was
19 formed about this time last year by concerned citizens in
20 the three county, the tri-county area of Hinds, Rankin
21 and Madison Counties. It is a nonprofit, it is a
22 nonpartisan, it is a nonpolitical, it is community based.
23 It's a 501-3-C organization with a single purpose of
24 reducing the crime rate and dealing with the crime
25 problem, and that's really a bifurcation of the single

1 purpose.

2 Again, the why of having one here is I arrived
3 here in mid-September of 1994 and it was only a few days
4 later when I was greeted with the headline that the State
5 of Mississippi led all states and crime rate increase
6 during the prior -- well, during the 30-year period of
7 1962 to 1992.

8 And it was only a short time later when
9 Jackson's name was placed on headlines around the country
10 as one of the -- having one of the highest murder rates.
11 We were 12th in the nation in 1993 with the murder rate -
12 - that means of cities over 100,000, which means 187
13 cities were doing it better than we were here in Jackson.

14 I want to separate crime rates from crime
15 problems to the extent of discussion. The crime rate is
16 the amount of crime, the miracle of definition of crime,
17 that is going on here, where when we talk about crime
18 rates and attacking the causes of crime, we're talking
19 about education, we're talking about poverty, we're
20 talking about employment, we're talking about family
21 structures and those kinds of long range things.

22 The crime rate for Hinds County and the City of
23 Jackson compares unfortunately at the present time very
24 unfavorably with nationwide crime rates. Earlier this
25 week the FBI release it uniform crime reports for 1994,

1 which showed an overall nationwide decrease in crime of
2 three percent, showed a decrease of four percent in
3 violent crimes and a decrease of three percent nationwide
4 in property crimes.

5 It did take note of -- and I don't have the
6 complete report yet -- I don't know that that's even been
7 released yet, but I did not that juvenile crime rates
8 nationwide were on the increase and particularly violent
9 crime among juveniles and particularly murder rates by
10 and among juveniles.

11 In the City of Jackson we unfortunately have
12 had a crime rate since 1991 which has been increasing.
13 The increase last year was ten percent. Violent crimes
14 increased 20 percent. Property crimes increased eight
15 percent and I'm going to get off the numbers in just a
16 minute, but I do want to lay the background.

17 Juvenile crime rates, youth court cases
18 increased five percent. Individuals going through the
19 youth courts in Hinds County almost 2,000 of them last
20 year. That was an increase of nine percent.

21 In 1994 and I've told this repeatedly to the
22 legislature and the consul and the Board of Supervisors
23 in trying to get an impetus for some actions, in 1994
24 there were 15 victims in the City of Jackson who were
25 juveniles.

1 Thus far this year of the 37 murders in the
2 City of Jackson six of them have been 18 and under.
3 We're losing our children at alarming rates.

4 In the State of Mississippi youth court cases
5 have been going up. There are 18,726 cases involving
6 almost 15,000 individuals. In our three-county area
7 here, there were 2,358 youth court cases in Hinds County
8 alone, but what's alarming both state wide and in the
9 City of Jackson and in Hinds County, this is the age of
10 our youngest offenders and in doing a little work we see
11 in 1993, which again these are state figures and are
12 1993, because this type of demographic is not available
13 yet for 1994 -- but in 1993 in Hinds County our youngest
14 individual arrested for murder was ten years old.

15 The youngest for manslaughter is 13 years old.
16 The youngest for rape is 12 years old. The youngest for
17 robbery and assault, burglary were each ten years old.

18 Larceny, nine years old. Auto theft 12 years
19 old. Weapons charges 13 years old. Drug charges ten
20 years old, and incorrigible, seven years old.

21 If you look at state figures, you will see ages
22 that are less than that. If you look at prior years in
23 Hinds, Madison or Rankin Counties you will see ages that
24 are less than that.

25 And while we are -- while the nation is

1 suffering -- is witnessing a decrease in the crime rates,
2 it's principally among adults. It has been documented
3 that in Hinds County two-thirds of our crime problem,
4 both numerically and violent crime problems is committed
5 by juveniles.

6 The age of the offenders is a considerable
7 problem, and as many of you know, we have just over the
8 horizon a title wave of problems that are going to be
9 upon us in a very few years.

10 As the age of the offenders gets less, they
11 also increase in numbers, and in the years hence we have
12 a considerable crime problem, which is going to have a
13 dramatic and I hope not drastic impact on this community,
14 and it's also going to be very expensive. It's going to
15 result in a variety of things which affect this community
16 which I presume are going to be commented upon by public
17 officials at a later date.

18 I would like to skip if I might in the interest
19 of time and jump right to an issue that's very dear to me
20 and very important in dealing with the juvenile problem,
21 and that's the ongoing problem in establishing a viable
22 juvenile detention center in the City of Jackson. I
23 think it's important -- I believe most of you know, but
24 juvenile detention centers are pretrial -- they are
25 jails, they are not prisons.

1 By law pretrial detention is limited to 21
2 days. The present Hinds County Juvenile Detention
3 Center, which is operated by the City of Jackson, has a
4 capacity for 15 males and eight females. I hope some of
5 you have gone through this facility. I know I have
6 encouraged some of you to do that.

7 On my last trip through, the 15 male beds that
8 were there, doors were not operative on three of them and
9 the wall had caved in on a fourth of them. The capacity,
10 therefore, was 11 males.

11 We have unfortunately with our nine percent
12 increase in the number of individuals going through youth
13 court, we put an average of 162 youths through youth
14 court every week. That's an average.

15 We have facilities for 15 capacity. It's rare
16 that all those beds are available. There's a mixing of
17 males being placed on the female side, not in the same
18 cell, not in the same area, but within the same confined
19 area.

20 All this is important for a variety of reasons.
21 Because we don't have the space to take care of these
22 people, the 162 that come through, most of which should
23 not be in a juvenile detention center, but when you have
24 so few beds, you're unable to deal with those
25 recommending more serious crimes.

1 And what happens is in those situations is
2 there's no accountability. Many of you may have seen on
3 television last night a segment on juvenile crimes and
4 the -- as they relate to car thefts, and the very
5 carefree attitude of our youths as they steal cars.

6 And, of course, Jackson had 5,000 cars stolen
7 just in one year alone last year, not all of which were
8 stolen by juveniles.

9 But there's no accountability at the present
10 time, and if we're going to be effective in turning this
11 problem around, we've got to have some accountability of
12 these juveniles.

13 Secondly, of course, when you have -- when you
14 rotate people through the system and rotate them back
15 into the community because you have no room for them, you
16 decrease community safety.

17 The third thing that happens, and this is
18 enormously important, is that you do not have the
19 capability to provide a cooling off period. Most of the
20 people -- most of the juveniles who will be going in the
21 future, if we get this facility -- a new facility built
22 to increase capacity -- most of these people will be
23 staying anywhere from a few hours to overnight. It's not
24 a jail.

25 But what happens when you have capability, then

1 you can put them aside for a cooling off period so they
2 don't rotate through the court, be back on the street in
3 half an hour, go home, get a gun and go out and start
4 shooting.

5 And the fourth thing, and I'm really putting
6 these in reverse order for emphasis, the fourth thing
7 that happens when you have capacity to bring these youths
8 in, you provide the community an opportunity to reach
9 these kids, which is not there now.

10 You have them in a confined area. You have an
11 opportunity to the parents to come in and reach them.
12 You have an opportunity for counselors to reach them. You
13 have an opportunity for other professionals to reach
14 them. It may only be over a short period of time, but
15 you have those opportunities.

16 We have none of those opportunities now. We
17 have no instructor on scene. There is a recreation area
18 which has not been used for several years. An instructor
19 has not been there for several years, because of the
20 school board just over two years ago took away the
21 funding for that position -- what these kids do --
22 obviously we have the worst, if you will, those are the
23 most serious offenses that are in there now, and what do
24 we do for them? They watch TV all day.

25 The Department of Justice has an ongoing

1 inquiry of longstanding into the juvenile detention
2 center. There is a great deal of conversation going on
3 now between the city and the county, and I've talked
4 extensively with the mayor's office, the board of
5 supervisors, and the city council about how we can better
6 resolve these problems, but they all lie in funding.

7 I continually tell them and I tell others to
8 tell them that my tax dollar doesn't know where it goes,
9 whether it's to the city council, to the board of
10 supervisors, but I certainly know that it should go
11 somewhere and I know what needs to be done.

12 There is at this present time a needs
13 assessment being conducted by consultants out of
14 Colorado, the results of which should be available
15 probably in the next two to three weeks. A needs
16 assessment being valuable because no one has really been
17 able to pinpoint the size -- accurately the size of the
18 facility, the programs that should be offered, those
19 kinds of architectural details and structural details
20 that are necessary.

21 I'm hoping that will be reported out -- I
22 believe individually the city council members and the
23 board of supervisors are much in favor of doing something
24 for those reasons that I enumerated earlier.

25 But it's a matter of funding and that's

1 something obviously that needs to be followed very
2 closely.

3 It was interesting to hear that the chief's
4 opinions on a variety of things -- I have a great deal of
5 respect for the chief. I think he's the best chief we've
6 had in a good while. I've often said and controversially
7 I guess that we now have a chief of police for the first
8 time in many years.

9 The things he's told you that he's doing are
10 badly needed. I think we all need to give him an
11 opportunity and I think to be successful and I think the
12 community is doing that now.

13 But it's a community that is concerned about
14 crime, and it's on everyone's agenda for conversation.
15 And it's a problem and there are a great many things that
16 need to be done, and as a crime commission, we're sort of
17 a -- we're a watch dog in many areas. We're a
18 facilitator in many areas, and we're an initiators in
19 many areas and among the things I will leave with you are
20 a short summary of the things that we've done so far,
21 which I hope will be of some interest to you.

22 That's more than 15 minutes. I'd love to
23 respond to your inquiries on these matters. I realize
24 that the presentation was a bit focused on juvenile
25 detention center, but that's the number one priority

1 right now.

2 MR. FOSTER: Appreciate you coming, Mr. Taylor.
3 I have a question regarding the membership of your
4 commission and whether or not you include people from
5 the grass roots level.

6 MR. TAYLOR: From the grass roots level?

7 MR. FOSTER: Yes.

8 MR. TAYLOR: Yeah, we have. In fact, we've
9 made a great effort to do that and again I visited
10 with a number of you on this panel about that.
11 Initially, and I'm talking a little bit off the top
12 of my head, but I'm repeating some things that were
13 repeated to me.

14 Initially I think there was concern
15 particularly within the African American community
16 that we were commissioned, wanting to lock up
17 everybody. Those are locking up everybody is not a
18 solution. We can't build enough jails. As you know,
19 the state is building what, 14,000 more capacity --
20 that probably will be filled in the next two and a
21 half years and are we going to again build another
22 14,000 jail -- so that's why we're really looking at
23 crime rates, which are shorter term solutions.
24 They're attainable.

25 I honestly feel that we are about to bottom out

1 in the crime rate. Plus we're bottoming out at
2 figures at rates which in 1991 would be wholly
3 unacceptable, so we've got to put it in that context.

4 But that's the short term. I think we can turn
5 the crime rates around, but the crime problem is
6 going to take an entire community working together
7 over a longer period of time.

8 MR. FOSTER: In terms of percentages of your
9 membership, what percent would you say comes from the
10 grass roots level?

11 MR. TAYLOR: Well, the entire membership comes
12 from a grass roots level. I won't say the entire
13 membership. I'm thinking of mailing lists and
14 contributing lists and things like that.

15 Our contributors are probably -- and I don't
16 know these figures, but I guess between 95 and 98
17 percent at a level of \$25 or less. Our mailing list
18 of subscribers is just under 11,000. We are a
19 community based grass roots organization. That's the
20 way we operate.

21 We try and represent the community. This
22 evening we have a meeting at Christ United Church
23 with 12 neighborhood associations trying to get them
24 involved and to keep them involved with some of the
25 initiatives that they have going.

1 Those kind of things we're doing constantly.
2 Someone mentioned -- I believe it was Ms. Harden
3 mentioned a business association in the intercity.
4 Was that the Mid-City Businessmen's Association by
5 chance?

6 SENATOR HARDEN: Midtown Business Association.

7 MR. TAYLOR: We've worked extensively with them
8 trying to do what we can with them. Jimmy Robinson
9 is a member of our board. Those kinds of things have
10 to develop and they have to evolve, but they also
11 have to go somewhere and I'm encouraged to hear Chief
12 Johnson say that he is getting his precinct
13 commanders out there, encouraging them strongly, to
14 attend these meetings and to be a part of and connect
15 with these entities.

16 I had the privilege of at his appointment
17 serving on the selection panel for the last two
18 precinct commanders. That was one of the things
19 which I repeatedly brought up with them to sort of
20 focus their philosophy on community policing.

21 It's a turn. It's a turn -- I'm off on his
22 subject, I guess now, but it's a turn for a lot of
23 these police officers, and it's a new concept and
24 it's going to take some time, but I think -- I think
25 it will happen.

1 MR. FOSTER: One more question and I'll let you
2 go.

3 MR. TAYLOR: Yeah.

4 MR. FOSTER: In regards to partnerships and
5 cooperative efforts, has the commission conducted any
6 efforts to cooperate with other organizations to
7 address the crime problem in the City of Jackson?

8 MR. TAYLOR: Well, that's a great percentage of
9 what we do, whether it's for the chamber of commerce
10 or the boys and girls clubs or the neighborhood
11 associations or the business associations, or voice
12 of calvary, whatever, whatever. That's essential to
13 what we do. And we've done a lot of it. We're doing
14 more of it. We're limited somewhat by the
15 capabilities of staff, how far we can stretch these
16 people.

17 But that's as many of you who are from Jackson
18 have heard me say repeatedly, the solution to this
19 lies in community organization and communities
20 pulling together and all components of the community
21 pulling together, and that's how it's going to
22 happen.

23 MS. KEYS: In your statement you mention that
24 in the juvenile detention center there was a lack of
25 accountability or there was no accountability. I was

1 unclear about what you meant by that. The children
2 were not held accountable or officials were not held
3 accountable?

4 MR. TAYLOR: No, it was there's no imposition
5 of accountability on the youths who are arrested
6 because of lack of capacity. They're arrested,
7 brought before a youth court judge. There's no place
8 to put them and within 20 minutes they're back out on
9 the street.

10 There has to be some accountability. If you do
11 wrong, this is what will happen to you. You will be
12 arrested, you may or may not spend some time in
13 juvenile detention center.

14 Last year of the almost 2,000 cases that came
15 through youth court, just over half of those never
16 reached a youth court judge. They were handled by
17 informal resolution, which means the juvenile is put
18 back in custody of a parent generally.

19 But for those other 49 percent whose crimes on
20 a staggered scale, there has to be something -- there
21 has to be some accountability.

22 MS. KEYS: What are you doing innervatively in
23 the other areas, crime prevention? You talked about
24 education, poverty --

25 MR. TAYLOR: Yeah.

1 MS. KEYS: What are you doing or what do you
2 plan to do that you think is --

3 MR. TAYLOR: In the area of crime prevention,
4 that's one of the things that we'll be doing tonight
5 -- we have an individual -- we have two individuals
6 really, one who is a retired Jackson police officer,
7 another who is a volunteer, both of whom have taught
8 on college level, crime prevention, so we're trying
9 to get those kinds of things out into the community.

10 But crime prevention really everything. Crime
11 prevention would encompass building a juvenile
12 detention center. Crime prevention would encompass
13 working with the board of education, trying to get
14 some things handled. Crime prevention would
15 encompass the time you spend at the middle schools
16 and the high schools.

17 On our board is the president of Gen Mill High
18 School, is a member of our board. There's a youth
19 group -- that's all crime prevention. Everything we
20 do is focused on crime prevention in a broader
21 context.

22 Poverty, I can't do much about poverty.
23 Education, if there is a nexus between crime and
24 anything, it's most direct with crime and education.
25 That is documented extensively and almost

1 unquestioned.

2 What we fail to do in the City of Jackson --
3 and I'm not talking about better schools, I'm talking
4 about reaching the five or ten or in some cases 15 to
5 25 percent who are at the -- who are the potential
6 dropouts who are the dropouts, who are those who have
7 been suspended repeatedly, who are those who go to
8 the state training center and get out of Oakley or
9 Columbia and have no place to go.

10 We are doing almost nothing for those kids, and
11 those are the ones that we have to work hard for,
12 which we've been doing with the legislature, to
13 provide some kind of a parachute, some kind of a plan
14 where we can get to these kids and we can educate
15 them so they can read.

16 They do a very good job down at Oakley, but
17 their capacity is 200 people state wide. Last year
18 in Hinds County there were 151 kids who went to state
19 training school, divided between Columbia, and yet we
20 have almost 2,000 who came through the system, so
21 we're reaching some. We've got to reach more. We're
22 copying, we're begging, we're borrowing from other
23 cities to what they can do.

24 But again, I don't have to tell you or anyone
25 here that the bottom line for implementation of a lot

1 of these things is dollars. So we've got to get some
2 help from -- but we've got to get some help from the
3 business community, which we're starting to line up
4 some.

5 We've got to get help from the legislature and
6 we've got to get help from all the governing bodies,
7 because this is the core origin of crime.

8 MS. ROBINSON: Welcome, Mr. Taylor.

9 MR. TAYLOR: Thank you.

10 MS. ROBINSON: I have one question for you. I
11 think the commission is right on target if you're now
12 focusing on the juvenile detention programs and
13 services, and I'm glad to hear that there's some
14 renewed vigor in that area.

15 However, I would like to know what are your
16 views regarding the state's responsibility,
17 particularly the legislature? I notice that there
18 was -- were a number of bills proposed to address
19 juvenile justice issues. And none of those bills
20 passed.

21 What are your views on the state's
22 responsibility, number one, and number two, the fact
23 that none of those programs that were proposed
24 passed?

25 MR. TAYLOR: Well, let me take that in two

1 segments. First, the state's responsibility is to
2 all its citizens. Unfortunately, there is as most of
3 you know, an attitude prevalent within the
4 legislature that what happens in Atala County or what
5 happens in Jackson County is their problem. What
6 happens in the City of Jackson is a problem that
7 probably 70 counties with lesser population have no
8 real interest in, and we fight that continually.

9 As far as the legislation that did not pass,
10 actually there was a good bit of legislation that did
11 pass, and I'm encouraged by that but I'm discouraged
12 by the legislation which didn't pass.

13 The legislation that passed, there were four
14 things in particular that were important. One, which
15 doesn't sound particular important but is very
16 important, is the appropriation of money for 200 beds
17 for the state training center to deal with juveniles
18 of diminished capacity. I don't know how else to say
19 it.

20 These are those with diminished IQ's, with
21 other mental difficulties, who unfortunately have
22 been in the general population at Oakley and
23 Columbia, which does not afford them the kind of
24 treatment and the kind of facility that they need and
25 of course is disruptive of what they're trying to do

1 down there.

2 That passed, that's good. We probably could
3 have used 400, but 200 is a good start.

4 Another bill that passed provided an additional
5 \$3.50 per capita for appropriate for juvenile
6 detention centers. In the 1994 legislature, that
7 bill was introduced as a \$5 appropriation, was cut to
8 \$1.50.

9 We went back this year to get the other \$3.50
10 and that's happened, so that's \$5 per capita that's
11 available, and the city and the county have now put
12 in for that money to get started on the juvenile
13 detention center.

14 Another bill passed as was described as a truth
15 and sentencing bill. What it is is it requires 85
16 percent -- requires an individual convicted of a
17 felon to serve 85 percent of his crime and a fourth
18 bill that passed dealt with confidentiality of youth
19 court records, and maintenance of records.
20 Unfortunately we have a situation right now where
21 juveniles who commit crimes in Hinds County, Madison
22 County, Rankin County, or the City of Pearl, which
23 keeps its own records, there's no integration or
24 interrelationship of records. That's obviously self
25 destructive.

1 Unfortunately that's also true on a scale
2 state-wide. We now as a fifth thing that passed, we
3 have an appropriation, 3.1 million to establish a
4 state-wide records keeping system so that people who
5 commit crimes in various entities, that can be
6 interconnected.

7 What didn't pass that I and your next speaker
8 pushed for real hard was a state-wide youth court
9 system, a consistent system.

10 Now, the youth court offenders may be heard by
11 a special master. They may be heard in family court
12 or county court, city court.

13 They don't know where they're going to of
14 course the problem is not only the interchange of
15 records and information but each of those courts have
16 different powers and authorities and abilities to do
17 things.

18 And we have a patch quilt that's destructive.

19 DR. WARD: Okay. There was one final question
20 from --

21 SENATOR HARDEN: I just wanted to find out from
22 you, following up on his question, what's the racial
23 composition of the board of directors of the
24 commission?

25 MR. TAYLOR: The board of directors? There are

1 22 people on the board and I believe there are six of
2 the 22 who are African American and three females and
3 the remainder are white males.

4 On the advisory board we number four -- five --
5 four of 12 are African American with no females.

6 SENATOR HARDEN: Can you talk a little bit
7 about how you're funded? Are you funded by the
8 counties that participate or the cities that
9 participate?

10 MR. TAYLOR: No. We're -- and incidentally, I
11 want to comment on that, because that goes back to an
12 earlier perception that I think is falling away now,
13 and I would expect additional participation from the
14 African American -- and in fact I'm seeing it
15 already, from the African American community -- want
16 to represent every aspect of Jackson life.

17 Funding comes strictly from private sources.
18 We are not a United Campaign member because all that
19 does is take money from some other organization. We
20 don't -- not yet, and I don't in the foreseeable
21 future see us putting in for grants. I would rather
22 work as the facilitator and initiator and the watch
23 dog at this point. I think that has more focus to
24 it. We do, however, support people who do twice this
25 week -- I wrote a letter in support of a grant for

1 Mother's Against Drug Driving, and also for Alice
2 Clark's effort to get some funding for a pilot
3 program in juvenile detention center. We're doing
4 that constantly.

5 DR. WARD: Make it short because --

6 MR. HOSEMANN: The whole focus of all of our
7 study to date really is not how you are organized but
8 how the Jackson Police Department community relations
9 are working. Could you give me what you think are
10 your strengths -- the strengths and weaknesses of the
11 Jackson Police Department today?

12 MR. TAYLOR: I think -- I'm going to give you
13 two, because I could give you probably 50, but the
14 two that I think need to be focused on and I'll deal
15 -- well, I'll deal with the strength first because
16 that's going to I hope resolve some of the weakness.

17 And that is we have leadership in that
18 department, which we did not have for an extensive
19 period of time. And that leadership and the support
20 that that leadership will engender will enable that
21 department to do a variety of things which it never
22 did before, including being successful through the
23 budget process in getting the funds that are
24 necessary to do some of the things that I will
25 mention under the deficiencies.

1 Some real positive things that have come up
2 that -- for example, several weeks ago the chief was
3 -- publicly advised that he was disbanding or
4 considering at least refocusing the vice and narcotic
5 squad for the lack of productivity.

6 Now, when is the last time any of us ever heard
7 a chief of police do something for lack of
8 productivity. If we can keep that focus and that
9 kind of challenge to the police department resident
10 in the department for a period of time, that will be
11 an enormous thing.

12 He's also starting up a reserve force of 200
13 people, which will alleviate putting officers on such
14 things as traffic details, people coming, going from
15 the stadium after football games, jubilee jam, a
16 myriad of things.

17 Reserve officers can handle that. Put police
18 officers on the streets where they belong. One
19 problem that happened before, which is being cured --
20 911, that was a problem. The false alarm ordinance
21 was a real problem. We've rewritten that for them.

22 The officers not showing up for court, that was
23 a real problem. Ed Peters will tell you about that
24 when he talks to you later probably.

25 Those kinds of things are being addressed.

1 What are the weaknesses? Training. Training. When
2 you have deputy chiefs who have not had one hour of
3 management training in their career, you know you
4 have a lot of problems. And I don't in any way mean
5 to demean those who are in these positions, but when
6 is the last time an assistant chief from the City of
7 Jackson was hired away by another entity? We ought
8 to be supplying assistant chiefs to the state. They
9 ought to be the best. They ought to be the best
10 trained, the most capable.

11 It hasn't happened but I'm confident that it's
12 going to happen, but that training has to be there.
13 That's the cornerstone of everything they do is their
14 training.

15 DR. WARD: Mr. Taylor, thank you very much for
16 your presentation and I will receive the statistics
17 that you brought along. Thank you very much.

18 Is Mr. Duane McCallister here? I notice that
19 Dr. Crowell is here already. What I'm going to do,
20 if it's okay, is to declare a ten-minute break and we
21 will start a little early with your presentation at
22 11:00. So we're going to take now a ten-minute
23 break.

24 (Break.)

25 DR. WARD: We will resume. I'd like to thank

1 Dr. Peggy Crowell for coming this morning and Dr.
2 Crowell, before you make your presentation, there are
3 a couple of things that we ask for the record, to
4 identify yourself, spelling your last name, and also
5 providing your mailing address.

6 DR. CROWELL: I'm Peggy Crowell, C-r-o-w-e-l-l,
7 Post Office Box 2338, Jackson, Mississippi 39201. Thank
8 you.

9 I'm very pleased to come before you this
10 morning to share with you programs in our school
11 district, the Jackson Public School District, where we
12 collaborate with the Jackson Public School District,
13 where we collaborate with the Jackson Police Department,
14 and the Hinds County Sheriff's Department, as well as the
15 youth detention center, Hinds County Youth Detention
16 Center.

17 We have some 18 programs that we're extremely
18 proud of. And I'll just share those with you, if I
19 might. The first program that I would like to share with
20 you is the DARE program, Drug Abuse Resistance Education.

21 This is a drug-free schools programs in our
22 middle schools where police liaison officers, Jackson
23 Police Department officers teach all grade six students
24 their curriculum.

25 The program office -- interactive group

1 participation and cooperative learning activities
2 designed to encourage students to solve problems of major
3 importance in their lives.

4 Student leaders who do not use drugs are used
5 as positive role models in influencing younger children.
6 In this particular program the Jackson Public School
7 District provides training, supplies and materials for
8 the program and the Jackson Police Department pays
9 salaries for those liaison officers.

10 And for the 1994-95 school year, at grades four
11 and five, the Feter Elementary Schools, are involved for
12 the first time.

13 We have Officer Vic Mason who was formerly with
14 the Jackson Police Department, who is now with the Hinds
15 County Sheriff's Department, and when he was with the
16 Jackson Police Department Officer Mason worked with the
17 DARE program and Hinds County Sheriff's Department has
18 allowed this relationship to continue, so he teachers
19 DARE classes at Blackburn Middle School, so we actually
20 have the Hinds County Sheriff's Department as well as
21 Jackson Police Department participating in the program.

22 The Jackson Police Department provides officers
23 for explorer clubs located in middle and high schools.
24 These clubs are similar in purpose to the boy scouts and
25 girl scouts, and they focus on teaching leadership

1 skills.

2 The Jackson Police Department offers the
3 services of Sergeant Kyles, who is a member of the
4 committee advisory council for drug-free schools.
5 Jackson Police Department and Hinds County Sheriff's
6 Department provide a speakers bureau for the Jackson
7 Public Schools and by the way the speakers bureau is
8 limited to a wide range of topics. It's not limited to
9 just drug-free schools, drug education.

10 Jackson takes a stand. This is a community
11 coalition serving as cooperating partners with the
12 Jackson Police Department. They're instrumental in crime
13 and drug-free school programs. They are community
14 organizers and one of the projects, many of you may be
15 familiar with, is the clean-up of the White Rock
16 Apartment Complex.

17 We have community drug programs where churches,
18 community centers and neighborhood associations
19 collaborate the police department and a local alumni
20 fraternity, Cap Alpha Si Fraternity, works to address the
21 needs in the community such as drugs, violence and
22 safety.

23 We have liaison officers at our high schools.
24 All high schools are covered by three Jackson Police
25 Department officers who visit schools daily to reinforce

1 and establish security.

2 I feel a new program that's still in planning
3 stages is Project Leap. This is a 90-day pilot that's
4 scheduled to begin June, 1995, between the Hinds County
5 Youth Detention Center and the Jackson Public Schools and
6 the Jackson -- Hinds County Sheriff's Department, and
7 it's designed to provide daily instruction to students --
8 youths who are incarcerated at the youth court detention
9 center.

10 And we'll be using a tele-learning approach.
11 The program is expected to serve approximately 45
12 students per day at the detention center.

13 Support material such as computers, textbook
14 and equipment will be provided by the Jackson Public
15 Schools or the Jackson Police Department and the youth
16 detention center will pay the cost-sharing monies for the
17 project, and the total learning project will have
18 satellite lessons and will have to tape them, we'll have
19 to pay a fee to get those programs satellite in.

20 So we will share -- they'll be cost sharing
21 project. If the program is successful after the 90-day
22 pilot, we expect to implement it over a 12-month -- on a
23 12-month basis.

24 Project Leap was developed by the University of
25 Mississippi with a grant from the Department of Human

1 Services. And the program presently is being used at
2 Columbia and Oakley Training Schools.

3 The Jackson Public Schools Community Education
4 Program, as part of a collaborative effort with the youth
5 detention center, parolees who are on probation but not
6 eligible to attend our schools, are directed by the
7 courts to attend adult education classes offered in the
8 school district presently at the dualing center and there
9 are some classes at our career development center.

10 And we have future plans that include expanding
11 the programs to other locations in the city, because we
12 have learned that there are some transportation problems
13 that need to be resolved so that we can have greater
14 number of students involved in the program.

15 The Hinds County Sheriff's Department using
16 prison labor have helped to clean up the neighborhoods
17 surrounding some of our intercity schools, and that's
18 been very helpful to us to keep a nice safe and orderly
19 environment for students that they have helped in that
20 effort.

21 The Jackson Police Department provides crossing
22 guards for all of our schools, so we have safety is
23 ensured for students, both morning and afternoons.

24 We are right now in the process of finalizing
25 plans by crime stoppers in the schools program with Metro

1 Area Crime Stoppers. I've been on the board of crime
2 stoppers for a number of years, and this is one of the
3 projects that we have often wanted implemented, and we
4 now feel that we have it in position to be implemented.

5 This is a proposed pilot in the Jackson public
6 high schools with Metro Area Crime Stoppers. JPD is also
7 involved as well as the board of crime stoppers.

8 What we want to do is to identify criminal
9 activity in our schools, such as weapons, drugs, thefts,
10 destruction of property and so forth, and students, whose
11 anonymity will be protected, will be encouraged to report
12 crimes on our school campuses to the crime stoppers
13 hotline.

14 Each time a tip leads to the solution of a
15 school-related crime, the school that the tipster attends
16 will receive a reward from Metro Area Crime Stoppers,
17 which will be placed in that school's activity fund.

18 If successful, the program will be offered to
19 all metro area school districts.

20 Crime prevention team meetings. School
21 facilities are used to host team meetings with community
22 members and the Jackson Police Department, so we make our
23 schools available for our community in collaboration with
24 the police department.

25 We work also with youth counselors and if they

1 have access to youth offenders during the school day for
2 counseling purposes, and our attendance clerks in the
3 schools provide attendance and academic records to youth
4 court counselors on request.

5 And our staff notifies youth court counselors
6 and truant officers when the students are truant.

7 The reserve unit of the Hinds County Sheriff's
8 Department has adopted Georgia Elementary School which is
9 part of our adopt a school program.

10 We have a mentoring program through the Jackson
11 Police Department at Isabel Elementary School where
12 police officers serve as mentors for selected elementary
13 students.

14 The Jackson Police Department provides and
15 conducts free background checks on perspective employees
16 and Vast participants. Vast is a volunteer program in
17 our school district where we do background checks on
18 persons participating in that program as well as
19 perspective employees, and they do this by human
20 resources department and for the Partners in Education
21 Program that administers the Vast program.

22 These are 18 programs that we are very proud
23 of. These are programs that in various phases of
24 completion, but I'd be happy to entertain any questions
25 that you might have at this time.

1 MS. HALL: Thank you, Dr. Crowell, and thank
2 you for coming and giving us your time and benefit of
3 your knowledge and expertise.

4 I want to ask you a few questions pertaining to
5 the juvenile detention center itself and its
6 relationship with the Jackson Public Schools. What
7 is the status of the detainees now and educational
8 services provided to them by the public schools?
9 Those that are actually in concert.

10 DR. CROWELL: Well, presently involved in
11 beginning a pilot, hopefully June, '95. As I said,
12 the Project Leap -- for a number of years we did have
13 a program there funded with Chapter I funds. I guess
14 about two years ago in the prior administration, when
15 priorities were evaluated, the prior superintendent
16 felt that based on cost that this program was
17 expensive and therefore a decision was made not to
18 fund the program for last year and it was not funded
19 this year.

20 However, we recognize that there is a great
21 need there and we have been working diligently and
22 certainly the administration at the youth court
23 center are very anxious for us to implement the
24 pilot, and we're excited about it as well.

25 MS. HALL: So now and for the last couple of

1 years then, due to lack of funding, there really have
2 been no education services for those actually
3 detained?

4 DR. CROWELL: None provided by our school
5 district.

6 MS. HALL: Are there any others that you know
7 of provided by any other districts for students that
8 --

9 DR. CROWELL: None that I'm aware of. No, as
10 far as I know we were the sole source of educational
11 services.

12 MS. HALL: You pretty well described the Leap
13 Program and so forth. What procedures are in place
14 with the school district to identify and provide
15 these services and education to students that are
16 maybe at risk or -- how do you identify -- why do you
17 all anticipate providing services in that area for
18 those -- The Leap Program --

19 DR. CROWELL: Yes, the program has a mechanism
20 built into the curriculum and there's a way to
21 identify students in the learning levels and these
22 will be identified and then students will be placed
23 and worked with based on their levels of performance
24 and ability to perform, and it's a modular program
25 such that it's -- they're not locked into times, they

1 can -- it's individualized and modular so that
2 whenever students come into the center they can be
3 evaluated and their instructional program can begin.

4 MS. HALL: And this -- how long have you
5 secured funding for this? Is it an open-ended thing
6 or do you know? For the Leap Program, the funding
7 for the Leap Program?

8 DR. CROWELL: As far as I know it will be
9 evaluated each year, but we anticipate that there
10 should not be any problems, you know, for funding
11 since it's a joint effort. Obviously each year we'll
12 have to evaluate our budget, but we expect that we'll
13 have a program that's realistic with regard to our
14 budget, and barring any unforeseen budgetary
15 concerns, I would expect that once it's funded this
16 time that it should remain.

17 MS. HALL: You mentioned the fact of the
18 mentoring program in the Isabel School with JPD. Do
19 other schools have any regular visits from the police
20 officers? You did mention the secondary schools do,
21 but what about the elementary and middle schools, do
22 they have --

23 DR. CROWELL: Yes, the middle schools have
24 liaison officers that are located that they share,
25 but the high schools have three police officers that

1 are shared among eight high schools. So they are not
2 there all day, but they are very visible and
3 frequently in and out of the schools throughout the
4 school day.

5 MS. HALL: But each other school has a liaison
6 officer that they are known to and he knows them and
7 knows --

8 DR. CROWELL: Yes, and that person is
9 responsible for teaching the DARE curriculum.

10 MS. KEYS: Ms. Crowell, how long have you been
11 with the Jackson Public School System?

12 DR. CROWELL: I've been in the district ten
13 years.

14 MS. KEYS: Could you just comments from your
15 observation and experience how young people are
16 perceiving the police? Has there been a change, and
17 if so, what do you think has caused that and where
18 there might be differences among neighborhoods?
19 Could you just give us your perceptions of young
20 people's relationship or attitude towards the Jackson
21 Police?

22 DR. CROWELL: Well, I think the young children
23 have a very good perception of police officers. I
24 think as a part of what they learn early on in
25 school, beginning with preschool even. That

1 policeman is presented to them in a very favorable
2 light.

3 I think that as students get older and their I
4 guess knowledge of vices or whatever expands, then it
5 becomes increasingly more difficult for them to
6 separate what appears good in their core or peer
7 groups in terms of getting money and so forth, and
8 the fact that the police officers is there to prevent
9 them from doing these things, so I guess what I'm
10 saying is as students see the negative, then it
11 becomes increasingly difficult to maintain the
12 attitude that the police officer is really their
13 friend and is someone that is there to protect them.
14 However, you know, we feel that also they probably
15 don't have that built into their infrastructure for
16 learning, so we feel that having the police officers
17 in the school making them comfortable with them and
18 seeing them every day, then they can maintain and
19 continue the knowledge that they had earlier,
20 positive image that they had of the police officer
21 can be maintained and expanded.

22 We feel that our programs have demonstrated
23 that students are comfortable with police officers.
24 We have many instances where students do go to police
25 officers when they are knowledgeable of wrongdoings

1 and vices that are going on, and we feel good about
2 that.

3 However, we feel that if we had more police
4 officers in our schools and they could build the
5 relationships and could be there more, that we
6 probably could do better. We recognize the
7 limitations insofar as cost for having officers there
8 all of the times, but they certainly are very
9 valuable when they're there.

10 SENATOR HARDEN: Thank you so much for
11 participating in this fact finding hearing. I want
12 to ask a few questions about Project Leap. I'm
13 trying to get an understanding about how educational
14 services are now being provided at the detention
15 center.

16 Who is it that is funding Project Leap?

17 DR. CROWELL: It's a joint effort with the
18 Jackson Public Schools, Jackson Police Department and
19 the youth detention center. We are going to be
20 providing materials, curriculum materials, and they
21 will -- they will provide the cost sharing for the
22 project.

23 There will be a teacher and probably a teacher
24 assistant to work with the students through the
25 program, and that will be -- I'm not sure who is

1 going to pay for the teacher. I'm going to have to
2 go back and check on that. But I do know that the
3 cost sharing for the telecommunications portion is
4 going to be the Hinds County Youth Detention Center,
5 and the police department.

6 SENATOR HARDEN: And the project is a 90-day
7 pilot to begin with, and then to re-evaluate -- to
8 evaluate the pilot and make a determination as to
9 whether or not that would be the way that educational
10 services are provided for the long run?

11 DR. CROWELL: Yes.

12 SENATOR HARDEN: And that dialogue has already
13 taken place?

14 DR. CROWELL: Yes.

15 SENATOR HARDEN: Okay. Now, my other concern
16 is that actually at this point there is no provision
17 for educational services at the detention center?

18 DR. CROWELL: Not for the Jackson Public
19 Schools, I'm not aware of any.

20 SENATOR HARDEN: Is there a program in the
21 Jackson Public Schools for kids who drop out or kids
22 who rather than being expelled -- I see you're on the
23 disciplinary -- you're a hearing officer for -- I
24 take it that would be suspension or expulsions things
25 like that.

1 DR. CROWELL: Yes.

2 MS. KEYS: What alternatives are there for
3 young people who do get in trouble, educational
4 alternatives within our school system?

5 DR. CROWELL: We have several. First of all,
6 we have in-school suspension and this is for short-
7 term suspensions where students' behavior warrants
8 separation from the regular classroom over the short
9 term.

10 We also have what we call positive action
11 centers or PAC's. We have them in all of the middle
12 and high schools and we have elementary schools
13 clustered so that we will have seven to ten schools
14 that will have a PAC site at one of those schools
15 where students from that cluster of schools will be
16 assigned to a single location.

17 And this is for students whose behavior
18 warrants separation for longer period of time,
19 between one to 20 days, usually more than - more than
20 five days, up until about 20 days. They can be
21 placed in the positive action center where we have a
22 teacher, a teacher assistant. Their assignments are
23 sent into the teachers to work with them.

24 We have behavior modification teachers trained
25 to work with them in correcting behavior.

1 Our next level would be our alternative
2 programs at Dualing Center, and this program is
3 designed for students who are on long-term suspension
4 for the rest of the semester, say or for the rest of
5 the school year.

6 And these students are placed there. They
7 receive evaluation, academic as well as
8 psychological. We have a social worker that comes
9 in. We have the capability if need be to bring in a
10 psychologist if we deem it appropriate to do so. We
11 have these people -- we have teachers working with
12 them in providing for remediation and assistance with
13 needs.

14 We have a parent center there and we have a
15 computer lab, students use the computer lab to work
16 on assignments.

17 We also have a center for parents who come in
18 and use the programs there for parenting, so we have
19 a very active parent component with that center.
20 There is a requirement that parents attend parenting
21 classes. I believe it's once a month while the
22 students are in the center.

23 And then finally we have the environmental
24 learning center that's located at a facility on
25 Highway 18 and this is for the most severe discipline

1 offense, students who have been expelled, with the
2 exception of students who have guns, can attend the
3 environmental learning center for the period of
4 expulsion.

5 And there we have an academic component as well
6 as a work component, so we're trying to teach them --
7 keep their academic skills current as well as teach
8 them a work ethic, and so they do work there, have
9 job assignments at the environmental learning center.
10 So those are our alternative programs.

11 MS. HALL: Dr. Crowell, I have one more
12 question about truancy, either casual or chronic.
13 Does the Jackson Police Department or Hinds County
14 Sheriff's Department, are they sensitive to children
15 who are wondering around during the school hours and
16 who perhaps should be in school? Do they inquire
17 about why they're not in school or report those
18 children? Do you know if there's anything like that
19 with the area officers?

20 DR. CROWELL: Over the years I have seen
21 evidence of that. Oftentimes police officers see
22 kids and have brought them back to schools. So I
23 can't tell you how much of that goes on, but I do
24 know that they're conscious of that and they're in
25 and out of the schools and if they see a situation, I

1 feel very confident that they would look into it if
2 their time would allow.

3 MR. CANIZARO: Dr. Crowell, it's very
4 impressive --

5 DR. CROWELL: I'm sorry, I can't hear you.

6 MR. CANIZARO: It's very impressive the 18
7 programs that you have active right now. But I'm
8 wondering if you could share with us any needs that
9 you're aware of that you have for the -- that you
10 need with the police department in helping improving
11 any of these programs or are there programs that you
12 see a particular need for --

13 DR. CROWELL: Well, certainly I would like to
14 see more police involvement on a day-to-day regular
15 basis in the elementary schools. We have 37
16 elementary schools and I think if we had some
17 officers -- even though the persons who are assigned
18 to the areas, I understand do go into the schools, we
19 don't have a program set up where the police officers
20 actually are there on a regular basis and we know
21 which day or when if possible they're going to be
22 there.

23 So I think we need to if possible have police
24 officers assigned officially to all of the schools
25 because the same children that get into trouble at

1 middle and high school are the children that were in
2 elementary school, and somewhere along the way when
3 they make transition, we find too many that are lost
4 in the transition in terms of their perceptions and
5 behaviors regarding police officers, so I would like
6 to see more police officers in the areas of the
7 schools.

8 I'd also like to see them involved in more
9 programs like the mentoring program. I think that
10 police officers can be excellent role models for
11 children and some kids have no early thoughts about
12 careers or professionalism for that matter, so I
13 think when they can interact with professionals, that
14 it helps them to have higher expectations of
15 themselves and goals that they need to achieve, and
16 so persons like police officers as well as other
17 business professionals can be very valuable.

18 MR. CANIZARO: Sounds like there's a real need
19 for dealing with children at an age that is
20 elementary school level. We heard some statistics
21 earlier about the youngest -- the age of people who
22 are involved in violent crimes, which seems to be
23 elementary school.

24 You indicated that while the children in the
25 beginning seem to have a positive attitude, it

1 changes at some point and it sounds like -- are any
2 of these 18 programs focused on that age group?

3 DR. CROWELL: With the exception of the
4 mentoring program at Isabel, we do have the Vast
5 program, which is not listed here as a program, with
6 the police department, but as an example of where the
7 police department helps us to screen persons, and the
8 Vast participants, the volunteers work with students
9 at all levels, so they do work with elementary
10 students, so we have mentors in the schools.

11 And we have adopters. All of our schools have
12 been adopted by at least one local business or
13 agency, and the professionals in these businesses are
14 excellent roll models for students. They provide all
15 kinds of things for the entire school, but they also
16 go into the schools and provide their services, so
17 it's not just an exchange of money, if you will, but
18 rather service oriented kinds of activities. So
19 we're very proud of that as well.

20 DR. WARD: Thank you very much, Dr. Crowell,
21 for sharing information with us. Did you provide a
22 printed copy of the remarks? We would like to have
23 those to include in the record, please.

24 Our meeting will be recessed until 1:00.

25 (Recess.)

1 DR. WARD: Our meeting will resume. We're
2 starting session four, law enforcement perspectives.
3 Judge Henley, I'd like to thank you for coming to
4 make a presentation to the Mississippi Advisory
5 Committee to the U. S. Commission on Civil Rights.
6 The procedure is this, we will ask you to identify
7 yourself, and also spell your last name and provide
8 for the record your mailing address, and then
9 immediately begin your presentation.

10 JUDGE HENLEY: Thank you very much, Dr. Ward.
11 My name is Chet Henley, H-e-n-l-e-y. And I reside at the
12 courthouse, P.O. Box 327, Jackson, Mississippi 39205.

13 As you mentioned, and I appreciate the
14 opportunity to be here, because this is a serious subject
15 that you've asked me to shed a degree of light on, I have
16 been a judge in Hinds County primarily in the business of
17 the youth court judge since 1979.

18 I went there the week of the great flood, which
19 would have been April the 11th exactly, 1979. The youth
20 court had six feet of water in the youth court, so
21 obviously I was there on kind of a temporary basis at
22 that time.

23 Judge Carl Guernsey was the other youth court
24 judge and he asked me to come in and help out a little
25 bit.

1 The youth court as it is now has been held in a
2 number of places. It hasn't always been there. I grew
3 up here in Jackson and I remember when I was a child
4 being taken to different places for juvenile proceedings,
5 and during the great flood we conducted court in the old
6 Sears building, where the library is now for about a year
7 over there, and then it was refurbished and we've been
8 conducting court there where it is now for about -- well,
9 I guess going on 17 years now, this year.

10 The comments that I have are simply in regard
11 to the facility and the personnel and the way the
12 facility is run, primarily the detention facility. As
13 you are already aware, the detention part of the facility
14 is separate from the judicial part of the facility.

15 The city runs the detention part. The county
16 runs the judicial part of the facility. It's almost like
17 an invisible line that goes down a hall, and everything
18 to the right of that line is in the detention center and
19 that is the jurisdiction of the city, and everything on
20 the left of that line is the county, and the county runs
21 the judicial part.

22 And the judicial part of course includes the
23 court part, the supervision part, the attorneys, the
24 judicial, the judge, court reporters and what have you.

25 The youth court part, the detention center

1 part, is the part where children are housed pending a
2 trial.

3 Now, I emphasize that because most all of the
4 children that are there are pretrial detainees. We may
5 have a few youngsters who have been tried who are
6 awaiting sentence or who have already been sentenced, but
7 who cannot immediately go where they've been ordered to
8 go, but they cannot go home either.

9 The majority of the youngsters who are in the
10 detention center are pretrial detainees. The facility
11 was built in 1969. The arrangement that I just described
12 was an agreement between the city and the county in 1969.
13 The city would run the detention center. The county
14 would run the court, and that is the agreement that we
15 still work under today here some 26 years later.

16 The city for many years had a very adequate
17 facility. If you will think about it, in 1969 we had a
18 number of youngsters who would steal hubcaps, who would
19 spend the money their sister collected for the girl scout
20 cookies, who would sass their mom or their dad or even
21 their grandmother and wind up in our juvenile detention
22 facility.

23 Unfortunately since 1969 times have changed.
24 Not only have they changed amongst the youngsters that we
25 see, they've changed all over the world.

1 We at 1969 are just a few years before that,
2 Jackson, Mississippi was a sleepy little town. I used to
3 when I was a child walk down to the Crystal downtown and
4 then go down to the bus station down to the Greyhound bus
5 station and play the pinball machine and walk around down
6 there and go to a movie, and I had not yet turned 12
7 years old.

8 And then take my bike, which would not be
9 stolen while I was in the movie, and ride back. Well,
10 all that would be a fairy tale today, that does not occur
11 in Jackson, Mississippi.

12 As a matter of fact, there isn't anything
13 downtown in Jackson, Mississippi that would attract a
14 child and there isn't any safe place in that area for a
15 child to be anyway.

16 So times have changed a great deal. We used to
17 be a sleepy little town between Atlanta and Houston and
18 Dallas and Mobile and Memphis and New Orleans and
19 Nashville and I guess kind of a hub, and now we still
20 are, but now we're a hub for drug distribution, so to
21 speak, as opposed to just being a crossroads like we used
22 to be when I was a child.

23 I tell you this because this has changed the
24 children that we see. Our children have also changed
25 along with the changes in the city. There was a time

1 when the detention center would not be full, that is to
2 say, its 20 rooms, I think eight of which are designated
3 for girls and 12 for boys, would not have eight girls and
4 12 boys.

5 But today it is always full. Monday it had 57
6 children in the detention center and the support
7 personnel was able to release I think 12 or 14 without
8 judge's involvement.

9 So that morning, Monday morning, there were 57
10 children. We released children all weekend to have 57
11 that morning shuffling around, considering the crimes the
12 children are charged with, over the telephone, release
13 that one, put that one back, don't house the small one
14 with that large one, et cetera, all weekend so that we
15 only had 57. We don't just keep all the children that
16 come to court.

17 During that interim from '69 up until now, that
18 26 years, the kinds of children that we see have changed.
19 The number of children we see has certainly changed, and
20 the things they do have changed.

21 It is not unusual a few years ago, two or three
22 years ago, to have a child in youth court charged with
23 manslaughter. We know today that the law has changed and
24 most youngsters, particularly if they are 17, won't even
25 be there.

1 That was something that we used to see, where a
2 child would have attempted to have killed someone or have
3 killed someone and it wasn't a murder, it was a
4 manslaughter.

5 Obviously our law just recently has given some
6 release from that to where we don't see those children,
7 but we still children who have committed very serious
8 crimes in youth court.

9 The reason why we have so many very serious
10 crimes and that they have escalated in those years are
11 just a great plethora of things, many good and many bad,
12 and I'll certainly answer any questions that you have
13 about those.

14 But the number of youngsters that we have, what
15 they have done, and who they are has changed over the
16 last 26 years, so we find ourselves now with the
17 detention center who originally was built to hold
18 children who were to a degree incorrigible or perhaps
19 delinquent, but not necessarily all that serious, we find
20 ourselves running a mini jail, one which we sort through
21 the children on a daily basis, sending home those who
22 appear not to be dangerous to themselves or others,
23 retaining only those who are the most hardened of cases.

24 Only retaining them though until the next
25 night, when a new bunch of youngsters get re-arrested and

1 once again we'll consider their case and perhaps send
2 them home.

3 And we must do that because we have no place to
4 put them. They've got to go somewhere. They can't
5 always stay at the detention center.

6 Of the 20 rooms that we have suggested, they
7 are inadequate for a number of reasons. First of all,
8 consider the different situations the children bring to
9 us in the detention center. We may have a young woman
10 who is pregnant and HIV positive. She probably should
11 not be housed with other young women, particularly if the
12 other young women are violent in their nature or
13 psychotic or if they are small or impressionable or
14 they're runaway or what about another young woman who has
15 just committed a very serious crime?

16 You have a whole plethora of reasons why
17 different individuals should not be together.
18 Unfortunately, under our current system where you kind of
19 sardine youngsters in, we don't have the luxury of always
20 separating a little first offender from an older,
21 hardened criminal or a child is truly ill that has HIV or
22 tuberculosis or what have you.

23 All youngsters are there pretty much together.
24 For that reason we try to use all of the facilities, the
25 various shelters and what have you, throughout the city

1 and the county for children who will fit there, if you've
2 got a pregnant child, let's try to get her out of here.
3 If you've got a child that's HIV and there's a hospital
4 that will take that child, even if they won't take that
5 child very long, let's let that child go there.

6 Likewise, if you have a child that's
7 schizophrenic or a child that is some way obviously
8 actively psychosis, you try to place that child.
9 Unfortunately, we all know that when we try to place that
10 child, what we're really doing is dumping that child,
11 because there's no place to put that child.

12 We take that child in because of some deviancy
13 that child's been involved with, or because of some
14 disturbance that child might have made at home or at
15 school, but we know there's not any facility that's going
16 to take that child, and being in jail is probably more
17 dangerous than simply dumping that child back with the
18 parents or back on the street.

19 So that's probably what we will wind up doing.
20 That's in regard to girls. The same thing is true in
21 regard to boys. Once you have youngsters who have
22 committed many crimes and are awaiting trial and the
23 reason they can't go home is because they have committed
24 so many crimes, and they've been to the training schools,
25 they've been to the various institutions, and they are

1 awaiting trial on other charges, it is not appropriate to
2 mix them with children who are missing days at school or
3 children who are on a run-away status or a youngster who
4 is a first offender or a psychotic kid.

5 As a matter of fact, it's not appropriate to
6 mix any of them together. That is one of the major
7 problems that we have is lack of space and lack of
8 appropriate divisions for the children, their situation
9 considered.

10 Another problem that we have is this, Jackson
11 Public Schools has a policy that when you miss so many
12 days and you'll have to ask them about the policy, I'm
13 not sure if it's ten days or if it's five days, when you
14 miss so many days from your regular class attendance,
15 they take you off the roll, so that you're no longer in
16 Jackson Public Schools.

17 A good number of our children who start out in
18 Jackson Public School will wind up in the detention
19 center since we have no school there, since it's just
20 idle waiting, since it's just waiting for trial or
21 waiting to be released and in the event someone with a
22 more severe crime comes in -- all children pray for
23 someone with a more severe crime.

24 Since you're just waiting, you may very well
25 find yourself when you have your trial, not guilty, put

1 back on the street, but not allowed to go back to school
2 because you haven't been able to keep up with your school
3 work while you were in the detention center.

4 Now, here's what you have done. You've made
5 some new contacts. You've found some new friends in the
6 community, and now you've got all day long to help them
7 sell crack cocaine and commit burglaries and children
8 will do that.

9 Children are impressionable. They find new
10 peer groups while they're locked up in the jailhouse, the
11 jail for children, and when they get out they will
12 continue to be true to their new found friends.

13 We see that over and over. I will ask the
14 bailiff who was he locked up back there with? Is that
15 those same children that re in that trouble, and
16 inevitably he'll check and the answer will be yes.

17 That's where he made their acquaintance. So we
18 see that the same thing is true for boys and girls. A
19 trend we see that's rather disturbing for young women is
20 that we see more young women moving into more violent
21 crimes.

22 If we had to say what is the number one reasons
23 why youngsters wind up in the detention center, today it
24 would be very serious things. Where just ten or 11, 12
25 short years ago, it would truancy, incorrigible behavior,

1 perhaps shoplifting. It always tickles me to see a
2 shoplifter and we always try to get that kid out of
3 there, because they're just a petty thief. Maybe there's
4 something we can do for them.

5 In regard to recommendations, we need a
6 detention center which will provide for our youngster --
7 they are our youngsters -- need a detention center which
8 will provide for our children -- they are our children --
9 we've got to deal with them and for them.

10 It needs to have divisions. We shouldn't have
11 to put children all together. It needs to be an
12 educational facility. Today -- no, not today, two weeks
13 ago today when school was in session there were 750
14 truants on the streets of these cities, 750 truants on
15 the streets.

16 We have two nice ladies whose job it is to
17 check into those truants. They work for the district
18 attorney's office. It's almost a flood of youngsters
19 that are not in school that should be in school.

20 The reason why those youngsters are not in
21 school is they know that there are no consequences. If I
22 don't want to go to school, I will not go to school.
23 They know there's no consequences. Although we have
24 truant officers, the law forbids me to lock those
25 children up and send them down to the training school,

1 but if I have a detention center which had enough
2 educational facilities in it, I could require them to
3 come to my school and I could require their mom or their
4 dad to come to our school and stay there until they get
5 caught up.

6 We could work a deal with the public schools.
7 Whenever we can read on a certain level or perhaps do
8 math on a certain level, maybe you would let us back into
9 the regular school.

10 It is my understanding that children who are
11 expelled and suspended are not allowed back in the
12 regular school but must go to the dualing school, which
13 is up on State Street just off of State Street right
14 around -- I believe it's south of Meadowbrook, I think.
15 Obviously the dualing school cannot handle the youngsters
16 that are on the street and need that help.

17 So if we had a detention center that had a
18 classroom facility operated by the Jackson public schools
19 with security provided by the court personnel, then those
20 youngsters who were in school could attend those
21 classrooms and youngsters who are not attending class
22 could come there until they get caught up, and if they
23 decide that they will substitute their judgment for that
24 of the court, I will put them in the detention center and
25 help them get caught up.

1 And if it's their mom or their dad that's not
2 waking them up in time or providing them with the
3 appropriate things to go to school, we can put them in
4 jail.

5 I tell you these things because it's lack of
6 education and lack of following through with our
7 youngsters that creates the criminals that we deal with
8 in the adult system.

9 And as our system is designed and divided up
10 today, we create a good number of youngsters who are
11 going to simply go off of the neglect and abuse docket
12 onto the run-away docket, onto the delinquency docket,
13 and then onto the adult docket.

14 Obviously that's costing us a great deal of
15 money and we would save a lot of money if we could ever
16 break that chain.

17 Another problem we have in Jackson and this is
18 simply not unique to Jackson or to Mississippi or to the
19 south or to the United States, is that although we're not
20 number one in many things, we are number one in teen-age
21 pregnancy.

22 I believe just Hinds County last year had 1100
23 babies born to mamas 17 and below. The health
24 department, by the way, has done an excellent study on
25 that, just a great study, breaking it down in age,

1 county, race, number of previous pregnancies, just the
2 data is just really valuable, the whole number of good
3 things that they've suggested.

4 Here is what we find in the court examining the
5 age on mothers whose children are on the neglect and
6 abuse docket. We find that those moms were themselves
7 teen-agers when their babies were born, and that they
8 were unmarried teen-age moms, and that suggests to us and
9 the Court that perhaps parenting is an important thing.
10 Parenting that starts early bonds quickly and stays late,
11 so to speak.

12 We also note with interest that the young women
13 that we see back in court who are pregnant had moms who
14 were also in our court just a few years ago, 12, 14
15 years, and that they were pregnant and that this little
16 mom now that's fixing to have this baby already has her
17 baby, was under my care and supervision 12, 14 years ago,
18 and obviously we didn't do anything to break that cycle,
19 although we don't have the alternatives if we wanted to
20 do anything to break that cycle.

21 But only 50 percent of those young women will
22 get pregnant and come back to court because the other 50
23 percent will be on the neglect and abuse docket and the
24 run-away docket and they're the young men that we will
25 deal with as delinquents and eventually as criminals in

1 the adult system.

2 I tell you these things because that's the way
3 it is. Do you have any questions?

4 MS. MILNER: Yes. Judge Henley, when we talk
5 about police community relations, do you see a role
6 for the Jackson Police Department perhaps in
7 community relationships with reference to the
8 children or programs that they could enter into with
9 the children that might either prevent crime or at
10 least give them role models, or do you see that as
11 being something outside of the scope of the Jackson
12 Police Department?

13 JUDGE HENLEY: It is very difficult for
14 children, particularly delinquent youngsters, and see
15 that's my jurisdiction, so those are -- to see a
16 police officer as a role model -- it is just very
17 difficult.

18 Now, that's not to say that in some cases if we
19 could take children who are truant or neglected,
20 abused, incorrigible and to channel those youngsters
21 into a program, one where perhaps police officers had
22 a guiding role, that would be great, and I know that
23 in Chicago and New York, boys clubs do that and they
24 are -- I think they are assisted not only by police
25 officers but a good number of other public people

1 that are really big into maintaining boys clubs.

2 They do after care for little children. They
3 do all kind of athletic programs, but once a
4 youngster has decided it is more profitable to sell
5 cocaine than turn hamburgers over, it is difficult
6 for a police officer to come in and say look, I make
7 \$1400 a month, why don't you do what I do, because
8 that child is going to tell him \$1400 a month, I make
9 that a day. Good luck to you, you know.

10 MS. MILNER: At what age, if we are thinking in
11 terms of programs or things that would be beneficial
12 for our youth, at what age do we need to be looking
13 at to do any good?

14 JUDGE HENLEY: A good question. If we're going
15 to ever deal with the youngsters that are in our
16 court, then we must go back to the time when they
17 were actually at risk children, and that would be
18 when they're being born, when we can identify these
19 youngsters that are likely to come down to our court
20 one of these days and we need to put energy and money
21 there with parenting skills, with education.

22 The reason that's not very popular though is
23 because a politician will have to tell you look down
24 the road 14 or 15 years, I'll show you some results.
25 See, from today it would be the year 2000 and what,

1 ten? No politician can do that. He would be voted
2 out of office, then in 2010 I'll give you some
3 results.

4 So we look for a quick fix result, which is
5 lock the rascals up and throw away the key.
6 Unfortunately that is cost prohibitive. When we
7 start locking all the children up, we just can't do
8 that. It just isn't possible.

9 Another thing we have to consider is the number
10 of youngsters that we are seeing continues to grow.
11 At what point do we quit locking children up? Only
12 when our own kids are not incarcerated? So we've got
13 to deal with that.

14 The second thing, Ms. Milner, is that most of
15 the children that wind up giving birth to a baby are
16 children themselves, and they have -- they have not
17 yet completed their education or their moderation
18 process themselves.

19 So we need not only to put time and effort on
20 that child, but also mom, to make sure, number one,
21 that she doesn't have another baby, because the
22 chances are if we were to put our money on mom having
23 another baby, once she's had one baby, we would
24 probably win that bet before she turns 20.

25 It is not unusual to have young women in court

1 with as many as five or six children before their
2 20th birthday. Obviously they are not going to go
3 back to school and get their GED and by a double
4 wide. They are not going to do it. The American
5 dream has gone down the tube for those young women.
6 What they're going to do is be permanent baby-sitters
7 for their children and then later for their
8 grandchildren, and that's what they will do. They
9 will be nonproductive personnel.

10 And we are causing that by allowing it. We
11 should not allow it. Yes, ma'am.

12 MS. KEYS: How do you see the police dealing
13 with the young people, and would you have any
14 recommendations for training or do they just treat
15 the young people the way they would treat an adult
16 offender, or what would your perception be?

17 JUDGE HENLEY: The police officers should be
18 devoted to the problem, because as a police officer
19 you're going to see this child later on if you don't
20 take an interest in this child today. One of the
21 things that the police could do, which would just
22 tickle me to death, would be in the event they make a
23 case, in the event they make an arrest, show up and
24 testify.

25 Let the child know -- I'm serious about this --

1 come down and testify. A good number do not and we
2 try to seek them out, find out what the problem is,
3 but if you'll think about it, that installs a high
4 degree of respect in the system.

5 I made this case, I care enough about you to
6 come down and to give my testimony and hope you get
7 straightened out.

8 MS. KEYS: Besides not appearing in court, do
9 you have any other criticisms or suggestions for
10 different techniques or ways of policing young people
11 that you feel might be effective or some problems you
12 might see?

13 JUDGE HENLEY: Police do pretty fair in what
14 they do. I really can't criticize them. As Ms.
15 Milner suggested, it would be good if police were
16 involved in some kind of community activity wherein
17 youngsters could likewise become attached, perhaps
18 see them as role models, but if we do that it will be
19 at an early age. It will be before those children
20 make the observation that there are other ways to
21 make money and do things.

22 You know, everybody has got to have some role
23 models, everybody has to have that. I repeat that
24 over and over to moms as to who your children need to
25 be around. If you don't have role models in your

1 home, you'll go out on the street and find you some
2 role models.

3 We are not what we have destined ourselves to
4 be, but what we observe. That's what we copy and
5 that's what we do. If the police could find
6 themselves in a position where they could provide
7 that, that would be wonderful. I don't know how they
8 will do that.

9 I just don't know how they would do it. Yes,
10 sir, Mr. Range.

11 MR. RANGE: This agreement between the city and
12 the county was entered into in 1969.

13 JUDGE HENLEY: Yes, sir, I believe that's when
14 --

15 MR. RANGE: There were no term limits on it or
16 no end -- no conditions to terminate or end it, it's
17 going to be in effect until when?

18 JUDGE HENLEY: If there was any term limits on
19 it, I'm not aware of it.

20 MR. RANGE: What's the status of that right
21 now, isn't there some kind of lawsuit underway
22 pertaining to who is in charge of that or --

23 JUDGE HENLEY: There was a lawsuit filed on
24 behalf of the board of supervisors to be allowed to
25 name the personnel who will work in the youth court,

1 claiming that if judges did it, it would be a
2 violation of the separation of powers doctrine, and
3 think it was argued yesterday in Supreme Court. And
4 I have no idea obviously how it will turn out. Yes,
5 ma'am.

6 MS. ROBINSON: I have several questions.

7 JUDGE HENLEY: Sure.

8 MS. ROBINSON: Number one, thank you for coming
9 and --

10 JUDGE HENLEY: You can't beat the pay.

11 MS. ROBINSON: We hear your concerns about
12 detention services. My first question is have you
13 been contacted by the Jackson Public School system
14 regarding their initiation of an educational program
15 at the detention center in June?

16 JUDGE HENLEY: No. No. We have -- myself, the
17 administrator of the court, and other judges on a
18 number of occasions have contacted Jackson Public
19 Schools, but we have never been contacted.

20 MS. ROBINSON: Are you aware of any staff being
21 contacted by the school system that works at the
22 center, you have no knowledge --

23 JUDGE HENLEY: There is a program, Project
24 Leap, which comes from the University of Mississippi,
25 Oxford, which we had attempted to try to get

1 installed in the back, and when I say in the back I
2 mean the detention center, but I do not know what the
3 status of our efforts there are.

4 One of the things that we needed was a
5 facilitator. The program is such that you use
6 computers and video and what have you, but as I am
7 aware public school is not able to give the
8 facilitator.

9 MS. ROBINSON: Well, we were advised this
10 morning and also earlier during our data gathering
11 process that the school district is prepared to
12 initiate a program in June.

13 JUDGE HENLEY: Will it be the Project Leap
14 Program?

15 MS. ROBINSON: Yes, it will be. And it's our
16 understanding as well that they seem to have ongoing
17 services there, whether it's the Leap Program or some
18 other program that will accommodate the students down
19 there. We would like you to know that and hopefully
20 contact --

21 JUDGE HENLEY: Sure. It's a good program and I
22 am familiar with it. But I was not aware that they
23 had agreed to provide the facilitator. But that's
24 great.

25 MS. ROBINSON: Number two, are you aware of any

1 other students who are detained at the center that do
2 not reside in the Jackson Public School system?

3 JUDGE HENLEY: Perhaps --

4 MS. ROBINSON: That attend other school
5 districts?

6 JUDGE HENLEY: Oh, yes.

7 MS. ROBINSON: There are?

8 JUDGE HENLEY: Sure. The detention center
9 encompasses all the youngsters in the entire county,
10 so you may find yourself from Bolton, Edwards, Terry,
11 Raymond, what have you, winding up in the detention
12 center.

13 But let me make this observation. Those
14 country children usually we're able to send them home
15 before their trial. Occasionally we will have -- we
16 will have one for two or three days. The great
17 majority of the youngsters are Jackson youngsters.

18 MS. ROBINSON: Okay. The reason why I raise
19 that question is that those school districts that do
20 have students detained in the center are ultimately
21 responsible to ensure that they receive the
22 appropriate education?

23 JUDGE HENLEY: I think you're correct in that
24 assumption. That is really not a problem though.
25 There's just so few of those children that come from

1 out of the county.

2 MS. ROBINSON: I have one more question.

3 JUDGE HENLEY: Sure.

4 MS. ROBINSON: And that's the concern about
5 policy of the school system, whereby after a student
6 has not been to school after a certain amount of time
7 are taken of the rolls. Have you all had any contact
8 with the school system in working out a coordinated
9 effort on that -- if the school district in fact is
10 going to have staff at the detention center, it would
11 seem to me there could be some workable process of --

12 JUDGE HENLEY: Oh, absolutely. I see what
13 you're saying, and her question is excellent. If
14 you're in public school, and you get arrested, since
15 the public school people will be there, can't you
16 establish continuity in your studies so that you can
17 be given credit for your time there? Absolutely.

18 MS. ROBINSON: So they won't be taken off the
19 rolls?

20 JUDGE HENLEY: Absolutely. And I wish the
21 public school would reexamine the policy because as
22 you are aware, not every child should be taken off
23 the roll. You know, not all children are going to be
24 rocket scientists. Some youngsters just need to be
25 allowed to get back into the public school and do the

1 best I can.

2 Yes, Ms. Keys.

3 MS. KEYS: Do the police have any authority to
4 do anything about this truancy problem? I'm
5 concerned if there's 750 kids walking around Jackson
6 that ought to be in school.

7 JUDGE HENLEY: Let me tell you how it works.

8 MS. KEYS: Yes.

9 JUDGE HENLEY: The people who are attendance
10 officers and there are two or three. I don't really
11 know how many, they're under the district attorney's
12 office -- at one time they were under the court, but
13 because of a decision were taken out from the court
14 and given to the district attorney.

15 It is their job to compile figures and to file
16 a petition in regard to certain youngsters.
17 Generally the petition alleges that these children
18 are the result of neglect and that their parents
19 don't get them to school, and that petition is filed
20 in the youth court and we hear it just like we would
21 any other case.

22 Unfortunately, we have found that generally
23 what happens is the parents and the kids come to
24 school and mom says I can't make them go to school.
25 He is 17 and weighs 210 pounds and does what he wants

1 to, and I can't make him do anything. Well, at that
2 point it isn't appropriate to find her guilty of
3 neglect but we still have a child that is not in
4 school and our situation now is that I can't send him
5 to the training school, I have nothing to offer him,
6 is simply go ye hence and send no -- so that's the
7 problem. There's a loophole that youngsters fall
8 through.

9 Another problem is that with this many children
10 in a state of either suspension, expulsion or who
11 never went to school, aren't going to school, and by
12 the way the law requires all children to go to school
13 until their 17th birthday -- we've had many children
14 -- it's not possible for the attendance officers to
15 do more than deal with those who are very chronic.

16 How many days has this child missed? Ten days
17 off the rolls? Let's try to get him to court. And
18 they do a lot of negotiating trying to get a child
19 back in school, get him down to the detention center,
20 to try to see if they can find something for that
21 child.

22 There are a number of other alternative schools
23 that children can go to, but the number of children
24 that they serve is minuscule.

25 MS. KEYS: Well, that was going to be my

1 follow-up question from that is are you aware of any
2 experimental programs or intervative programs
3 anywhere --

4 JUDGE HENLEY: Yes.

5 MS. KEYS: -- that where community groups or
6 other people in the community are providing
7 alternative placements that you might like to see
8 enacted here in Jackson?

9 JUDGE HENLEY: If the public school would get
10 involved with the youngsters in the detention center
11 with a facility big enough, that's the number one
12 priority, because you really need a teacher like Ms.
13 Welty that I had in the fourth grade that didn't give
14 any alternatives other than learning to read and
15 write English, dealing with Arabic numerals.

16 A lot of alternatives don't really require
17 that. But your question is are there alternatives,
18 and the answer is yes. Jackson Public School in the
19 detention center with a big facility would be number
20 one. Number two would be a continuation of those
21 volunteers that come to the detention center right
22 now. I forget their names, but they come down and
23 work with the youngsters and give their time and
24 effort and do a good job, but they don't have the
25 resources and they are not paid personnel.

1 MS. KEYS: Well, I know in my county there's
2 the youth court judge has often been dismayed about
3 the lack of alternative placements other than the
4 training schools or cutting somebody loose, and he's
5 often talked about community groups setting up group
6 homes or setting up alternative placements where he
7 could order a child to go that would learn, teach
8 school -- do you see anything the community could do
9 to create something in addition to the public
10 schools?

11 JUDGE HENLEY: Absolutely, but you're referring
12 primarily to youngsters who are under my jurisdiction
13 for criminal activity, where I have the power to
14 order them, you know, to do something. And the
15 community should do that. And Jackson has done
16 pretty well in the past in providing places like
17 that, Crisis Center, Our House, Powers Group Home,
18 this kind of thing, but all of those places draw the
19 line when a child gets to be truly troublesome and he
20 will come back to the detention center to go to the
21 training school, to eventually go to the adult court.

22 If we wanted a community center group home, so
23 to speak, the youngsters -- the thing that would be
24 absolutely wonderful would be the alternative to the
25 training school. The fact that you're troublesome

1 won't get you out of here. You're up against it,
2 there's only one way to do it, to do it right then,
3 you can get out. The would be what we need.

4 But I stress again that most of our problems in
5 the detention center with juvenile delinquents are in
6 regard to young mamas having babies that we need to
7 deal with now so that we won't have these children
8 down the road.

9 If we had to categorize why we have so many
10 delinquent youngsters in the United States today,
11 there are two reasons. One is teen-age pregnancy and
12 the other is crack cocaine.

13 Obviously crack cocaine is a very difficult
14 substance to divest yourself of, but we have a good
15 number of youngsters that use it and deal in it, and
16 that creates more and more criminal activity on the
17 streets.

18 DR. WARD: Judge Henley, I'd like to thank you
19 very much for your presentation to the committee. I
20 think what you have told us gives us some very
21 valuable insights about the interrelatedness of
22 problems in the community. It's been very helpful.
23 Thank you.

24 JUDGE HENLEY: I hope it will spur some
25 changes.

1 DR. WARD: Sheriff McMillin. If you don't
2 mind, I can start early and you can get out of here a
3 little earlier?

4 SHERIFF McMILLIN: Be glad to.

5 DR. WARD: Okay. Thank you for agreeing to
6 come and speak to the Mississippi Advisory Committee
7 to the U. S. Commission on Civil Rights. We'll
8 follow this procedure. We'll ask you to state your
9 name, spelling your last name and for the record
10 giving us your mailing address, and then you may
11 begin your presentation.

12 SHERIFF McMILLIN: Okay. My name is Malcolm
13 McMillin. That's M-c-M-i-l-l-i-n. I'm the sheriff of
14 Hinds County, Mississippi. My address is Post Office Box
15 1452, Jackson, Mississippi 39215.

16 I have a very short presentation that I'd like
17 to make and then leave the remainder of that time for any
18 questions that you might have of me. It was my intention
19 from the time that I took office here to make the Hinds
20 County Sheriff's Office into a modern representative law
21 enforcement agency, one that represented the community
22 that it served.

23 During that period of time I think I made
24 considerable progress toward achieving that objective.
25 I'm proud of what we've been able to accomplish over the

1 last three and a half years, feel that we've served the
2 community well.

3 Along the way we've stumbled and we've stepped
4 on our toes occasionally. We've always faced up and
5 owned up to that. If we had shortcomings, we dealt with
6 them.

7 We've had some tremendous obstacles over the
8 last three and a half years. We've been opening a 600-
9 man jail, 600-bed jail at Raymond, which when filled to
10 capacity and other facilities that we have, we'll have
11 close to 1,000 inmates under our supervision in Hinds
12 County.

13 The department has grown from 111 sworn
14 personnel from the time I took office to approximately
15 360, 365 today, with an additional 20 to 25 before we'll
16 be at full capacity as far as employees go.

17 It's been a real trying time, been a lot of
18 difficulties associated with the opening of the facility.
19 We think we're over the hard part. There was some
20 problems that we had with the jail overcrowding that we
21 were able to address. A lot of these were not of our own
22 making.

23 We had no increase in jail population in this
24 county -- excuse me -- no increase in jail space or jail
25 beds in this county from 1977, which obviously means that

1 we had not kept pace with the increase in crime and the
2 increase in the need for jail space.

3 This resulted in a number of problems in this
4 community that had resulted in there being some
5 misdemeanor offenses and some lower level felonies not
6 being against the law any more.

7 I mean, there are violations of the rules, but
8 since there wasn't any punishment for it, then we really
9 don't have a law any more, we've got a rule or an
10 infraction and people were breaking it, resulting in a
11 break-down in community standards and general law and
12 order.

13 I think that street -- not necessarily street
14 crime from a violence standpoint, but all lower level
15 misdemeanors were impossible to enforce the laws against,
16 because we had no ability or no capacity for sanctions
17 against them.

18 Now we've got some tools. If there is some
19 blame for what's going on in the community, we're going
20 to have to shoulder that because this community has given
21 us what we need when it comes to the space that we need
22 to accommodate, if the state doesn't back state inmates
23 on us to the point where Department of Correctional
24 Facility, we'll be able to deal with our local problems
25 from the standpoint of bed space, if we can continue to

1 make it work.

2 Our only needs and concerns were for the
3 manpower and funding that it will take to -- in order to
4 keep pace with the crime problem that we do have.

5 Other than that, I think that we have -- in
6 this community I think we've turned the corner. I think
7 the pendulum has swung as far in one direction as it's
8 going to swing, and I think it's coming back the other,
9 and that things are going to get better.

10 And in short that's my presentation and I'm
11 ready for anything that you might have to say.

12 MR. FOSTER: Okay. Sheriff McMillin, I
13 appreciate you coming and being with us today. I
14 want to ask a question regarding the procedure of
15 process by which citizens can file complaints
16 regarding your department's personnel, and how those
17 complaints are tracked and how the public or the
18 individual is informed of the results?

19 SHERIFF McMILLIN: Well, there are a number of
20 ways that they can be followed. The way the
21 complaints of this department normally come through
22 channels is I generally get the complaint. I'll
23 answer the phone call and take the complaint.

24 After interviewing the complainant, I'll assign
25 that to internal affairs and ask for a report back

1 concerning that particular offense, evaluate that,
2 whatever disciplinary action is involved, I'll deal
3 with the disciplinary action and inform the
4 complainant of what action was taken if any.

5 MR. FOSTER: What type of time lines do you
6 generally use in terms of responding back to the --

7 SHERIFF McMILLIN: I think it's important to
8 resolve it as quickly as possible, especially when it
9 deals, if it might deal with any type of misconduct
10 on the type of deputies. I mean, we have down time.
11 If there's something that somebody would need to be
12 suspended for for that -- then that needs to be kept
13 to a minimum and some resolution needs to be made as
14 quickly as possible.

15 MS. MILNER: Sheriff, can you tell me whether
16 or not you see a role for your officers to direct
17 some attention to the youth as far as school programs
18 or intermingling or some kind of community
19 relationship with the youth in order to prevent --
20 hopefully to prevent criminal activity on their part,
21 or do you see that as something that needs to be
22 outside of the sheriff's department in the way of
23 social services?

24 SHERIFF McMILLIN: No, I think that -- well,
25 let me give you an example. When we took office

1 say that social agencies cannot perform their
2 functions, but I think that we are in a unique
3 position to do that and I would differ with anybody
4 that said that -- you know, that the DARE program
5 doesn't work. I believe that I've seen that it does.

6 MS. MILNER: Do you officers receive any
7 training or is any part of the training directed to
8 community relations or relationships to children?

9 SHERIFF McMILLIN: First of all, our DARE
10 officers are all -- they have to be certified. You
11 go off to a school for the DARE program and let me
12 say that not everybody -- everybody passes. I mean,
13 it's not -- you know, it's not one of those schools
14 that you go and you attend because not everybody
15 possesses those qualities that it takes to be a good
16 DARE officer. I've had people who had everything
17 except for good communication skills, and I had one
18 officer that made it all the way through until the
19 end, but he simply couldn't -- he wasn't a good
20 public speaker, he was awkward, and he couldn't do
21 it.

22 His heart was in the right place and he related
23 well to children. He couldn't communicate. He
24 couldn't finish. So there is training that goes
25 along with that. I think that our whole philosophy

1 is based on community policing.

2 We try to as much as we can make our officers
3 understand that they need to get out of the car. If
4 we have a neighborhood watch program, we encourage
5 the officers to participate who work those particular
6 beats and areas to know who those people are, to know
7 who our neighborhood watch folks are.

8 If there's a function, they need to drop by.
9 They need to be a part of that community. It's basic
10 philosophy that trickles down I think from -- no
11 other way to say it -- that's the way that this
12 administration feels about it, and it comes down from
13 the top.

14 MR. RANGE: Sheriff, what can you tell us about
15 the perceptions of the African American community
16 towards the sheriff's department, specifically when
17 you came into office and now?

18 SHERIFF McMILLIN: I can't really say that what
19 the perception was when I came into the office other
20 than I can say that it would probably be a general
21 feeling that it's a more representative department
22 now than it was before, and that I would be
23 comfortable with you asking folk within the African
24 American community how they feel about the sheriff's
25 office, because I'd stand by what they say. I'm

1 confident that they would tell you that this is a
2 good department, it's a representative department,
3 it's a responsive department to people's needs, that
4 it's their sheriff's office, just like it's everybody
5 else's sheriff's office.

6 MS. KEYS: Have you done any cultural diversity
7 training of your officers? We've heard that as a
8 suggestion for officers who want to do community
9 policing who have to deal with racial problems out
10 there and maybe even deal with racial problems within
11 a department that cultural diversity or sensitivity
12 training might be helpful. Have you done anything
13 like that in your department?

14 SHERIFF McMILLIN: No, ma'am, and to be
15 perfectly honest with you, there's only one
16 particular program that I've seen that I would like
17 to see our officers participate in, and that's one
18 that Dr. King not -- not the Dr. King, but Dr. King
19 at the Leadership Jackson -- as a matter of fact, I
20 was invited to it and I walked on it, you know, it
21 was one of those encounter type programs and it was a
22 little -- it starts off from an adversarial program,
23 you know, an adversarial position and made me angry
24 and I walked. So I've had time to reconsider. I'd
25 like to look at the possibility of taking that again,

1 these are state inmates who are backed up in the
2 system with us, who through a classification process
3 we are able to keep in a minimum security facility,
4 that being the penal farm.

5 And to describe how I would -- how I would feel
6 about those inmates that stayed there is that if one
7 were to -- one who is incarcerated at the penal farm
8 were to run off tonight and I got a call at three
9 o'clock in the morning, chances are I wouldn't get up
10 and get dressed and go out and join the man hunt.

11 I mean, what we would do is we know where he'll
12 show up. We don't feel that he's a threat to society
13 to hurt someone, consequently we would want to get
14 him back and we would work as hard as we could to get
15 him back, but I don't know if I would get up and go,
16 whereas if I had an escape from the downtown facility
17 or from the new detention facility, I would be
18 concerned enough that I would have to get up and go
19 on the chase.

20 So the first object -- when we're dealing with
21 people in this institutional setting, like the penal
22 farm, it's classification. Know who you have. And
23 then once you know who you have, then you can treat
24 them accordingly.

25 We have -- since we took the penal farm, we've

1 instituted an adult based education program that for
2 a while was stagnant. I had one instructor, maybe we
3 would have five or six people who were taking adult
4 basic education. Now it's grown to the point where
5 we have three instructors and I think somewhere
6 around 30 people involved in the program.

7 Day before yesterday we had four tests for the
8 GED. So we've -- we also started now a scholarship
9 fund for vocational school at Hinds Community College
10 so that some who qualify could take vocational
11 classes at night.

12 Now, we want to say this -- we had to be real
13 careful in this business now because everybody is
14 going to accuse you -- if you treat people like huma
15 beings, that you're running a country club. All
16 right. I don't run a country club.

17 Folks work every day. They spend their eight
18 hours working. They work 48 hours a week. They do
19 community service and everything from digging ditches
20 to cutting grass to cleaning out storm drains, to one
21 person is assigned or was assigned to the Mississippi
22 Animal Rescue League and other areas where community
23 service time can be used with those organizations
24 that would be approved by the state and would be
25 legal.

1 So after this is over with, then there are
2 programs available such as adult basic education,
3 Narcotics Anonymous, Alcoholics Anonymous, those we
4 felt were essential since the majority of folk that
5 we deal with, drug or alcohol problems, and are drug
6 or alcohol related.

7 Beyond that we have -- of course, there's
8 opportunity for religious services of whatever
9 denomination. We had a -- as a matter of fact, I had
10 a complaint one time from someone who was upset
11 because they couldn't bring their son the Bible to
12 the jail. I said well, the reason you can't bring
13 the Bible to jail is because we don't allow anything
14 to come into the new jail that could possibly conceal
15 contraband.

16 So what we'll do is issue you a Bible. The
17 Giddians give them away. So we'll issue him a Bible
18 on the inside. If he wants a copy of the Holy Coron,
19 he can get a copy of that. I mean, we don't have a
20 regulation against holy books. We just -- we'll
21 issue them as opposed to having them brought in from
22 the outside.

23 We give everybody an opportunity to practice
24 the -- you know, the religion of their choice and
25 there's the opportunity there for them, so we've got

1 education, we've got training, we've got treatment,
2 and we have those religious services, and again to
3 point out -- with the exception of the adult basic
4 education instructors, which come from Hinds Junior
5 College -- all of the other is done at no expense to
6 the county. It's strictly on a volunteer basis.

7 MS. ROBINSON: I have a question for you
8 regarding media coverage of law enforcement, and we
9 heard this morning testimony as well as yesterday
10 that media shapes the view of all community
11 activities in a society, city, and along with that is
12 law enforcement and crime. What are your views on
13 media coverage of law enforcement in Jackson?

14 SHERIFF McMILLIN: I'd say from my standpoint I
15 couldn't have a complaint from the standpoint of I
16 don't think that anybody in public service or public
17 office has been the beneficiary of any better press
18 than I have, so from a personal viewpoint I have no
19 problem about it, you understand?

20 So I'm going to give them credit for that. But
21 I will say this, and I have said it to certain
22 members of the press, and particularly in the written
23 media, that I think that we have a tendency in this
24 committee, and the media has a tendency to emphasize
25 what's wrong with this community as opposed to

1 talking about what's right, because there's a lot of
2 good happening here, there's a lot of cooperation
3 happening here, there's a reaching out between
4 communities that we don't read and we don't hear
5 about, and nothing is said about.

6 It's almost as if to say that bad things that
7 negatives sell soap and good things don't. As one
8 reporter said to me, and I told him I had heard it
9 before, ten planes land at the airport every day
10 safely, that's not news. One crashes, it is.

11 I understand that. I understand that. But I
12 think that we have an obligation or at least I would
13 think they have an obligation to see that there's a
14 lot more of the positive things in this committee
15 that are printed than there are, and I think
16 sometimes they paint more of a bleak picture than
17 what's actually here.

18 MS. ROBINSON: My second question is this, what
19 suggestions would you make to improve the
20 coordinating effort between Hinds County, the DA's
21 office, we have JPD, we have you. I guess those are
22 the primary -- so that kind of thing, but what
23 coordinated efforts need to take place that are not
24 there to improve law enforcement in Jackson?

25 SHERIFF McMILLIN: Well, it's really more

1 complex than the question because of where we're
2 situated the northeast corner of the county. I mean,
3 we abut Hinds -- excuse me -- we abut Rankin, Madison
4 County. There's Madison, Ridgeland, Pearl, Florwood.
5 We've got three different sheriff's offices involved,
6 a lot of different communities involved, a lot of
7 jurisdictional boundaries that of course aren't
8 observed by criminals. I mean, they don't care.

9 I mean, it's the only time the jurisdiction is
10 observed is when law enforcement agencies are dealing
11 with it. But from what we could do without
12 legislation, without any legislation is remember that
13 when we say criminal justice system, that's exactly
14 what we're talking about. We have a criminal justice
15 system.

16 And what we have done is we've put a band-aid
17 on a gaping wound. I mean, we have -- I can remember
18 the Jackson Police Department when we got a grant to
19 deal with street corner drug dealers. And we got
20 this grant and it was a wonderful thing and they
21 bought computers and we tracked folks and we knew who
22 they were, and we knew where they were, and we
23 assigned personnel and we went out and grabbed them
24 and smashed them off the corner, and we didn't have
25 anyplace to put them.

1 So we had to take them down there and bond them
2 out, release them OR, do whatever we had to to them,
3 because we had no jail space. All right. Now, what
4 good does it do you to increase enforcement if you
5 have no place to put them?

6 Then we build the jail, right? Now I can tell
7 you in four to five weeks this will be at its max.
8 I'll have it full. Then what do we do? We'll be in
9 the same position with 600 cells available, and we
10 won't have anything to run through the system because
11 we have not increased the number of judges, we
12 haven't increased the number of prosecutors, there's
13 a bottleneck there.

14 So everywhere along the system, if you don't
15 increase and try to treat the system as a whole, you
16 wind up back where we are again, and this is where
17 any time one part of the system breaks down, the
18 whole system is broken down.

19 So if we get through, if we increase
20 enforcement, we increase the jail, we increase the
21 courts, we increase the prosecutors, and we don't
22 increase the jail space, nothing's changed.

23 Nothing's changed. The system is still broken.

24 MS. ROBINSON: I have one more question. I'm
25 sorry. The juvenile detention center, I'm sure you

1 are aware that a number of people have dictated that
2 the sheriff's department should be the likely
3 candidate to take over the juvenile detention center.
4 What is your views on that?

5 SHERIFF McMILLIN: Well, there are not enough
6 of them that are interested enough in seeing that the
7 sheriff's department take over youth detention to
8 include the sheriff in the planning and design of a
9 new youth detention center, that the sheriff's office
10 was eliminated from and excluded from any input into
11 the design of or planning for a youth detention
12 center.

13 So my position would be from one sample that if
14 this is the case and if the sheriff's office is
15 expected to run it, then I certainly would like to
16 have some input into the planning and design of that
17 and feel that the sheriff's office should have a seat
18 at the table.

19 But let me say this too. I don't want you to
20 think I'm campaigning for that because if I accept
21 that additional responsible, and that additional
22 liability, that I accept all of that without any
23 increase in salary to the sheriff, and I see my
24 friend Senator Harden sitting there -- and what I
25 want to say to her is while we're -- and don't hold

1 me quite to this, but they hired a new communications
2 supervisor for the City of Jackson and the salary was
3 around 56,000, \$57,000. And the sheriff of this
4 county has almost 400 employees, a thousand inmates,
5 \$14 million budget, a fleet of cars, liability that I
6 never have even imagined six years ago, at a salary
7 of \$53,000.

8 So I want you to talk it up for me, Senator
9 Harden, when you go to the legislature this year.

10 DR. WARD: To plea bargain -- yes.

11 MS. KEYS: Sheriff, does the fact that you're
12 an elected official enhance your capability to run
13 your department as you would want it done without a
14 whole lot of political influence by anyone?

15 SHERIFF McMILLIN: It's really a two-edge
16 sword. It's really a two-edge sword. I think
17 sometimes -- what it does, it makes you listen to the
18 community. It makes you more responsive to the
19 community, because no matter what people say about
20 term limitations, I've got term limitations. They
21 come up in November. All right. If I'm doing a good
22 job in November, people have an opportunity to send
23 me back in for another four years. If I'm not,
24 they've got the opportunity to turn me out.

25 And there's a couple waiting on the sidelines

1 waiting for them to do just that, and that's -- I
2 mean, that's what politics is about. If I've done
3 well and I've responded to the community and I've
4 been a good sheriff, then I can look for four more
5 years.

6 And I think it makes you attune to the
7 community. Not you have to give in to everything,
8 but you realize they will tell you what's important
9 to them. One of the discussions that we've been
10 having when it comes to drug enforcement, at what
11 level do you concentrate your efforts?

12 And I refer again to my friend, Senator Harden,
13 she'll go into the community and they'll say to her
14 and I can quote it, and you'll recognize -- why do
15 they always go against the corner boys and they don't
16 get the people -- we don't grow cocaine in the -- we
17 don't do all of these other things in -- where does
18 this come from?

19 And when you try to explain to people that you
20 can get three corner boys together with enough money
21 to go to Texas to buy all they need to double their
22 money in two weeks and go back again and pretty soon
23 they are the man. I mean, the drug business has
24 gotten really democratic. You know, it's not
25 controlled from afar now. It's right here at the

1 street level. We don't have to have a quote,
2 unquote, Mr. Big.

3 But what my community tells me is -- and in
4 Hinds County in particular, they say we need to
5 concentrate from mid-level up, and I say the folks
6 that are killing each other are not from mid-level
7 up. The folks that are moving from houses on certain
8 streets because they can't live there any more
9 because they can't sit on the porch, they can't --
10 barbecue in the yard, they can't let their children
11 play, because there's a crack house on the corner
12 that's running everybody out of the neighborhood.

13 See, to me that's the immediate problem and
14 that's the one I'm going to respond to. I mean,
15 that's where I've got to concentrate because we loose
16 that, you know, then what difference does the rest of
17 it make?

18 MS. KEYS: I guess the other edge of the sword
19 is you've got to go to the supervisors to get money?
20 Is that the -- what's the down side?

21 SHERIFF McMILLIN: I was hoping somebody would
22 bring that up. That is -- and it's a problem for
23 them. I mean, I'm not -- I'm not going to sit here
24 and say that that part of the job is easy for them.
25 There are just so many tax dollars. People in this

1 community have said they didn't want a tax increase.

2 I mean, I didn't like the way it was presented.
3 I don't think that all of the proposals should have
4 been on the ballot. I think one thing, and that was
5 the increase for the operation of the jail should
6 have been there and everything else should have
7 waited.

8 I mean, I think that was a priority. People
9 had voted the bond issue, that's what they said they
10 wanted, and I think that was what they should have
11 had the opportunity to vote on, but instead they put
12 all of these on there at one time, and the folks said
13 no to a tax increase.

14 So now the problem that the board has is to try
15 to find ways to fund that jail and the sheriff's
16 office and other programs that have been funded in
17 the past with no increase in revenue.

18 And you know, it's like trying to make a silk
19 purse out of a sow's ear. I wouldn't want the job.
20 But I know that the people have spoken when it comes
21 to what their priorities are, is that they first want
22 to feel safe in their homes and in their communities
23 and their shopping centers and their streets, and
24 that's where they want their money spent. Now, they
25 want it spent wisely and they don't waste, but that's

1 where their money -- that's where they want their
2 money spent.

3 DR. WARD: All right. Sheriff McMillin, thank
4 you very much for your presentation. And we won't
5 promise you anything by way of increase in the
6 election but we will take into consideration to
7 quality of what you say.

8 SHERIFF McMILLIN: I've enjoyed it. Don't
9 forget about that raise.

10 DR. WARD: We will have a 15-minute break.

11 (Break.)

12 DR. WARD: I'm reopening the meeting and we're
13 going to have a departure from the agenda. We
14 actually now have a presentation that normally would
15 come under the open meeting section for Fredrick
16 Powell, whose story is told in the *Jackson Advocate*
17 of April 6th through 12, 1995, under the title Youth
18 Claims He Was Beaten by JPD Officers. The story is
19 by Larry Jefferson.

20 What I'm going to ask is that Mr. Jenkins from
21 the Central Regional Office actually lead Mr. Powell
22 through a series of questions that will establish the
23 grounds for this presentation.

24 MR. JENKINS: For the record, please state your
25 name and your mailing address?

1 MR. POWELL: Yes, sir. My name is Fredrick
2 Powell from Jackson, Mississippi. I'm 21. I stay at
3 1132 Alta Vista Boulevard.

4 MR. JENKINS: Do you have a statement regarding
5 an allegation of police abuse that you want to make?

6 MR. POWELL: Yes, sir.

7 MR. JENKINS: Do so at this time.

8 MR. POWELL: Okay. I was brutally beaten
9 unexcusable by two white Jackson policemen on March the
10 16th of '95 around approximately 11:45. They charged me
11 with possession of marijuana, resisting arrest, assault
12 on policemen, destroying police property, attempted
13 bribery, bribery of a policeman.

14 So this is how the incident took place. I had
15 just left a friend's sister's house on the evening night.
16 She had asked me to go to the store for her. So I told
17 her that I was going to visit a friend and I'd be back.

18 So I went to crank my car up and it didn't
19 crank up. I had a shortage in my fuse box in my
20 brother's car. So I had to go over there and touch a
21 wire so to get the car to cranking.

22 So I know there was no marijuana on my floor
23 right at that time. So shortly after turning on to Deer
24 Park, Chicago -- let me rephrase that -- shortly after
25 turning onto Chicago, which leads to Deer Park, I saw a

1 car sitting over on a one-way street pointed the wrong
2 way, with his bright lights on, blocking the one-way, so
3 nobody -- on one able to make it through.

4 So I had turned and went the other direction to
5 avoid that, because I already was late, to try to make a
6 turn, turn in somebody's driveway and go back out.

7 But before I could turn in the driveway, I
8 looked in my rear-view mirror the same car sitting in the
9 one-way street pointed the wrong way with his bright
10 lights on was coming up behind me real fast. I didn't
11 know who or what it was.

12 I thought maybe somebody was playing or trying
13 to rob me or something, so I missed my turn, speeded up,
14 and went into a dead end. That's when they threw the
15 blue lights on me. They didn't turn the siren on. They
16 just threw the blue lights on.

17 So both of the two officers hopped out of their
18 car and ran toward my car like I had killed somebody or
19 something, like I'm the man they're looking for.

20 So the driver officer, he had asked me did I
21 have my driver's license and he told me I was going down
22 the wrong way, which I know he was blocking the one-way,
23 pointed the wrong way. You know, not able to make it
24 through.

25 So he asked me for my driver's license and I

1 told him I didn't have it. So he said get out of the
2 car, just like that, get out of the car, nigger. So I
3 got out of the car and he asked me did I have any drugs,
4 any guns or any weapons up in my car. I said no, I was
5 just coming to see somebody.

6 Was I with the guys up the street they was just
7 chasing and all that stuff like that. I said I was
8 coming from California, if you really want to ask me. So
9 he told me to go get in the car.

10 So as I was walking toward the police car in
11 handcuffs, I had looked back and I seen the passenger
12 rider walk toward my car and he looked on the driver's
13 floor and he comes back out with ten bags of marijuana
14 and I didn't even see him look in the bag.

15 So I really got scared and nervous. I know he
16 was going to go down and arraign me now. All the
17 lynchings and beatings and all this torturing and stuff
18 that security guards down there be doing to the inmates,
19 so you know, I was just scared and just paranoid, didn't
20 know what to do.

21 So I tried to escape. About five minutes later
22 the wrecker came and picked my car up. One of the
23 officers went down to give them a key, so I let the
24 window down in the police car and tried to escape.

25 So as I was coming out the police window, my

1 foot got caught up in the window and the passenger rider,
2 he was writing up a report, he ran around and grabbed me
3 by my jacket and punched me in the back of the head.

4 So I finally got up out of the police car and
5 came up out of my jacket and my arm got caught up in it,
6 and my jacket -- by that time the other police officer
7 had ran from the wrecker and rushed me from behind, and
8 we all fell on the ground, and he was holding me by my
9 legs real tight, so the other police officer had snuck
10 behind me and put me in the choke hold and squeezed all
11 the wind up out of me and then he went to kick -- he went
12 to kicking me in my face with his combat boots on calling
13 me nigger this and nigger that, punching me in the face,
14 pulling out his flashlight was hitting me in the head.

15 By that time a black police officer arrived on
16 the scene, so while they was beating me, after he got out
17 of the car, he come up and put the handcuffs on me while
18 he was beating me.

19 So after he put the handcuffs on me, he stood
20 back and they kept commencing to beating me, beating me
21 and calling me nigger, kicking me in the face, black
22 nigger, get up, get in the car, get up nigger, get in the
23 car, and beating me at the same time.

24 So I was trying to get up, I was saying
25 brother, you going to let them do me like this. I said

1 brother, is you going to let them do me like this? So
2 they was beating me and kicking me, telling me to get up
3 and get in the car, so I finally got up, staggering,
4 getting in the car. He say get in the car, so I got in
5 the car.

6 Then he said yeah, and you do look like you
7 need to go to the hospital though. The two white police
8 officers stood right beside the black police officer and
9 laughed and said yeah it do look like you need to go to
10 the hospital, don't it?

11 Yeah, we're going to take this nigger and beat
12 his mother fuckin' ass again, and then take him to the
13 hospital. And then they did exactly what they said, so
14 they took me out and we was going down that street -- I
15 guess precinct two -- right behind the mall off Highway
16 80 -- going the back way, where they work at, it was a
17 closed construction road back there like three to four
18 months ago, and they was talking about what they was
19 going to do to me, calling me nigger, and we're going to
20 beat your behind, you're going to have to get to running
21 and we're going to shoot you.

22 So we ran into the closed construction road and
23 they said now, I could just shoot him in the chest and
24 throw him in the bushes. I said no, man, I'll give you a
25 million dollars, man, just don't touch me no more because

1 I really had told them I had had an operation on my
2 shoulder, so the driver police officer said where is
3 that, and the other passenger rider said just shut up,
4 man, we're going to beat your ass again.

5 So they took me back down Highway 80 going
6 toward the Metro Center. I was handcuffed in the back.
7 After we got to the precinct, they snatched me out of the
8 car on my head and started kicking me and punching me, so
9 they picked me up from behind and they shoved my hands
10 all the way up into the back of my head, and ran my head
11 into some brick wall.

12 I was falling and they caught me and picked me
13 up and punched me in the face again and pushed me in the
14 precinct building. It was like two black lady officers
15 in there, one black male officer, and they was looking
16 like a tornado came through the door, something like
17 that, you know, the officers said don't even look at him,
18 you know, just sit down, just look at the wall, don't
19 even say nothing.

20 So I said about 30 minutes later they took me
21 to the hospital and they gave me a pain shot and they
22 took me down to Raymond and I was down there for like two
23 days, and I went two days without eating.

24 MR. JENKINS: Okay. In terms of your
25 complaint, did you file a complaint against these

1 officers with the internal division?

2 MR. POWELL: Yes, sir. I talked to Officer
3 Ricky Pervers of Internal Affairs.

4 MR. JENKINS: What date was this?

5 MR. POWELL: I'd say it was probably -- I can't
6 remember the exact date. It was probably like a
7 couple of weeks after I had been beaten, like on
8 March the 16th, which probably like March the 28 or
9 something like that. Been like two months since he
10 hasn't told me anything, you know, about my status of
11 my case, and hasn't even talked to none of my
12 witnesses, haven't even tried to find out who the
13 black police officer was because really he is my
14 biggest witness of this case, but I don't know
15 whether he'll get up there and tell the truth or not,
16 but --

17 MR. JENKINS: Did you receive a copy of a
18 complaint that you filed?

19 MR. POWELL: No, sir, they wouldn't give me no
20 copy.

21 MR. JENKINS: At the time that you filed the
22 complaint were you advised as to the process that you
23 would have to follow concerning the filing of a
24 complaint of internal -- with internal affairs?

25 MR. POWELL: No, sir.

1 MR. JENKINS: Prior to filing the complaint did
2 you have any knowledge about how to go about in the
3 event that you were harassed or had any complaints
4 against the police, how to file a complaint?

5 MR. POWELL: No, sir, not at that time.

6 MR. JENKINS: How were you advised about filing
7 a complaint with internal affairs?

8 MR. POWELL: Well, it was so much going on
9 through the whole world, I like was looking on TV,
10 like in New York where they were showing the police
11 officers and -- German Shepherd would eat a man up
12 and he went to internal affairs to file his complaint
13 about that, I had took it from there, went down
14 there.

15 MR. JENKINS: Concerning the allegations have
16 you sought the assistance of a private attorney
17 regarding the allegations of police abuse at this
18 stage?

19 MR. POWELL: Would you repeat that, sir?

20 MR. JENKINS: Have you sought the services of a
21 private attorney concerning your allegations of
22 police abuse?

23 MR. POWELL: No, sir. It's kind of hard, you
24 know, even get any contact with any lawyer. I've
25 been trying to the best of my knowledge, you know.

1 MR. JENKINS: At this time you're waiting for a
2 response from the police department in terms of your
3 allegations?

4 MR. POWELL: Really I'm waiting on a response
5 from internal affairs.

6 MR. JENKINS: Yes.

7 MR. POWELL: Yes, sir. It's been two months
8 since they let me know anything. They still haven't
9 did nothing. And I had to go to court on May the 1st
10 for possession of marijuana with intent to distribute
11 and attempted bribery.

12 MR. JENKINS: Right.

13 MR. POWELL: Court date.

14 MR. JENKINS: We understand that portion of it.
15 In terms of the allegations of police abuse, were
16 they reported in the press?

17 MR. POWELL: No, sir.

18 MR. JENKINS: We have a report in the *Jackson*
19 *Advocate*, okay. So we will also utilize the article
20 from that -- from the *Jackson Advocate* and enter that
21 into evidence as an exhibit in this meeting also.

22 MR. POWELL: The two police officers I say like
23 a month later, the same two police officers jumped on
24 another brother on the same street that they jumped
25 on me on, and they haven't been suspended or even

1 investigated on, still out here in the streets, you
2 know.

3 MR. JENKINS: Did this particular person file a
4 complaint also?

5 MR. POWELL: Yes, sir. They got several
6 complaints on those two officers, they ain't done
7 nothing yet about it.

8 MR. JENKINS: Mr. Chairman, that's all we need
9 to establish for the record. Thank you.

10 DR. WARD: Thank you very much, Mr. Powell, for
11 presenting your claims and it is now a part of the
12 record for the Mississippi Advisory Committee to the
13 U. S. Commission on Civil Rights, and I cannot tell
14 you what kind of follow-up there might be. I can't
15 make any promises, but I will just assure you that
16 your case will get some attention.

17 MR. POWELL: Thank you.

18 SENATOR HARDEN: Thank you for coming.

19 DR. WARD: We're going to keep this copy to put
20 into the record.

21 (Break.)

22 DR. WARD: This is a continuation of session
23 four. Mr. Phillip Claiborne, please come forward.
24 Mr. Claiborne, on behalf of the Mississippi Advisory
25 Committee to the U. S. Commission on Civil Rights, I

1 want to thank you for agreeing to appear before the
2 group for the purposes of our fact finding meeting
3 and the procedure that we will follow is this. I'm
4 going to ask you to identify yourself, spelling your
5 last name and for the record giving us your mailing
6 address, and then you may proceed with your
7 presentation.

8 MR. CLAIBORNE: Detective Phillip R.
9 Clairborne, Jackson Police Department, 337 East
10 Pascagoula Street, ZIP code 39205. Spelling of my last
11 name C-l-a-i-b-o-r-n-e.

12 I'm here today representing JCOP, Jackson
13 Concerned Officers for Progress. As president of the
14 Jackson Concerned Officers for Progress, I would like to
15 take this opportunity to welcome you to the United States
16 Civil Rights Commission for the City of Jackson and to
17 the State of Mississippi.

18 I am pleased to be a part of an organization
19 whose purpose is quality service for the community in
20 general and the black community in particular. This
21 organization is a visible one that is not only an entity
22 of a big organization, but also a necessary one that
23 sheds light on important matters, opinions, and gives
24 direction that might otherwise go unnoticed.

25 The camaraderie, the togetherness, the oneness

1 of vision and goals are elements that strengthen the
2 Jackson Concerned Officers for Progress.

3 In 1976 a group of minority officers from the
4 Jackson Police Department committed to changing the image
5 of law enforcement in a positive direction at its initial
6 meeting.

7 These officers, filling the -- from the general
8 public and combatting negative stereotypes that have
9 labeled officers as insensitive and brutal, united to
10 become JCOP, Jackson Concerned Officers for Progress.

11 Since its inception the original JCOP group has
12 grown from 15 members to approximately 80 percent of the
13 department's minority officers. Its membership is made
14 up of officers from all the business department,
15 including the deputy chief and precinct commander.

16 There are -- having started with the original
17 group are James Kyles and Jimmy Bell. Mr. Kyles was the
18 first president and former police officer. The name
19 JCOP, Jackson Concerned Officers for Progress, was the
20 brain child of Mr. Bell, and Kyle is a present instructor
21 for Jackson State University.

22 JCOP members are active in communities through
23 participation in seminars, power discussions with various
24 civic, social, religious and educational groups. Some
25 members have attended the National Association of Blacks

1 in Criminal Justice, since 1976.

2 JCOP also furnishes financial support to the
3 community through contributions, to the United Negro
4 College Fund, the Jackson State University Scholarship
5 Fund, and Underprivileged Fund.

6 Promoting positive image through greater
7 service to the community will continue to be a focus of
8 JCOP.

9 The local membership of the organization is
10 designed to examine and act upon the needs of blacks that
11 have concerns and contributions as related to the
12 administration of equal justice in the City of Jackson.

13 This includes legislature, law enforcement,
14 prosecutorial, defense, judicial, correction and the
15 prevention of crime.

16 Among is concerns would be the emotional
17 general welfare and increased overall influence of blacks
18 on the system. The Jackson Concerned Officers for
19 Progress will serve the needs of blacks at all levels and
20 areas.

21 The objectives include but are not limited to
22 examinations and actions in the following areas, minority
23 area of participation as police makers within the
24 administration of justice locally, the recruitment of
25 blacks and minorities in all areas and levels of the

1 justice system the further enhance our priorities, to
2 serve as a vehicle for input in the legislature and
3 social policies, formulation in all areas.

4 To improve the quality and effectiveness of
5 resources and programs designed to strengthen our many
6 people individually and collectively, to develop a
7 comprehensive response, capabilities to crucial issues
8 that arise locally, to provide consulting services, to
9 facilitate communities and establish liaison among
10 interested groups and individuals, to inform people of
11 employment opportunities at all levels in the City of
12 Jackson, to develop information on existing programs,
13 which affects minorities of all levels, to develop
14 institutes, formats, caucuses, symposiums, to enhance our
15 capabilities, to develop -- to sensitize the general
16 public to the plight of blacks in the justice system in
17 order to promote community involvement and solution of
18 these problems.

19 To effectively utilize black professionals to
20 provide research, information, and facts about black
21 people that are involved in the criminal justice system.
22 To provide significant data on blacks and minorities
23 offenders detained and processed by the system.

24 To serve as a forum for dissemination of
25 research relative to our programs and broad concerns.

1 Monitoring the behavior of black officers as it
2 relates to the black community, bridge the stereotypes
3 that exist between the black police officer and the black
4 community.

5 And to coordinate programs within the black
6 community.

7 Thank you.

8 SENATOR HARDEN: Thank you so much, Mr.
9 Claiborne, for participating in this fact finding
10 meeting. I've got a few questions that I wanted to
11 pose to you this afternoon. The first one is who do
12 you think -- what do you think the public's
13 perception of the Jackson Police Department is, good,
14 bad, indifferent? How would you characterize that
15 perception?

16 MR. CLAIBORNE: I think the Jackson Police
17 Department has had very negative image and that is
18 one of the reasons we've tried so hard through our
19 organization in terms of changing that particular
20 image.

21 You know, early on blacks were sent into the
22 black community to police black people. In far too
23 many cases black officers became the system, you
24 know, the enemy, the snoop, the advisor, and the
25 ideas began to override the 90 percent good things

1 that police officers did and knowing how easy it was
2 to obtain -- the idea of who the black cop was became
3 imbedded and are now preconceived ideas, ideas that
4 today's policemen have a hard time living down.

5 SENATOR HARDEN: What's the relationship with
6 JCOP and the police officer's union? I understand
7 that -- I know that Jackson Concerned Officers for
8 Progress is not a union, it's a fraternal
9 organization. But is there any relationship between
10 JCOP and the union?

11 MR. CLAIBORNE: Yes. For the last several
12 months there has been a concerted effort on the part
13 of the JPOA and JCOP to resolve some issues that we
14 had dickered over the last ten years anyway. Since
15 I've been president of JCOP I offer alternative plans
16 to JPOA, in terms of trying to merge for the purpose
17 of issues that affected everybody equally.

18 Those are paid promotions, insurance, health
19 policies, things of that nature, and until recently
20 the necessary concessions were not willing to be made
21 but at this time we've had three meetings and they've
22 been very productive.

23 SENATOR HARDEN: Do you think that probably
24 that perception that's out there, the community about
25 the Jackson Police Department, stems maybe from the

1 strained relationship that has existed between JCOP
2 and the union?

3 MR. CLAIBORNE: You're often asked why there is
4 not but one organization. Of course, JPOA being a
5 labor organization, of course they're not recognized
6 by the city but that's what they represent, labor,
7 and JCOP being a fraternal organization, there have
8 been numerous questions why we have not joined
9 together, and that's been because of -- they were not
10 willing to make the necessary concessions and because
11 of certain racial overtones.

12 Now I think that the police department is just
13 about 50-50 in terms of numbers. I think that's
14 probably one of the reasons that they had a different
15 attitude and the other thing, which is much more
16 important, I think that city leaders and
17 administrators have a tendency to want us to stay
18 split for the purpose of keeping -- you know, it
19 helps as far as pay -- or all the issues that we
20 raised and as long as we are separate, we are not
21 able to make the kind of progress that I think that
22 we could if we were to join together.

23 SENATOR HARDEN: What's state of race relations
24 in Jackson Police Department at this point in time?

25 MR. CLAIBORNE: We just had a class graduate

1 recently, and I'm pretty sure it's about 50-50 if I'm
2 not mistaken.

3 SENATOR HARDEN: No, when I say state I don't
4 mean what the racial composition -- I mean what is
5 the overall feeling of race relations, you know?

6 MR. CLAIBORNE: I think that --

7 SENATOR HARDEN: How do people get along? Is
8 there any perceptions of --

9 MR. CLAIBORNE: I think that any organization
10 as large as the Jackson Police Department has a
11 racial problems. We've tried to deal with them and
12 to have blacks represented in every division, every
13 part of police work, and until recently that had not
14 happened. They tend to have one or two token
15 persons, which really did not have any authority.

16 As you know, we have not had a promotional
17 system in 17 years but recently -- we were under
18 consent decree since 1975. They chose not to promote
19 but to appoint, and they chose to appoint people as
20 opposed to promote people to circumvent blacks in the
21 promotional system.

22 MS. MILNER: Is there any intermingling or is
23 there any programs that have been addressed by the
24 Jackson Concerned Officers for Progress which would
25 relate to the youth in Jackson? We have heard a lot

1 about the detention center and the problem with youth
2 crime, and I'd like for you to address whether or not
3 the JCOP organization has had any recommendations or
4 has any recommendations for what officers can do with
5 reference to community relations and juvenile
6 criminal activity?

7 MR. CLAIBORNE: In the organization itself we
8 have a program called Police Explorers and this is
9 for children between the age of 14 and 18, and they
10 come aboard with the understanding of having interest
11 in the criminal justice system, say law enforcement
12 from one aspect, or the justice system in itself,
13 whether it be correctional or whatever, so we have a
14 very active Explorers Program.

15 MS. MILNER: Do you think just based upon your
16 experience that the age level of the kids that are
17 targeted should be lowered to make a bigger impact?

18 MR. CLAIBORNE: Well, I think any type of
19 training where you're dealing with children, the
20 earlier you start, the better. I've been talking
21 with the Jackson Public Schools in reference to a
22 program that deals with guns and violence, and that
23 would be K through 6, so I think the earlier that you
24 start, you'd be surprised of how kids' minds are
25 expound -- these days, and I think they are at a

1 point where they can learn and understand what you're
2 talking about, when you talk about these issues.

3 MS. KEYS: How would you characterize the
4 morale of the force as a whole and then of the
5 minority officers?

6 MR. CLAIBORNE: At this particular time, this
7 particular administration, in my opinion the morale
8 is very low. Of course, we said it could not get any
9 worse, but it seems to have worsened.

10 For the minority officers, there seems to be a
11 certain amount of still racial problems, unfairities,
12 where this particular administration tends to play
13 male against female, black against white, veteran
14 against junior officer and stuff, so in my opinion
15 it's very low.

16 MS. KEYS: Does the advent of a new chief bring
17 any hope to the situation? Have you seen any changes
18 in the last five months since Chief Johnson came on
19 that might give you cause to think we may be changing
20 for the better?

21 MR. CLAIBORNE: No, I haven't.

22 MS. ROBINSON: Detective Claiborne, I have two
23 questions. What are the major complaints of police
24 officers and what areas of police work and employment
25 would your union -- would your organization, I'm

1 sorry, like to see improve?

2 MR. CLAIBORNE: In terms of improvement, I
3 would like to see every division improve in terms of
4 providing the proper kind of service for the
5 community, in terms of what they're supposed to do,
6 but particular in homicide and robbery, where you
7 have 80 percent of the crimes being committed in the
8 black community and we only have two black detectives
9 in that particular division.

10 And I think that if we had more blacks in
11 homicide and robbery, that would tremendously enhance
12 their ability to solve crime.

13 What was the first question, if you don't mind
14 repeating it?

15 MS. ROBINSON: I have two others, they're sort
16 of related. What are the major complaints of
17 officers and what areas of police work and employment
18 would your organization like to see improve, and I
19 think you answered the second one? The first one is
20 what are the major complaints of officers.

21 MR. CLAIBORNE: The major complaints are pay,
22 the conditions that we have to work, insurance and
23 health, Social Security. We are one of the few
24 groups that don't have to -- we don't pay Social
25 Security, and a lot of the young officers that work

1 in this job, and they work for 20 or 30 years, and
2 unless they have some outside employment that paid
3 Social Security, won't be entitled to those benefits,
4 and I think that's something that needs to be
5 addressed.

6 Equipment is a very serious concern. We seem
7 to be regressing in that particular aspect. We seem
8 to do things in hindsight, you know, we just
9 purchased a new communication system in excess of
10 five million dollars and it's supposed to go on line
11 June 1st and when it does, it will be outdated
12 already.

13 So it's just poor planning on somebody's part.

14 MS. ROBINSON: Could you elaborate on the
15 insurance and health concerns, because during our
16 data gathering process there was a lot of concerns
17 about the insurance and health benefits, and moreover
18 it appeared to be that most of the officers did not
19 even know what type of insurance or health benefits
20 they were eligible for.

21 MR. CLAIBORNE: We have a major health policy,
22 sick and accident I guess you would call it. We have
23 a life policy for \$10,000, and then you have an
24 accidental death that the city takes out on you. Of
25 course, if you're killed in the line of duty, there

1 are a lot of federal benefits that you're entitled
2 to.

3 Supposedly the city pays half and you pay half.
4 Of course, as far as workman's compensation, if an
5 officer was hurt in the line of duty and had to be
6 off work an extended period of time, normally workers
7 compensation would take care of that.

8 Now, officers killed in the line of duty, then
9 he would be required to take vacation, you know,
10 somebody shot at him, convalesce for six months and
11 doesn't have the proper vacation time, then you're
12 going to be docked and you're not going to have any
13 money coming in. I think we've got a bad insurance
14 policy.

15 DR. WARD: Mr. Claiborne, I want to ask you
16 about something -- you're in the detective division,
17 so you may not know first hand, but I'll ask you as
18 president of Jackson Concerned Officers for Progress,
19 has any group or person approached your organization
20 about the problems that a number of people seem to
21 have when they submit complaints about police
22 brutality or this treatment and are not given
23 adequate explanations about what has been done to
24 investigate the complaint, and certainly indeed not
25 even given any paperwork to I suppose suggest that

1 they've made the complaint?

2 MR. CLAIBORNE: In the last couple of years,
3 the last couple of years I had numerous of complaints
4 about the IAD and of course we have a legal defense
5 fund through the organization. And of course, any
6 time you come for legal assistance, it would be
7 required that they present their case to the
8 organization, and naturally we would initiate an
9 investigation ourselves.

10 I think that we've been very active. We've
11 been very watchful in regards to how police officers
12 conduct themselves with the community, and the number
13 of complaints that come in, especially from a racial
14 standpoint.

15 A lot of times we've been successful in our
16 fact finding. We've been able to exonerate some
17 officers that have been falsely accused. In other
18 instances the investigation had proved that the
19 decision of the chief of police were correct.

20 But we try to monitor both situations,
21 especially where you have racial overtones. I guess
22 the last biggest case we had was the murder of Johnny
23 Griffin, where he was shot and killed by a white
24 police officer. From all indicates everything
25 supposedly was done correctly.

1 DR. WARD: Right. I had specific reference to
2 some of the presentations we've heard during the fact
3 finding meeting from citizens who have filed
4 complaints about police brutality and apparently not
5 knowing what that process was, did not obtain copies
6 of documents from the police, you know, and so those
7 are what I had reference to, whether or not any of
8 those people who had made such complaints had
9 consulted with JCOP?

10 MR. CLAIBORNE: I think that if there was a
11 case where a person from the community came to our
12 organization or to me personally with a complaint
13 that it would be by-law for me to provide them with
14 the necessary information that they needed. I don't
15 believe in covering up anything, you know.

16 I think -- well, I believe in two things,
17 credibility and liability. If I tell you I'm going
18 to do something, I'm going to do it. If I can't do
19 it, I tell you I can't do it.

20 SENATOR HARDEN: Would you walk us through a
21 process? If I had a complaint against Officer
22 Phillip Claiborne, who do I go to see at the police
23 department and what documents will I leave that
24 police department with as a result of my filing a
25 complaint against you?

1 MR. CLAIBORNE: It really depends upon the
2 nature of the complaint. If -- say I stop you on a
3 traffic citation and you accuse me of using abusive
4 language towards you, then I would direct you to give
5 me the supervisor or the precinct commander.

6 SENATOR HARDEN: Can I stop you right there?
7 Where does the public get that information as to who
8 they're supposed to go to? What -- where do I find
9 that? How do I know that?

10 MR. CLAIBORNE: I don't know whether or not we
11 have documentation but we used -- I was a big
12 advocate of our -- we have a public information
13 officer and when he was hired on, I thought that that
14 should have been one of his responsibilities in terms
15 of changing the image of the police department, to
16 educate the community and the public about the
17 certain processes that you need to go through along
18 those lines.

19 That would be a recommendation of mine right
20 there, but as far as anything in writing, I don't
21 remember seeing anything, but from a standpoint of
22 police professionalism, I think that the officer is
23 obligated to instruct you in the right direction in
24 terms of giving you his proper name, his badge number,
25 where he's employed, in terms of what precinct, and

1 who his immediate supervisor is.

2 SENATOR HARDEN: You talk about the policy.
3 How long has that policy been in effect, you know,
4 where -- that tells you where you're supposed to go
5 and what you're supposed to do, if you have a
6 complaint?

7 MR. CLAIBORNE: I'm not aware that it is policy
8 per se. I don't think that we have any written
9 policy along those lines.

10 SENATOR HARDEN: Let me just be clear on this
11 because I'm not very clear on it, and I guess I'm
12 trying to get some information. What is the process
13 that I should go through if you verbally abused me as
14 you wrote me a ticket? You said to me that I should
15 ask you, the officer, who has verbally abused me,
16 what do I need to do in order to file a complaint
17 against you, the officer.

18 Is there not a process outside of me asking
19 you, Phillip, what should I do or who do I go to, is
20 there a number that is published someplace, is there
21 the public information officer who says that if
22 you've got a complaint, you may call this number, to
23 any citizens, and I'm seeking information because I
24 do not know --

25 MR. CLAIBORNE: Yeah. To my knowledge there is

1 no number, but like I said, I would be an advocate of
2 the PIO handling that. As far as policy, there is a
3 policy in terms of who investigates what. Okay. IAD
4 investigates complaints that come in from the
5 citizenry against police officers.

6 SENATOR HARDEN: What is IAD?

7 MR. CLAIBORNE: Internal affairs.

8 SENATOR HARDEN: Internal affairs?

9 MR. CLAIBORNE: Right.

10 SENATOR HARDEN: Once the complaint gets to
11 internal affairs, if it makes it that far, how does a
12 person know that their complaint has actually been
13 acted on?

14 MR. CLAIBORNE: They will receive a written
15 reply from that particular office.

16 SENATOR HARDEN: Is there a time line on that
17 or do you know?

18 MR. CLAIBORNE: No, I don't.

19 SENATOR HARDEN: Thirty days?

20 MR. CANIZARO: Mr. Claiborne, would you care to
21 comment regarding the sergeant promotion test?

22 MR. CLAIBORNE: I don't -- I wrote the Justice
23 Department a letter in response to the test prior to
24 the test being given for a number of reasons that we
25 felt that the test was unfair. We felt that the

1 persons chose to do the testing did not have the
2 expertise and they were hired to pay off political
3 favor.

4 It was a totally subjective test. I personally
5 feel that the test was tampered with. Our
6 organization feels that the test was tampered with.
7 And, of course, when we requested an investigation
8 from the Justice Department, they advised us that the
9 only way they would investigate or halt the test or
10 disregard the test was if it adversely impacted
11 minorities, and in our opinion we thought that it did
12 impact minorities and females because out of the
13 number of persons that was promoted, we still didn't
14 have but two females promoted during that particular
15 process.

16 Of course, some kind of way racially it did
17 come out equal and of course I don't know how they
18 did it mathematically but they were able to do so.

19 MR. CANIZARO: Could you comment then about
20 your position or your organization's position
21 regarding the consent decree?

22 MR. CLAIBORNE: We are presently under the
23 consent decree. I think that the City of Jackson has
24 been in violation since 1975 and I think that they're
25 in violation at the present time just as well.

1 MR. CANIZARO: On what grounds?

2 MR. CLAIBORNE: Racial discrimination, as far
3 as minorities and females are concerned.

4 DR. WARD: Okay. I'd like to thank you very
5 much, Detective Claiborne, for making your
6 presentation and entertaining the questions of the
7 committee. Did you have any written information you
8 wanted to leave with us as a part of the record? You
9 can mail it. We would appreciate if you have --

10 MR. CLAIBORNE: I would like for the commission
11 to have a copy of the letter that we sent to the
12 Justice Department in regards to the political -- the
13 promotional process the they had. Do you have a copy
14 already?

15 SENATOR HARDEN: No, I don't. I would like to
16 get that though. And I would like to have the
17 criteria that we use to make a determination as to
18 who qualified, if you've got this information, who
19 qualified to take the sergeant's test and I'd also
20 like to know if the at the time was the only criteria
21 that was used in order to determine, first of all,
22 whether or not the person would take the test, and
23 then the second thing is was that all that was used
24 to determine whether or not --

25 MR. CLAIBORNE: That was just the test itself.

1 Of course, they used the personnel against some to
2 disqualify them, but their personnel file was not
3 used -- did not have an oral interview, just the test
4 itself stood for who got promoted, but I do have that
5 information and I'd be more than happy to share it
6 with you.

7 DR. WARD: Okay. Thank you very much. Our
8 next presenter will be Detective Chief Mickey Vitt.
9 I would like to thank you very much for agreeing to
10 make your presentation to the Mississippi Advisory
11 Committee to the U. S. Commission on Civil Rights,
12 and I will ask you to follow our SOP now and that is
13 to identify yourself, which includes spelling your
14 last name for the record and also providing your
15 mailing address. After that you may begin your
16 presentation.

17 MR. VITT: Are we ready to begin?

18 DR. WARD: Yes.

19 MR. VITT: Can you hear me?

20 DR. WARD: Yes.

21 MR. VITT: First of all, my name is Deputy
22 Chief Michael Vitt. That's V-i-t-t. I'm a member of the
23 Jackson, Mississippi Police Department and have been so
24 for 24 years and am in my 25th year.

25 My mailing address is 327 East Pascagoula

1 39205.

2 You might want -- if you're going to mail
3 anything, you would put it to the attention of myself,
4 technical services division.

5 It was my understanding that I have been asked
6 to come here today to make a presentation regarding the
7 operations of the internal affairs division within the
8 Jackson Police Department. I'd like to start by telling
9 you what the internal affairs policy is or the Jackson
10 Police Department's policy is on employee misconduct.

11 That policy is simply this, the Jackson Police
12 Department will investigate all incidents of alleged
13 misconduct brought to its attention. In addition, all
14 officers and employees regardless of rank, assignment or
15 function will be required to cooperate in the
16 investigation of the complaint.

17 The purpose of this policy is to improve the
18 quality of police services. We hope to accomplish this
19 in three ways. First, through this provision we hope to
20 get a meaningful and effective complaint procedure. We
21 hope to gain citizen's competence and integrity of police
22 action and we hope that this will engender community
23 support and competence in the police department.

24 Improving the relationship between the police
25 and the citizens they serve facilitates police citizens

1 cooperation. This is an element which is vital to the
2 department's ability to achieve its goals.

3 Second, disciplinary procedures permit police
4 officials to monitor officer's compliance with
5 departmental procedures. Adherence to departmental
6 procedures assists officers in meeting department
7 objectives and a monitoring system permits managers to
8 identify problem areas in which increased training or
9 directions is necessary.

10 Third, third purpose is to clarify rights and
11 ensure due process protection to citizens and officers
12 alike. Heightening an officer awareness of the rights
13 afforded them when charged with misconduct will increase
14 the appreciation of the comparable rights afforded
15 citizens accused of a crime.

16 The objective of this policy is to provide the
17 citizens with a fair and effective avenue for redress of
18 their legitimate grievances against law enforcement
19 officers, and by the same token to protect officers from
20 false charges of misconduct or wrongdoing and provide
21 accused officers with due process safeguards.

22 The types of complaints that we investigate,
23 there are two types of complaints. A formal complaint.
24 This is a complaint that comes to us in writing, signed
25 and notarized by a complainant or made by a peace

1 officer.

2 An informal complaint is the second type. This
3 is an oral complaint or a written complaint that are not
4 signed by the complainant.

5 There are two classes of complaints. We have a
6 class one complaint. The class one complaint are
7 complaints that allege violations of federal or state
8 laws or local ordinances, as well as allegations of
9 excessive force, that is, being hit, slapped, kicked,
10 struck with any object causing pain or visible sign of
11 bodily injury.

12 A class two complaint. Class two complaints
13 include allegations of less serious nature but which
14 concern violations to departmental policy, and basically
15 to categorize class two complaints, I'm talking about
16 behavior or attitude complaints against the officer, and
17 I'll get into that a little bit later.

18 The disposition of complaints. There are four
19 categories in which a complaint can fall into. Category
20 one is allegation -- excuse me -- unfounded. And that's
21 where the allegation is found to be false or not factual.

22 Category two, exonerated. That's where the
23 incident did occur but we find that it was lawful and
24 proper. The officer acted within the standards of the
25 guidelines of departmental policy.

1 Category three is not sustained. The not
2 sustained category is where there is insufficient
3 evidence to either prove or disprove the allegation.

4 The last category is the sustained category.
5 And that's where we find that there is evidence which is
6 sufficient to prove the allegation. Each allegation
7 listed in a complaint will receive one of the above
8 dispositions designations. Any sustained allegations
9 regardless of its classification may form the basis for
10 disciplinary action.

11 The types of categories of misconduct that are
12 investigated. The first category that is investigated
13 would be a complaint of a crime. This is a complaint
14 regarding the involvement of illegal behavior, that is a
15 violation of any state law, municipal ordinance or
16 federal law.

17 Currently our policy at the Jackson Police
18 Department is if a complaint of this nature comes in, it
19 is to be investigated by the detective out of major
20 investigations, and not the internal affairs division.

21 The other category of misconduct that can be
22 investigated is excessive force. This is a complaint
23 regarding the use or threatened use of force against a
24 person.

25 This would be the category that the term police

1 brutality would be investigated under. Another category
2 is arrest. The complaint that the restraint of a
3 person's liberty was improper or unjustified.

4 Entry. Complaint that entry into a building or
5 onto the property was improper or that excessive force
6 was used against property to gain entry.

7 Search. Complaint that the search of a person
8 or his property was improper in violation of established
9 police procedures are unjustified.

10 Harassment is a complaint that would involve
11 the taking, failing to take or method of police action
12 which was predicated upon factors such as race, sex, age,
13 et cetera.

14 Demeanor. Complaint regarding a department
15 member's bearing gestures or other actions which are
16 offensive, or of doubtful social propriety, who gives the
17 appearance of conflict of interest, misuse or influence
18 or lack of jurisdiction or authority.

19 These last two categories fall into that area
20 of behavior and attitude.

21 We also will investigate serious rule
22 infractions, complaints such as disrespect toward
23 supervisors, drunkenness on duty, sleeping on duty,
24 neglect of duty, false statements or malingering.

25 We also investigate minor rule infractions such

1 as untidiness, tardiness, faulty driving or failure to
2 follow procedures.

3 Most of what we would -- these categories of
4 misconduct would be titled conduct unbecoming an officer.
5 And then be explained under one of these categories here.

6 Penalties, disciplinary action is being taken
7 against officers, if found in violation of any of these
8 rules. They run the scale from a simple counseling to
9 termination -- excuse me -- from counseling to possible
10 criminal prosecution.

11 We'd like to -- again, this is not the internal
12 affairs function. We're into a disciplinary action
13 function. This becomes more of a management function.
14 And what they want to try and do, and we'd like to try
15 and do progressive discipline.

16 What happens at the end of an internal affairs
17 investigation is that it's forwarded to me with a
18 findings and conclusions by the investigator who handled
19 the cases and it's forward through his supervisory
20 personnel to me.

21 My role is simply to review those findings and
22 conclusions. If I feel that something was lacking in the
23 investigation, something needs to be done, I can kick it
24 back and have it done. If I feel like the investigation
25 is complete and all the stones -- all the bases were

1 covered, I would simply forward it to my next chain of
2 command with the recommendation of disciplinary action.

3 I base my recommendations on my knowledge of
4 previous cases and the disciplinary action that was
5 imposed on them. Bear in mind, all I'm making is a
6 recommendation. I have no authority to impose
7 disciplinary action at my level.

8 Eventually the case would reach the office of
9 the chief and the chief is the final -- let's just say
10 the buck stops there. The chief makes the final decision
11 on disciplinary action. And what he decides upon is what
12 he gets, and that employee will then be given
13 notification of the disciplinary action that is pending
14 against him.

15 The employee then has the right to file an
16 appeal through the Civil Service Commission, and that's a
17 process of appeal.

18 The internal affairs unit itself would record,
19 classify and coordinate records of all types of classes
20 of complaints made to the department. Any type or class
21 of complaint may be made to and taken by the internal
22 affairs unit.

23 The chief of police or the commander of the
24 internal affairs unit may designate a complaint as
25 confidential and may restrict access to that file, as he

1 deems necessary. The chief of police will be notified
2 when a complaint is designated confidential and may
3 review any file at his discretion.

4 All internal affairs reports and records will
5 be maintained in the office of internal affairs and kept
6 locked in a fireproof file when not being worked on.

7 All class one allegations against a
8 departmental employee, civilian or classified, civilian
9 or sworn, will be investigated by the internal affairs
10 unless otherwise deemed appropriate by the chief of
11 police.

12 All class two allegations against the
13 departmental employee, civilian or sworn, will be
14 investigated by the division to which the employee is
15 assigned unless otherwise deemed appropriate by the chief
16 of police or the commander of internal affairs.

17 Now what I'm saying there is that class two
18 complaints and that falls in that attitude and behavior
19 category, should be investigated by the supervisor of
20 that employee and brought through the chain of command
21 through that chain of command.

22 However, the chief of police can overrule that
23 and designate internal affairs to investigate any
24 complaint, regardless of its class.

25 If an officer or an employee subject of a

1 complaint, the employee will be notified that a complaint
2 has been received. If the complaint is designated
3 confidential, the officer or employee will not be
4 notified.

5 Internal affairs will serve as a fact finding
6 unit, when so designated by the chief of police. In
7 addition to its fact finding role, the internal affairs
8 will assist in the determination of whether policy or
9 procedures were violated.

10 As a post script right here I'd like to say
11 that some of the things that internal affairs can do in
12 their investigation, they might find that the employee
13 that was being investigated might have been following the
14 rules and regulations, but that whatever was done was
15 wrong. That doesn't make the employee wrong. That makes
16 the policy wrong, and that's when we bring that to the
17 attention of the chief and ask that the policy be revised
18 and be rewritten.

19 The internal affairs unit will notify all
20 complainants of the final disposition of complaint
21 received by the department. This is done in letter form.
22 Internal affairs will also notify an officer of the
23 disposition of a complaint against him upon receiving
24 final decision from the chief of police.

25 Usually it's pretty evident if it's disciplinary

1 action being taken against him. Otherwise, he simply
2 receives a phone call from internal affairs of the
3 outcome of the case.

4 All internal affairs investigations will be
5 completed within 30 days. Status reports shall be made
6 at least every seven days. The chief of policy or
7 commander of internal affairs may require progress
8 reports regarding any investigation of complaint being
9 conducted by a functional unit of the department.

10 He may ask for it in any frequency he desires.
11 He also grants extensions. Thirty days is the time frame
12 we'd like to have them completed in, but it's also our
13 policy that investigations may go beyond that.

14 And this is the chief of police or the
15 commander of the internal affairs unit at his discretion
16 has that authority to make that decision.

17 Ladies and gentlemen, that is my presentation
18 to you regarding the internal affairs investigations in
19 Jackson Police Department.

20 MR. RANGE: I'd like to thank you for that
21 information, and my first question is that document
22 that you read to us, what was the date of that
23 document?

24 MR. VITT: July 1, 1992.

25 MR. RANGE: And what is the distribution of

1 that document?

2 MR. VITT: All employees of the -- all sworn
3 employees of the Jackson Police Department are
4 required to come and sign for this document when it's
5 issued.

6 MR. RANGE: Where are the class one and class
7 two complaints filed? Are they all filed in internal
8 affairs?

9 MR. VITT: Internal affairs is probably the
10 originating point of all the complaints. They
11 generally speaking the public is informed if you have
12 a complaint, go to internal affairs.

13 Most of the time the public does go to internal
14 affairs with their complaints. Internal affairs is
15 then told to inform the citizen of how that complaint
16 will be investigated.

17 They will inform them at that time whether they
18 at internal affairs will conduct the investigation or
19 whether they will be forwarding this complaint to the
20 supervisor or to the precinct commander of the
21 officer who the complaint is lodged against for them
22 to do the investigation.

23 MR. RANGE: What is the method of informing the
24 public of this policy?

25 MR. VITT: When they meet the officers in

1 internal affairs.

2 MR. RANGE: You indicated that you file your
3 report to your next -- your next chain of command.
4 Where is that?

5 MR. VITT: My next chain of command would be
6 assistant chief.

7 MR. RANGE: And you said this policy has been
8 in effect since July 1st of 1992?

9 MR. VITT: That's correct.

10 MR. RANGE: And that all employees have signed
11 for --

12 MR. VITT: All employees are required to -- I'm
13 sorry.

14 MR. RANGE: Have all the employees signed and
15 read that policy?

16 MR. VITT: I don't know.

17 MR. RANGE: But that is the policy that they
18 are to sign, sign that they have read?

19 MR. VITT: Yes.

20 MR. RANGE: Is this part of their personnel
21 file?

22 MR. VITT: No, it's part of their personal
23 property.

24 MR. RANGE: Where is the file kept that's
25 signed by the officers?

1 MR. VITT: The supply officer issues out these
2 orders and he is required -- when they're issued out,
3 he's -- each employee is required to sign a document
4 saying they received these orders, and that
5 particular document is kept on file in supply
6 officer's filing system.

7 MR. RANGE: Has there been any kind of a review
8 to see if all the current officers have picked up a
9 copy of this policy?

10 MR. VITT: Not to my knowledge, no.

11 MS. KEYS: You read us the policy. Does it
12 really work that way?

13 MR. VITT: I'm sorry?

14 MS. KEYS: Does it rally work that way? Just
15 in -- can you tell us how it really works?

16 MR. VITT: No, I don't think we're practicing
17 it to the letter, no.

18 MS. KEYS: What are the shortcomings or what
19 aren't you doing or what do you see are the problems
20 with the system?

21 MR. VITT: Understaffed, we're understaffed for
22 one thing. I don't believe that the officers, the
23 supervisors in the field fully understand the -- how
24 to conduct an investigation against a complaint being
25 received from a citizen. All disciplinary actions

1 against an employee go to the personnel file, but
2 they should also be recorded and archived in the
3 internal affairs unit. The reason being is that if
4 I'm conducting an investigation against an officer,
5 we got 400 of them now, I don't know them all by face
6 and all by name.

7 I see a name come across, I see disciplinary
8 action being -- or a sustained action coming against
9 him, when I have to formulate a recommendation, I
10 need to know how many times this officer has been
11 involved in disciplinary actions in the past, so that
12 I can formulate a proper recommendation to my chain
13 of command.

14 Those -- we do not have that -- all those cases
15 coming to internal affairs and to be archived there,
16 and I personally like to have them there so that I
17 know that when Officer John Smith's name comes across
18 my desk, I can also call down to internal affairs and
19 say -- when I see a case come to me, I want a case
20 history on this officer to accompany this file. I
21 want to know how many times this officer has been
22 disciplined before I make my decision. That's --
23 even though it's done to some extent, it's not being
24 done across the board.

25 MS. KEYS: Is there any publication to the

1 general community as how this -- how to make a
2 complaint?

3 MR. VITT: No.

4 MS. KEYS: So you --

5 MR. VITT: You said publication. If you're
6 talking about written --

7 MS. KEYS: Either something in -- I'm just
8 wondering how does somebody on the street know that
9 if they have a complaint, they can go and try and do
10 something about it?

11 MR. VITT: The way the citizens in Jackson
12 learn about how to do a complaint is they simply call
13 the department or they meet an officer on the street
14 or talk with somebody, and they said I want to file a
15 complaint, and the general rule of thumb is go to
16 internal affairs.

17 Now, in addition to that we have groups of
18 employees within our department, our community
19 services groups, and when they go out and meet the
20 public at these neighborhood association meeting and
21 everything, that subject comes up and they also
22 inform them, if you have a complaint, take it to
23 internal affairs.

24 MS. KEYS: You've been with the department a
25 long time under a number of different chiefs. Have

1 you raised your concerns about how this division
2 works to leadership and what has been their response.

3 MR. VITT: I should have clarified that I've
4 only been with internal affairs for a little over a
5 year. When I made deputy chief, I was given internal
6 affairs. That's only been about a year -- it's under
7 two years. I'm not exactly sure. I immediately
8 began talking with -- at that particular point,
9 deputy chief Jimmy Wilson.

10 I did raise these concerns with him. I have
11 also raised concerns with the current chief, Chief
12 Robert Johnson.

13 MS. KEYS: Do you see any changes coming?

14 MR. VITT: Yes. Chief Johnson -- the biggest
15 change that is occurring is now we have our
16 supervisors in the field more involved in
17 investigating class two complaints as opposed to they
18 weren't investigating class two complaints on the
19 level they are now.

20 MS. KEYS: How did that come about?

21 MR. VITT: Chief Johnson.

22 MS. KEYS: What did he do?

23 MR. VITT: He implied strongly to the command
24 staff that he wanted it done that way.

25 MS. KEYS: Was there any training done of these

1 precinct captains or whoever does it into how to do
2 it?

3 MR. VITT: Not formal training, no.

4 MR. FOSTER: In terms of if the process is not
5 published to the public, and a person wanted to file
6 a complaint, they would check with internal affairs.
7 Does internal affairs then provide the complainant
8 with a copy of the process through which the
9 complaint should be filed in writing?

10 MR. VITT: Yes. You can get a complaint form
11 at internal affairs.

12 MR. FOSTER: Does internal affairs then give --
13 provide that complainant with a copy of that
14 complaint?

15 MR. VITT: If the complainant wants to keep a
16 copy, he's more than welcome to keep a copy. We ask
17 that they fill the copy out and return it to -- if
18 internal affairs is going to do the investigation, we
19 ask that we get at least the original copy so that we
20 can begin the investigation from that. If they
21 desire to keep a copy of their complaint, yes,
22 they're more than welcome to it.

23 MR. FOSTER: But at that point the complainant
24 does not know that the internal affairs division is
25 going to investigate his complaint at that point. In

1 other words, if they received a copy of the complaint
2 and that complaint has rules and regulations in terms
3 of how to proceed further, is that also provided to
4 the --

5 MR. VITT: No, the complaint form I'm talking
6 about is where the complainant simply fills out what
7 the complaint is. There's nothing on that complaint
8 form that tells him what is going to happen, how the
9 investigation will proceed.

10 MR. CANIZARO: I'm just going to ask if you
11 would walk us through the process, if you receive
12 this complaint, what happens?

13 MR. VITT: A determination will be made whether
14 or not internal affairs does the investigation and
15 whether it will be in our terminology farmed out to
16 the precinct level to do the investigation. It boils
17 down to this. If it's an attitude or a behavior
18 complaint, we're going to ship it out to the
19 supervisor to investigate.

20 We get the bulk of our complaints are attitude
21 and behavior complaints. Somebody's not happy
22 because of the way the officer smiled as he was
23 issuing out his traffic citation or somebody's
24 attitude or behavior was offensive at the time of the
25 meeting between the citizen and the officer.

1 We ship those out to the precincts to be
2 investigated. Other investigations with excessive
3 force are class one complaints, we will investigate.

4 The investigator will sit down with the
5 complainant and go over the complaint that is being
6 presented, and then he will ask the questions of the
7 complainant, and specifically the questions are
8 designed to elicit whatever evidence can be collected
9 or whatever witnesses can be -- or can back up to -
10 whatever his complaint is. Once that is done, the
11 investigator will then begin his drawing internal
12 affairs case number.

13 He would begin his investigation by going out
14 and collecting evidence if any exists, reviewing and
15 interviewing witnesses and any witness statements
16 that are provided.

17 Getting proper documents to review and add to
18 the file. If there's a complaint of excessive force
19 and there's obvious signs of physical injuries, we
20 certainly like for the complainant to sign a medical
21 release form so that we could have a doctor's
22 statement along with a complaint to back up how those
23 -- about the injuries that the complainant has got.

24 Other documents which probably need to be added
25 to the file too need to be collected. I can't think

1 of any at the moment.

2 Then at the end of his -- well, when he's
3 satisfied that he's reached a point that either he
4 has gotten enough evidence to sustain the
5 allegations, then he simply sits down and puts his
6 case together.

7 I've instructed my investigators to do it in
8 four parts. The first part would be simply a summary
9 of events. The first thing I'm going to read is that
10 summary of events, what's this all about?

11 The second part would be the investigator's
12 investigator report, what he did, what steps he took,
13 what evidence he collected, what interviews he
14 conducted.

15 The third step would be for him to write to me
16 and inform his findings and conclusions. And then
17 the final step is simply a recommendation of how it's
18 to be classified, whether it be unfounded,
19 exonerated, not sustained or sustained.

20 That's all he does. All we ask of our internal
21 affairs investigators is to gather the facts and
22 present them in a report form. Our internal affairs
23 investigators are not involved in making decisions on
24 disciplinary actions.

25 That report then goes to the command of the

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1 uh-uh, this needs to be reinvestigated, more
2 investigation needs to be done on this because I
3 think there's grounds here for sustaining these
4 actions, in which case it goes back down the channel
5 and more work is done.

6 Then the chief does sit on -- he is the final
7 person. He sits on it and reviews it and he puts
8 down what is to be done on it.

9 Now, the next step in that is what we have a
10 disciplinary action review board. That review board
11 is made up of a member of the city legal department
12 and two members of the city personnel department.
13 The head of personnel, Dr. Terry, and Ms. Marilyn
14 Lancer who represents EEOC concerns.

15 The case is presented to them and they simply
16 review the case to make sure that, number one,
17 legally it's defensible, and number two, that it's
18 within the guidelines and protection rules of
19 employees' rights, et cetera, et cetera.

20 They have to sign off on it. The chief has to
21 sign off on it. The mayor's office has to sign off
22 on it. And once all those signatures are required,
23 it then goes back to the departments, not the city
24 but the department's personnel, and they begin filing
25 the proper documents for disciplinary action.

1 Then the employee is given this disciplinary --
2 he's served this document and told this is what the
3 disciplinary action is, this is why it is, and this
4 is what you're going to be given, you are effective
5 whatever date, you are hereby placed on a five-day
6 suspension based on the findings of this
7 investigation and the charges and specifications are
8 outlined in that document.

9 If that employee does not feel that he has --
10 if he feels that this is totally unfair, totally
11 unjust, if he's a certified employee, not
12 probationary employee, but if he's a certified
13 employee, he has ten days from the point of receiving
14 that document to file an appeal with Civil Service
15 Commission.

16 If he files an appeal with the Civil Service
17 Commission, they will set him a date for a hearing.
18 At the time of his hearing he can come to that
19 hearing with a lawyer and argue the merits of his
20 case from his viewpoint.

21 The department would then have the city legal
22 representative there to argue ours and the department
23 head, and the Civil Service Commission, which is a
24 three-member panel, would simply rule on it. Now,
25 they have the right to either dismiss it, go along

1 with it, they can impose a stricter penalty, or they
2 can impose a lesser penalty, and that's pretty much
3 the procedure.

4 MR. CANIZARO: We understand that there's a 30-
5 day limit. Do you do all of this in 30 days?

6 MR. VITT: No, the investigation -- the
7 investigation --

8 MR. CANIZARO: Thirty days?

9 MR. VITT: In 30 days.

10 MR. CANIZARO: When is the complainant informed
11 of the action taken?

12 MR. VITT: As soon as possible you get a letter
13 off to them.

14 MR. CANIZARO: Is it after the civil service
15 appeal or --

16 MR. VITT: Once the disciplinary action is
17 decided upon and approved, that would be the time --

18 MR. CANIZARO: By your office, by the chief?

19 MR. VITT: The disciplinary action has -- once
20 it's settled on, then internal affairs should be
21 writing them a letter. Now, also have to write them
22 a letter when we don't do disciplinary action. And
23 here again, we have a lot of problems with
24 complainants who come down there to voice a
25 complaint, but they don't bring enough information at

1 the time with them, and we ask them please go get
2 this information and come back and we'll begin an
3 investigation, and lots of times they just never come
4 back.

5 So we're suddenly though we have a complaint,
6 but we don't have enough on that complaint to begin
7 an investigation, and after a certain amount of time
8 when we try to recontract, and they won't come back,
9 we simply have to remand that complaint and do
10 nothing on it.

11 MS. MILNER: Detective Vitt, I'd like to
12 address two things. If you'd like to impose
13 escalating penalties, but you have no access to past
14 complaints about officers for lack of a computer
15 system or whatever, how do you do that? And two, out
16 of a hundred complaints, how many really are resolved
17 in 30 days?

18 MR. VITT: Well, to address your first
19 question, I've been with the department a little over
20 24 years and fortunately I've been lucky enough that
21 I know a lot of the names of individuals that
22 complaints may be filed on, and a little light might
23 go off in the back of my head and I could pick up the
24 phone and call the personnel department and find out
25 if there's any previous disciplinary action on it

1 that way. That's one way I can do that.

2 If there's something about it that -- about the
3 officers, about the case, if there's something that
4 comes out in investigation that might imply that this
5 is not the first time this -- or a complaint's been
6 filed against this officer, I have the access of my
7 other deputy chiefs that I can call who the employee
8 might be working for and ask them, is this officer a
9 problem officer, has he been disciplined before?
10 It's there for me. It's just a matter of making
11 phone calls.

12 By the way, you mentioned computers. We have
13 currently within the last six months been able to get
14 a computer now down in internal affairs, we're in the
15 process of building a data base to do a case
16 management tracking type deal, so it's something I've
17 been trying to get ever since I got in there. It's
18 hard.

19 And your second question was?

20 MR. MILNER: Out of a hundred given complaints
21 how many really are resolved within 30 days?

22 MR. VITT: Not very many. We only have two
23 investigators right now and that was four
24 investigations, four investigators, about six months
25 ago we had four -- up to four investigators but no

1 supervisors. And I got a supervisor in there and
2 then I lost two investigators who got promoted, and
3 they've not been replaced.

4 So it's very difficult to do an investigation
5 in 30 days.

6 SENATOR HARDEN: What happens when the
7 investigation is not complete within 30 days? Do you
8 notify the citizen who is a complainant?

9 MR. VITT: No.

10 SENATOR HARDEN: Then how does the citizen know
11 that it's going to take you longer than 30 days in
12 order to do that investigation?

13 MR. VITT: Usually there's a dialogue that goes
14 on between the citizen and the investigator and then
15 they talk to each other a lot over a period of time,
16 and he pretty much keeps them abreast of what -- what
17 the status of the case is.

18 Most of the citizens that are not happy with
19 the way the investigation is proceeding or the length
20 of time it's taking, usually are persistent in their
21 calls, so they pretty much know.

22 DR. WARD: Okay, Deputy Vitt, I'd like to thank
23 you very much. I do have to ask, would you please --
24 could you leave a copy of the procedures that Ms.
25 Robinson -- they're dated July 1, 1992, because those

1 do need to be entered into the records, and I would
2 like to thank you very much for agreeing to make this
3 presentation to us.

4 Our next presenter is Deputy Chief Cleon
5 Butler. Chief Butler, I'd like to thank you for
6 agreeing to appear before the Mississippi Advisory
7 Committee to the U. S. Commission on Civil Rights.
8 I'd like you to follow this procedure in making your
9 presentation. First identify yourself, spelling your
10 last name, and also providing for the record your
11 mailing address, and then proceed with your
12 presentation.

13 MR. BUTLER: My name is Cleon Butler, B-u-t-l-
14 e-r. My mailing address is 327 East Pascagoula, which is
15 the Jackson Police Department.

16 In reference to the presentation -- I was not
17 made aware that I was to make a detailed presentation of
18 this sort; however, as a result of listening to the
19 conversation or the discussion you had with Chief Vitt,
20 and some of the problems that were being discussed or
21 possible problems or concerns, is that unfortunately my
22 job responsibility is that of commanding the patrol
23 division, which is the uniform segment of the police
24 department, which is 90 percent of the sworn personnel,
25 which is where the buck stops normally.

1 We do the good things, we do the bad things.
2 We are complimented sometimes, but more often we are
3 complained on, but we still have to do our job
4 regardless.

5 I think what has happened in past years -- I've
6 been in law enforcement for approximately 21 and a half
7 years, and things have changed to the point where we no
8 longer go into communities, a black community or a white
9 community, or whatever the population make-up may be and
10 assume that we know what's best.

11 We have gone from community policing to what we
12 now call problem solving policing, and we somewhat
13 abandoned the community policing concept, and the reason
14 being was because of the amount of resources that's
15 needed in order to properly deploy that concept.

16 As you know, the City of Jackson primarily --
17 our patrol responsibility is approximately 107 square
18 miles, a population of approximately 200,000. Our sworn
19 personnel is 400.

20 On the side of our cars it says -- it reads, to
21 serve and protect, which is not possible. We can't
22 protect 200,000 citizens with 400 police officers in 107
23 square mile area.

24 That's common sense, so the -- what's on the
25 side of the car sounds good but it's not possible, so

1 what we can do, we can't protect everybody in the city
2 limits of Jackson, but what we can do, we can improve the
3 way we deliver services, and that's the business we're
4 in.

5 I stress to police officers, precinct
6 commanders, supervisors and patrolmen alike is that we're
7 not in the business of delivering police services, we're
8 in the business of delivering services.

9 There's no difference in our opinion reference
10 to what we do as a police officer than what a nurse may
11 do at the Baptist Hospital. We simply deliver services
12 to people, and I think one of the reasons that we have
13 some of the crime problems that we do today in many of
14 the divided areas, in this city, is because of lack of
15 services, not because of necessarily escalating crime
16 with no explanation, but because of the fact that in some
17 communities over the past year the citizens have gotten
18 poor services, not only from the police department, but
19 from all agencies, both city, state and federal agencies.

20 And all that has come to pass now and is coming
21 back to haunt us, whereas because of lack of services we
22 now have massive problems in certain parts of this city,
23 I assume, as in other cities.

24 It's hard for us to bridge the gap with
25 citizens many times when some people in some parts of

1 this city have spent years running and hiding from the
2 people who are sworn to protect and deliver police
3 services.

4 And that has been the case in many of the black
5 communities, which we are now trying to overcome. I
6 think what we must understand is that -- and the reason I
7 say I like the concept of problem solving more so than
8 community policing is because we can deal with a
9 situation case by case.

10 As Chief Vitt alluded to the number of
11 complaints that come in internal affairs, the reason that
12 I wholeheartedly agree with Chief Johnson, that we farm
13 out complaints or send complaints back to the individual
14 precinct or the individual supervisors and primarily
15 class two complaints is because that's where they need to
16 be.

17 If you live in precinct two, there's no reason
18 why you should go to internal affairs to file a complaint
19 and expect some results from a police officer abusing
20 your child at 12 o'clock at night.

21 That should be the responsibility of that
22 precinct commander and his or her supervisors. And
23 that's one of the ways I think that we can better address
24 and reduce the amount of -- the number of complaints
25 stemming from citizens involving police officers.

1 I overheard two in reference to what do we do
2 to get information out? We get information out as a
3 result of the community meetings, which is something we
4 do on a daily or weekly basis in all the precincts across
5 this city.

6 And our position now -- there was a time up
7 until a few years ago perhaps where if you call a police
8 officer or if you went to the detective bureau or you
9 walked into a precinct, and we wanted to know what was
10 your reasons for being there.

11 Now, our concern now today is that we are in
12 the business of delivering services to people. That's
13 what we do. We are not John Wayne. I call it the Clint
14 Eastwood concept. That's good on TV, but it does not
15 work in Jackson, Mississippi.

16 I think in many instances you have police
17 officers as any other occupation who perhaps are in the
18 wrong business. Anybody who perceives that because they
19 get out of their car at Lynch and Dalton, their life is
20 in danger, they're in the wrong business.

21 That's my opinion. And the reason I say that
22 is because in past years we've had incidents to occur
23 involving police officers and citizens where complaints
24 derived from these incidents because of the fact that the
25 police officer was afraid of the people whom he or she

1 was delivering services to.

2 You can't be effective in delivering services
3 if you're afraid to get out of your car on the corner of
4 Lynch and Dalton.

5 All right, that's common sense to me. And
6 again, a lot of things that I'm talking about is the way
7 that we are doing business now. Perhaps you -- many of
8 you have seen things somewhat different. I have seen
9 various reports in the newspaper and on TV, and as Chief
10 Vitt alluded to, one of the reasons I like for complaints
11 to go back to the precinct level is because when you go
12 in and talk to the precinct commander in the area that
13 you live, that you are expecting some results.

14 You're expecting that precinct commander to
15 call you back the next day or the next couple of days and
16 say what he or she may be doing about your complaint.

17 Another thing too, we're talking about
18 accountability. Police officers should be held
19 accountable like any other citizen. If I go to Sears and
20 buy a washer, certainly if it doesn't work, I'm going to
21 take it back and I expect the same thing from police
22 officers and you should too as citizens.

23 Now, you pay taxes. If a police officer comes
24 out and does not resolve your complaint, then it's your
25 right and it's your responsibility to call and file a

1 complaint on that officer.

2 And that's a message that we have been trying
3 to get out and we're still getting out, particularly in
4 the black community, because again it goes back to the
5 poor services that we have been guilty of as all agencies
6 have been guilty of over the years.

7 I don't want to talk too long, but I just
8 wanted to paint the picture and get you to understand
9 that the business we're in is not -- we're not in gun
10 battles every day, we're not looking for police officers
11 that we are recruiting now, we're not looking for people
12 who are -- who think you've got to have a bulletproof
13 vest and a nine millimeter to go to a school and talk to
14 kids. We're not looking for somebody who perceived that
15 because you're a police officer, you can't go in certain
16 places and can't do certain things.

17 We look for people who understand that the
18 police officer is in the business and should be held
19 accountable and its citizens should expect us to deliver
20 services. That's the kind of people that we're looking
21 for, men and women and it doesn't make a difference, but
22 I think things have changed a lot within the Jackson
23 Police Department, and we're still headed in the right
24 direction.

25 MR. CANIZARO: Mr. Butler, thanks for coming

1 - today. We appreciate it. Would you comment
2 regarding your own personal views, what you think the
3 public thinks of the Jackson Police Department?

4 MR. BUTLER: The public views the Jackson
5 Police Department with a sense of confidence. If you
6 watch the news and you get one perception. If you go
7 to a community meeting where we are delivering
8 services, you get another.

9 Many times crime is very much like that too.
10 It's about perception. If a task force like the
11 media says, leave a negative aspect of something, and
12 the citizen -- then you paint a perception, and
13 that's what we indicated -- it's more important and
14 you have to work harder to get past perception than
15 you do to get past a real problem.

16 And that's what we spend a lot of time doing,
17 changing perceptions.

18 MR. CANIZARO: Do you see the media as -- crime
19 as being a problem --

20 MR. BUTLER: Well, I think sometimes the media
21 paints not a true picture.

22 MR. CANIZARO: Could you comment about changes
23 that you think may be useful in improving the
24 department administratively and operationally?

25 MR. BUTLER: Primarily in-service training. We

1 have ongoing training from the commander level down.
2 One of the areas that we know that we need a lot of
3 training and continued education in, culture
4 diversity, that's at all levels, and not just a black
5 and white issue, but it's a people issue.

6 In-service training is one of the most
7 important things that we are doing now within the
8 department. Other things that we are doing is
9 reference to improving our ability to deliver
10 services through our new communication system that's
11 now on line.

12 We also -- we just graduated one class and we
13 are starting two additional classes in the near
14 future, one the person -- the next one is June the
15 12th, and a class following that, and that will allow
16 us not necessarily to put more people in jail, but to
17 reduce the perception of fear in the community, and
18 that's what it's about. I think every police officer
19 should have a uniform. Not that I have anything
20 against the vice, narcotic or cloak and dagger, but I
21 think every police officer should have a uniform
22 because we are not trying to hide what we do from
23 anybody, and whatever a police officer, he or she may
24 do, it should be clearly defined that we're in the
25 business of putting people in jail for committing

1 crimes.

2 And we don't have to hide and be cloak and
3 dagger and have a -- to deliver services to the
4 people. I think we all should be uniform.

5 MR. CANIZARO: You mentioned something about
6 training. I don't know that I quite understood you,
7 but I have a question about that, and I wondered if
8 there was anything in place in the training -- or in-
9 service training to minimize the risk of physical
10 confrontations --

11 MR. BUTLER: Yes, sir. We've done many things
12 in the last training. We are now using what we call
13 pepper gas. What happened -- over the past I guess
14 eight to ten years, we -- the department discontinued
15 the use of what you call slap jacks. We discouraged
16 flash lights and ultimately what happened is we ended
17 up with a weapon called a PR-24, which is something
18 less than lethal between hand and the gun themselves,
19 and it's called a PR-24, but because of the size and
20 the shape of the PR-24, which is approximately 36
21 inches long, so -- and a six-inch end on it to
22 control it with you hand, officers most times do not
23 carry that particular weapon, and as a result of
24 that, they find themselves in confrontations that
25 they often may lose.

1 But I think the gas that we now use, the pepper
2 spray, is going to be a very important weapon,
3 because it's going to be that -- the weapon that
4 we'll be able to subdue suspects with, without --
5 using a minimum amount of force.

6 Another thing that's prevalent in Jackson -- I
7 don't know if you're aware or not -- but is the
8 number of confrontations that we have with mentally
9 ill people. And that's every day, and unfortunately
10 if you've ever had a physical confrontation with a
11 medically ill subject, you're in for a rude
12 awakening.

13 If you have less than four or five police
14 officers, you're in trouble. And the pepper spray
15 has enabled already several police officers to subdue
16 mentally ill patients using minimum force.

17 MS. KEYS: What was your position before you
18 became the deputy chief in charge of patrol?

19 MR. BUTLER: I was supervisor for burglary
20 division, homicide and robbery.

21 MS. KEYS: Given some concerns raised about
22 either racism or prejudice or discrimination within
23 the department historically but maybe even still
24 going on, could you address in light of your
25 experience whether or not that is true and what you

1 think ought to be done about that, if so?

2 MR. BUTLER: My position is that the City of
3 Jackson is predominantly black. According to the
4 crime statistics, most of the major crimes happening
5 in the black community, the majority of the homicides
6 are black, so-called black on black crimes -- which I
7 don't like to use that terminology of black-on-black
8 crime because you've got Chinese in Chinatown, it's
9 going to be Chinese on Chinese, so I don't like to
10 use black-on-black crime, so -- many of the homicides
11 are happening in the black community, many of the
12 house burglaries, auto thefts are occurring in the
13 black community.

14 So that leaves me to think that you need
15 adequate certainly a large number of your
16 investigative personnel should be black, because your
17 suspects -- most of your suspects are black.

18 The city jail, before we got out of business --
19 the population was predominantly black. The county
20 jail is predominantly black. The youth detention
21 center is all black, so that tells me one thing now.
22 If all these crimes are committed by black people,
23 and against black people as well -- now, black people
24 also are the victims -- so therefore you should have
25 -- the best that you have to resolve those problems,

1 and one of those two should be black investigators.
2 Or you should increase the number of black
3 investigators you have.

4 DR. WARD: Chief Butler, I want you to clarify
5 the point that you just made. You're making it on
6 the basis of the highest percentage of crime in this
7 community being committed by African Americans or
8 blacks, but should we then assume that white police
9 officers would have very little work because white
10 people don't commit very much crime?

11 MR. BUTLER: No. We was talking about from an
12 investigative standpoint. The length of time I have
13 as an investigator, to solve a case, the FBI can't
14 solve anything, nor can a county sheriff, without
15 information. Information comes from communicating
16 with people.

17 A good investigator is a good communicator. If
18 you can't communicate with the people that you're
19 trying to serve, you've got a problem. You can't
20 resolve a case by putting -- it doesn't work the way
21 it used to be on Hawaii Five-O, book them Danno. You
22 have to actually go out there and communicate with
23 people and establish a line of communication and you
24 establish a rapport with the community in which you
25 have to do an investigation, and that is my response.

1 DR. WARD: I think in terms of internal
2 semantics I understand very well what you're saying,
3 but it has to be very clear for the record. And it
4 is a problem with communication that concerns me.

5 You reflected on the remarks of your colleague
6 who was here just before you came and you were not
7 here to hear the remarks of your colleague who was
8 there before him. And the one thing that I'm
9 becoming very concerned about is exactly what you're
10 identifying as communication, because I have heard
11 during these meetings that a number of people who
12 have what I -- have to accept as legitimate complains
13 about having been either physically brutalized or
14 verbally abused and have tried to make complaints,
15 but because they did not have very sophisticated
16 information, don't know at this -- first of all, they
17 don't have any copies of the complaints they made.

18 They did not know that if their complaint was
19 to be seriously dealt with, it had to be notarized.
20 You see, so they come to us saying well, I'm just in
21 limbo as far as information is concerned, so I think
22 you're on target.

23 The communication from the police department in
24 all sections of the police department is really going
25 to have to be upgraded for the public so that the

1 public will start behaving out of a great sense of
2 ignorance and fear.

3 That was a comment which I wanted on the
4 record, not a question. Yes.

5 MS. MILNER: I'm interested also in your
6 comments about communication and also the fact that
7 you believe that the general perception of the
8 community about the Jackson Police Department is
9 good. Do you not think that the surge in community
10 patrols and gated communities and for lack of a
11 better word white flight, is at least in part related
12 to a lack of faith in the Jackson Police Department?

13 MR. BUTLER: I can't say what the reason for
14 white flight may be, whether it's because of the
15 police department -- I assume because a person, he or
16 she, that individual may decide to live someplace
17 else. But irregard for that, my concern is not
18 necessarily with the white flight, my concern is that
19 we deliver the best services that we can to the
20 citizens that are still here in this city, and the
21 business sector.

22 MS. MILNER: I don't know if you're familiar,
23 but Bellhaven has considered putting up gates and now
24 have a security patrol. Eastover has already put in
25 an association with private security patrol, and my

1 question really was do you not think that this was a
2 least in part motivated by a fear that the Jackson
3 Police Department was understaffed or somehow not
4 capable of delivering to them services that were
5 protection oriented?

6 MR. BUTLER: I think my response to that is
7 that I think that Bellhaven can afford additional
8 security. I think that any other community in this
9 city have additional security because they can afford
10 it.

11 Many times if you look at the number of the
12 alarms that's in businesses, and in the black
13 community and in the poor community, they don't have
14 alarms in businesses because they can't afford them.
15 Therefore, the number of burglaries that occur over
16 and over again, because we can't catch them because
17 we don't know that they've broken in until the
18 following morning, is simply because that business
19 can't afford an alarm.

20 We can go to another part of town, we do catch
21 burglars many times, because of the good and
22 effective alarm systems. So I figure it goes back to
23 a matter of economics.

24 The fact is if Bellhaven, whether it's -
25 whatever the community may be, I think because of the

1 fact that people who live there could afford the
2 additional security, has a lot to do with it more
3 than anything else.

4 MS. MILNER: With reference to your enthusiasm
5 for communication, can you suggest some added ways or
6 programs that the Jackson Police Department could
7 have better communications with the communities that
8 they serve?

9 MR. BUTLER: Yes, ma'am. I met a young
10 gentleman today who is a news reporter with Channel 3
11 and he was looking for Chief Johnson and I met him in
12 the hall and he said what can I do to better
13 establish a relationship with the police department?

14 I said just say we do everything right. But in
15 a follow-up on what you said, it's what we have done
16 and what we must continue to do, is to do more public
17 relations and getting information out to the
18 citizens, especially when it comes to concerns about
19 complaints, concerns about what we don't do, to call
20 us, and not only be satisfied with just calling 911
21 and not getting the answer, demand that a supervisor
22 come and see you. It goes back to accountability.
23 You can't deliver services that you don't have
24 accountability within that organization that's
25 delivering that service.

1 And one of the things that I try to get the
2 citizens to do, if you have a complaint in reference
3 to what we did or did not do, if you're not
4 satisfied, demand to see a supervisor.

5 MR. RANGE: Chief Butler, could you estimate
6 whether 50 percent, 75 percent, 90 percent of the
7 department officers have read the policy on
8 complaints and initial the documentation that they've
9 picked up a copy?

10 MR. BUTLER: No, sir. I can't assure that
11 anybody has read -- what I can ensure is that the
12 officers are instructed by the supervisor and they're
13 ordered to pick up general orders and amendments to
14 those general orders, from supply and they pick them
15 up and if I'm picking up that general order, that
16 document, they have to sign for that particular
17 document saying that they have in fact picked that
18 documentation up from supply.

19 MR. RANGE: So conceivably there's a lot of
20 people out there that haven't picked up their
21 information?

22 MR. BUTLER: What has happened -- many times we
23 deal with certain parts -- policies and procedures,
24 segments of our policies and procedures, such as
25 complaints, what is class two or class one

1 complaints, such as behavior, and those kind of
2 things are not only a -- people are instructed to
3 pick up, but also send out memos on a regular basis
4 from my office reiterating and reminding police
5 officers and their supervisors as to their
6 responsibility relative to that general order or that
7 operating procedure.

8 MR. RANGE: Do you think that enough training
9 has been provided on the complaint procedures of
10 officers?

11 MR. BUTLER: I think enough training is never
12 provided. You have to continue to train police
13 officers and anybody else. One of things that I like
14 to do is whatever area -- whatever area of
15 responsibility that that officer is working, I think
16 he or she should get in-service training if possible
17 on data bases.

18 I run into attorneys. I run into people from
19 all walks of life that get them to come by roll calls
20 to -- for short block of instruction.

21 What happened is that the more I think we talk
22 about something, the better we can do it, in
23 reference to -- in training -- better enable us to do
24 our job.

25 MS. KEYS: I heard that there might be a

1 - problem with morale within the police department.
2 Would you agree with that, and why might the morale
3 be low and what could be done about that?

4 MR. BUTLER: I don't know anything about morale
5 problems. I know there's a morale problem in the
6 fire department but I don't know nothing -- but no, I
7 haven't heard anything about the morale, but let me
8 say this.

9 Again, my perception of the morale, it's
10 necessary for us to do what we can as managers in the
11 police department to see that we enhance morale and
12 keep morale as high as possible.

13 But our primary concern should be and my
14 concern is not police officers, it's people and what
15 we do as police officers in delivering the services
16 to people. Our check does not say morale. Okay.

17 Our check has a dollar sign and that's my
18 response to many police officers who bring morale up,
19 but the best way -- the best way to increase morale -
20 - what I instruct police officers now, the best way
21 for them to increase morale, whether it's pay or
22 whether it's benefits, is to increase the level of
23 services that you deliver to people and people will
24 in turn demand that the politicians see that you
25 acquire these things that you think that you deserve,

1 but you have to first improve what you do, if you
2 expect the system to increase your benefits.

3 MS. KEYS: Are there written performance
4 evaluations of officers?

5 MR. BUTLER: We are evaluating the evaluation
6 process. The evaluation process we had in the past,
7 it was perceived under Chief Walker who I was
8 administrative assistant to, as being very biased.
9 We discontinued that process and we are now are still
10 in the process of coming up with a fair and equitable
11 evaluation for employees.

12 SENATOR HARDEN: Chief Butler, do you receive
13 complaints for the sworn officers? I think you told
14 us you're responsible for that percent of the
15 officers that are out on the street. Do you receive
16 any of those complaints? What are some of those
17 complaints, and the third part of that is what are
18 your needs? What do you need -- more vehicles, do
19 you need additional sworn officers, equipment?
20 Address that for us.

21 MR. BUTLER: The first part to your question is
22 that in reference to complaints from police officers,
23 complaints from police officers many time they vary
24 from day to day.

25 At one point if a police officer react to -- to

1 the news media. If there's a news story on TV where
2 a police officer is accused of abusing somebody, and
3 if a number of officers know this guy or this lady,
4 and they've been around for a while, they say that's
5 not possible. That's not that person's personality.

6 So they become anti -- whether it's anti-
7 community, whether it's anti-media, they become anti
8 -- but I think again that's why I think the focus
9 should be not on individuality but on what we do as a
10 department.

11 In reference to our needs, our needs were
12 better enhanced if we were -- such as vehicles. Such
13 as personnel.

14 I think one of the things that I'm doing now
15 and that I'm waiting to propose to Chief Johnson, --
16 work on for the past week. We are devising a sub-
17 beats within the beat structure we have now.

18 And the reason for that is to reduce the amount
19 of area that the beat car cover, thereby reducing the
20 time that it would take us to arrive at a call and
21 delivering better services and providing better
22 backup for a given officer when he or she arrives on
23 a call.

24 But in reference to that, we're always in need
25 of resources. I guess many officer say first, pay --

1 my position is vehicles and manpower and training.

2 SENATOR HARDEN: Just one more thing. Since
3 we're dealing with community police relations, at the
4 precinct level those precincts stay open for 24 hours
5 and how are they staffed and -- I somehow think that
6 they are no longer staffed for 24 hours, that they
7 close up at nine o'clock like a library, and how do
8 you think that impacts upon the overall state of how
9 people perceive the job that the police officers are
10 doing?

11 And finally, I want to ask you if you are aware
12 of the differences of opinions among low income
13 African American communities regarding the services
14 that they receive, and we've heard it over and over
15 and over throughout the course of the duration of
16 these two days, and the perception of other people in
17 the police department and what is it that you're
18 doing to try to change that?

19 MR. BUTLER: The first part of your question --
20 what was the first part of your question -- about the
21 police --

22 SENATOR HARDEN: The precincts.

23 MR. BUTLER: The precincts.

24 SENATOR HARDEN: Do they really close at nine
25 o'clock?

1 MR. BUTLER: Yes, ma'am. We are maintaining a
2 24-hour operation within the precinct. What -- about
3 six months ago I did -- I submitted a recommendation
4 that we close precincts one and four at 11 o'clock,
5 and the reason being because they have no activity,
6 lack of services that we deliver from the precinct
7 level, to those particular communities.

8 However, we are at present all the precincts
9 remain open 14 hours a day.

10 In reference to the second part of your
11 question, one of the things that we are doing at the
12 precinct level is that the DART unit, which many of
13 you heard that was in the news for a long time, city
14 council, the DART unit has been dispersed and is now
15 assigned to precincts two and three.

16 And what that should achieve and it is
17 achieving that, is that the precinct manager at those
18 particular precincts no longer has to do a memo to
19 Chief Vitt to request that he send a DART unit to
20 come out and address the problem.

21 The precinct manager has at his disposal his
22 own DART units. He has at his disposal his own
23 motorcycle and traffic enforcement guides.

24 He has at his disposal his own canine units
25 because they're at the precinct level now. And those

1 are some of the things that we're delivering or
2 trying to improve the way that we deliver service and
3 a better service at the precinct.

4 But in reference to getting the information out
5 as to how we do business, we're using the vehicle
6 primarily out of crime prevention units, whose
7 responsibility is to organize who have organized all
8 the communities in the city and working with
9 community groups.

10 And one of the things that we have to do as
11 police officers, again in reference to what you said
12 about morale, is that police officers can find
13 everyday is that if they actually go out and get out
14 of the car and talk to people, and resolve a problem,
15 stolen bicycle -- it's not the big case that ends up
16 at the -- it's a stolen bicycle, makes a difference.

17 They're able to resolve a lot of their problems
18 and concerns as of delivering services to people.

19 DR. WARD: Chief Butler, I'd like to thank you
20 very much for your presentation and for enduring our
21 questions. And do you want to make any summary
22 remarks or anything or have you had enough?

23 MR. BUTLER: But I think -- the whole concept
24 is I wanted to make service delivery is that Senator
25 Harden will speak about -- in a black community you

1 - have to understand, is that when a garbage truck comes
2 through, they leave the garbage can turned over with
3 the top in the ditch, and it's been that way for
4 years.

5 And other services haven't been any better. We
6 have people, senior citizens, who call me sometimes
7 because of the home health care agency, is afraid to
8 come to their house because of drug dealers sitting
9 on the porch across the street, and an absentee
10 landlord lives somewhere else in another county or
11 another state. Those are things that we have to deal
12 with every day, every day, and we have to do the best
13 that we can to do that, and sometimes we have to
14 employ what I call impact policing, and that means we
15 can't allow the street corner drug dealer to violate
16 the rights of senior citizens in a black community
17 who have been paying mortgages for 40 years, and are
18 scared to come out on their porch. We can't do that.
19 Thank you.

20 DR. WARD: Thank you. All right. Our session
21 four will end and we will go into recess with the
22 fact finding meeting until 6:45 p.m.

23 (Recess.)

24 DR. WARD: Our meeting is again in order.
25 We're going to start session five. Our first

1 presenter is not here, and therefore I'm going to use
2 the time we have until the next presenter appears for
3 the open session that was normally -- originally
4 scheduled for 8:45, and we have request from two
5 people to make statements. Mrs. Arlie Mae Brown and
6 Ms. January Hiligas, so the statements that are made
7 in the opening session are to be limited to five
8 minutes, and I would like for Mrs. Brown to come
9 forward and make her statement first, please.

10 MS. BROWN: Good evening, ladies and gentlemen.
11 I'm Ms. Arlie Mae Brown, A-r-l-i-e, M-a-e, B-r-o-w-n.
12 I'm the mother of Ben Brown, and I just want to say a few
13 things about him.

14 I really met John in church and Ben were
15 harassed before even they started the civil rights here
16 in Jackson. He was working in Mayflower, police -- not
17 the police -- the older police -- making him run all the
18 way home and his daddy went up there and told the chief
19 about it, and he believed Bos, which Bos is dead now.

20 And then later on around '59 or '60 him and his
21 older brother, walked some girls home from the movie and
22 they made -- they shut them down and they didn't have --
23 boys even -- and Ben had some whiskers had started
24 growing up under the chin here, and they told him the
25 next time they catch them on the street, they're going to

1 cut it -- well, that hurt me. I went up there to the
2 chief of police, Mr. Pliss, and I told him about it. I
3 asked him when they passed the law when whiskers out from
4 under the chin -- and he said -- I said well, I don't
5 make him cut them off, his daddy don't make him cut it
6 off, and I said that's his daddy over there, he don't
7 have no white daddy.

8 And I said I tell you, there's going to be
9 trouble -- I be with with him and they put a cigarette
10 lighter under my son's chin, I said all us going --
11 together, and he said well, we -- on that beat, and he
12 told me said not cutting it, and he was harassing from
13 then on.

14 That's where I meet him -- on a kind of he had
15 been harassed for what, I don't know, ever since -- about
16 14, 15 years old.

17 And then another thing I want to know why from
18 Washington and I haven't got no -- you know what I mean,
19 I can't -- when I get to talking about him, I get -- it
20 be 28 years and I haven't had nobody from -- station here
21 in Jackson tell me -- now, this last past two weeks I got
22 a paper from city council, but I haven't got anything
23 from the police department of how my son got killed or
24 who killed him, and what about, but he told me -- in that
25 movie and right -- people to vote -- he told me -- they

1 told me if I had quit, ever got it changed -- told me and
2 I just want -- just because he wasn't no dog, he was a
3 human. Thank you. I think that's all I can stand to
4 talk about it.

5 DR. WARD: Thank you very much, Mrs. Brown.
6 This is being entered as a part of our record for
7 fact finding on police community relations in
8 Jackson.

9 Our next presenter has come in so we will
10 follow our regular schedule. Ms. Weaver, would you
11 please come forward? On behalf of the Advisory
12 Committee to the U. S. Commission on Civil Rights, I
13 want to thank you for agreeing to participate in our
14 fact finding meeting and I'll ask you to follow this
15 procedure.

16 Please identify yourself and in that process
17 spell your last name and for the record provide your
18 mailing address and then you may begin with your
19 presentation.

20 MS. WEAVER: Thank you, Dr. Ward. I am Marcia
21 Weaver. I'll spell my first name also because I like to
22 spell it like my mother did and that's M-a-r-c-i-a,
23 Weaver, W-e-a-v-e-r.

24 I'm currently serving ward six as a council
25 member for the City of Jackson, have been serving since

1 1985.

2 I know so many of you up there kind of feel
3 that this is a bit redundant, but I am pleased to do
4 that.

5 The mailing address is with the City of
6 Jackson, Box 17, Jackson 39205. Do you want my home
7 mailing address also? That's fine.

8 I understand that I can give you about 15
9 minutes. You've been probably sitting a while. You may
10 not want that much because some of what I had prepared, I
11 thought I was really going to be talking to a group who
12 wouldn't know Jackson and some of you indeed and probably
13 all of you do know.

14 But I will still follow my remarks. I won't go
15 too long.

16 I do serve Southwest Jackson at this time.
17 Mostly the first eight years of my service was both the
18 western part of the city and the south part of the city.

19 Now it's mostly just that portion of south
20 Jackson basic boundaries being south of Raymond Road and
21 west of McDow Road.

22 The demographics of that area are very much in
23 middle income, working class neighborhoods. It is
24 predominantly white at this particular time. It is
25 rapidly changing.

1 However, it is mostly blue collar and I believe
2 that it's going to continue to be blue collar, whether
3 it's black or whether it's white.

4 There are very few professionals. I have to
5 really look hard to find architects, lawyers, bankers.
6 There are very, very few professionals located all
7 throughout the district.

8 I see what is happening as older whites -- we
9 have many, many more older whites that are staying in
10 neighborhoods, so I see the demographics as aging, but
11 then I see the new folks who are coming in are young with
12 families, so that there's sort of two spectrums there of
13 young and old.

14 I wanted to sort of lump the next few comments
15 in one that I see and describe as really beginning with
16 inner city flight and flight in general, more than flight
17 specific to the ward I serve, because I think they're so
18 interrelated.

19 As cities tend to grow in America, with the
20 automobile, have tended to make everything that's good
21 and big and pretty be on the edges of town or outside of
22 town, and therefore everybody who earns -- begins to
23 really earn money, most everybody wants to move out to
24 that location.

25 And that certainly has happened in this city as

1 it did 50 years ago in New York and we can go through all
2 those big cities and it's now getting to the smaller
3 medium sized cities. People are leaving primarily for
4 income in my opinion now, and secondarily because of
5 race. I think there certainly is still that concern
6 about who one lives by in some instances.

7 When we find that move occurring, we find empty
8 buildings coming. The closer to the central city of
9 Jackson, the more empty buildings we find; however, in
10 the ward I serve, which is a good ways out from the
11 central city, I see more and more empty buildings popping
12 up, both residential and commercial. It's not just one,
13 but it's both. I see businesses relocating to places
14 they believe will be more thriving.

15 So we simply have this creeping of everything
16 moving to the edge of the city and to the suburbs. In
17 rate of crime in South Jackson, that is indeed
18 increasing. It's increasing though all over the City of
19 Jackson.

20 It is almost increasing in South Jackson. I
21 presently believe that there is a high correlation
22 between lack of income and amount of crime. Those aren't
23 the only things that occur, but I think those are
24 indicators that I believe that are significant.

25 As a community gets poorer and poorer, more and

1 more crime escalates. South Jackson is getting poorer.
2 Crime is escalating, creeping.

3 I had a gentleman who is associated with the
4 church to tell me he was talking about crime with his
5 congregation and this happens to be a white church and a
6 white fellow who gave me this story, and he asked in his
7 -- in the group and they happened to be all older
8 citizens -- those are the ones who are still there and
9 still in that white church.

10 Were they really afraid of being killed
11 themselves? Well, they really weren't so much, but then
12 he asked were they afraid of being robbed, things taken
13 out of their cars, or their cars stolen, and almost every
14 hand went up.

15 So there's a real fear in whites who live in
16 South Jackson that they're not necessarily going to be
17 killed violently or killed with a gun, but that they are
18 going to be harmed in some way by -- in the criminal
19 activity of house burglaries or steeling cars.

20 Indeed both of those are increasing in South
21 Jackson. We, however, have more gun activity in South
22 Jackson too. Just even up the street from me, and I'm as
23 far as you can get in South Jackson, if this table were
24 the city, I would be here.

25 I'm as far as you can get. There are about 18

1 families on the street. I live on -- one of those
2 families is African American. We had a real episode of
3 domestic violence one day when I drove in and all cars
4 were around -- police cars were around and what happened
5 is perhaps alcohol was the major problem in this
6 particular family, white family, and there were real
7 problems with that fellow shooting a g understand
8 indiscriminatively in his yard, so crime and violence is
9 around and it's in all parts of the city.

10 I wanted to speak briefly on the role with the
11 Jackson Police Department, and then some of the changes
12 that I believe that I've seen or feel.

13 The new chief, Chief Johnson, I predict real
14 success with the current Robert Johnson. I predict that
15 success because of his valuing the family and a couple of
16 other things.

17 When he was first interviewed among the eight
18 potential candidates, the first thing he started talking
19 about was -- the standard question for all eight of those
20 being interviewed was tell me who you are and what you've
21 done and what you've been.

22 He started by describing himself from his
23 family's point of view, and everybody in his family.
24 Well, of the eight people who were interviewed, only
25 three of them mentioned family.

1 He started with family. That really indicated
2 to me that he values family very highly. I believe that
3 Chief Johnson feels that community policing is vitally
4 important in the community, that we the city, we the
5 police department, must work with the neighborhood. It
6 has to be a partnership.

7 One thing he said in that interview that
8 impressed me and made me believe he truly understood
9 community policing, he said well, I rode around earlier
10 today with some officers looking at your city then, but
11 all the windows were up. We couldn't talk to anybody, we
12 couldn't -- you know, there was this wall between us and
13 the community.

14 So I believed then that he understood community
15 policing. He I believe seeks fair treatment for all. We
16 will keep measuring that, all of us, in this community,
17 but that is my perception now.

18 He has specifically deleted the good ole boy
19 system, and I will give you one example of that.
20 Recently we had needed two new commanders of precincts.

21 Well, we've never had a commander of a precinct
22 to get there without simply that good old system of
23 loyalty and saying yes, you've done a good job for me,
24 and yes, now I'll appoint you commander.

25 Chief Johnson advertised the positions. He

1 advertised within the department. He set up job
2 descriptions. He set out some criteria. That's never
3 been done in this city.

4 So I believe that Chief Johnson is bringing a
5 lot of professionalism to the department that is greatly
6 needed and pushing away that gold ole boy system that has
7 been in place for such a long time.

8 The past relations, I guess that's all
9 according to who you talk to, but I want to share a few
10 thoughts of my own.

11 My opinion is past relations have not been very
12 good with JPD. I came on the council, as I said, in
13 1985. There had been a consent decree entered into in --
14 I forget the date -- in the 70's, in the early 70's, that
15 said that we needed to get our act straight on hiring
16 appropriate folks in police and fire.

17 Well, as I said, I came in '85. We tried
18 legislatively but I found out you can't do it
19 legislatively. It was not until after 1988 that we
20 finally began to make some little progress and today
21 we've made a great deal of progress.

22 We have new classes of officers that have been
23 brought on a number now of new classes. We have designed
24 the right tools to have promotions among the ranks. That
25 is done in a manner that is not loyalty based, it is

1 based on some criteria, some testing, as well as
2 experience.

3 Along with that we have a number of folks --
4 during that time from the 70's till '88, we virtually
5 couldn't hire any new officers, nor could we promote. So
6 obviously morale was pretty bad and we had a very aging
7 police department.

8 Today we have a lot of those persons who were
9 in place who have now retired to retiring very rapidly.
10 But we have these new officers coming on.

11 Probably our weakest area now is going to be
12 sort of middle management in the police department,
13 because of these particular set of facts that we all just
14 have to live with.

15 Some of the staff that are currently with the
16 department were in place in JPD in the 60's. They carry
17 over some of those things that we all know about and hear
18 about and continue to read about. I think it's real
19 interesting that just Tuesday we had further discussion
20 on trying to open a case out of the 60's for Ben Brown in
21 his death, and what involvement the JPD might have had in
22 that.

23 The fact that we can now talk about it is
24 healthy. The fact that Chief Johnson has agreed that he
25 will do what he can to find the documents, retrieve those

1 documents, those are I think are good things and do show
2 some change.

3 An interesting fact that you may or may not
4 know, the city still owns the Thompson Tank. The
5 Thompson Tank was the tank that was used -- it was bought
6 under Alan Thompson in the 60's, was used to protect
7 police officers when blacks were rioting and protesting
8 and causing problems.

9 We still own that. I'm not sure that I can
10 tell you right now where it's parked. About in 1986 or
11 '7 -- sorry -- yes, let me get my dates right -- lost my
12 Thompson Tank note here -- about six years ago I would
13 say we had a group of officers who were mainly our SWAT
14 officers who wanted to use that tank and came with a
15 proposal to refurbish it and get it up and rolling and
16 they wanted to use it in connection with SWAT activities,
17 that was granted at the time.

18 It was painted and got shaped -- it could roll
19 again. It didn't last long because it didn't roll very
20 fast and it also kind of affixiated people when they rode
21 in it, so it's sort of back parked again.

22 I think that needs to be in a museum. I think
23 it doesn't have any other life with this city other than
24 for the historical value.

25 I have an aid who is a high school senior in

1 this city who is working, has been an intern with me, and
2 as I was writing these notes just before I came over
3 here, I said have you ever heard of the Thompson Tank.
4 He said well, I think I have, but he wasn't sure, and it
5 seems like to me he needs to know about that. He needs
6 to understand that.

7 Another -- we're talking about the role of the
8 JPD and I think it's changing. In 1987 I was spied on at
9 city hall. That was done by special police unit under
10 the former mayor. That special police unit was directly
11 under the mayor, not under the chief of police, and there
12 were some 13 officers. That unit does not exist today
13 and I'm pleased to tell you that it does not exist.

14 We bought bunches of equipment, real
15 sophisticated kinds of equipment, and then part of it was
16 turned around to use on some of us.

17 The evidence room, when I came to the City of
18 Jackson, as a council member was sort of a joke. Anybody
19 could come -- any officer could come and go. Today there
20 is much more accountability. Then there were drugs
21 stolen, there was money stolen -- sorry -- maybe I'm
22 using the wrong word -- it was simply missing.

23 There were guns missing. An interesting fact
24 was -- and this was prior to my coming on in '85 -- but
25 when the Evers trial was again finally brought to a third

1 trial, they were looking -- the gun that had been used
2 had been found at the scene was not in the evidence room.
3 Well, our city attorney said well, his brother-in-law had
4 it.

5 Well, it happened that that was Judge Moore's
6 son -- daughter-in-law and so the judge had had the gun
7 and it ended up in this family.

8 And that's just sort of the way we treated
9 evidence, not very good.

10 I am pleased to tell you there's much more
11 accountability now. There are two people who take items
12 and two people who -- I mean, you have to have two people
13 to do everything. So accountability is much improved.

14 A few remarks about the JPD image of today. I
15 believe that the image is much more professional. It has
16 been growing that way in the past ten years. More people
17 come with criminal justice training to us.

18 Once they get there, more people are offered
19 training courses. When I first came on, nobody -- there
20 was never any money for training in-service training.
21 Now there is and so people do get to improve their
22 training.

23 Perhaps you read, if not I'll remind you, that
24 just lately Chief Johnson has tried to find out if there
25 is a real state requirement -- if the state requirement

1 can be changed when police recruits are in training from
2 having to stay at the police academy because he would
3 prefer to spend that room and board money for more
4 training on people skills.

5 I think that's a real different trend and one I
6 particularly think will be good and helpful. That is not
7 to say that you don't learn the techniques of law
8 enforcement, but I see Chief Johnson changing so that
9 people will begin to use more people skills and moving
10 into prevention as opposed to only arresting people after
11 a crime has occurred.

12 Another big image change that has happened in
13 very recent times is law enforcement agencies in this
14 city are working together again. Probably they were in
15 the 60's. I really don't know that history. I just
16 don't know.

17 But when I came on in '85, there really was no
18 interworkings between other law enforcement agencies and
19 the City of Jackson.

20 We are doing that more under the leadership of
21 Chief Johnson. I think that is very important and I
22 really support that.

23 Media coverage -- I brought and will leave with
24 you an article out of yesterday's paper about South
25 Jackson.

1 For a couple reasons I would like to mention it
2 to you. One, it's written about an activity and a South
3 Jackson church, white South Jackson church, where there's
4 been a number of continuing burglaries.

5 I happen to know, just interestingly, across
6 the street from me, which is again further southwest, the
7 private school had a whole lot of damage done by their --
8 some of their high school graduating seniors, Hillcrest
9 Christian School.

10 Yet that didn't get in the paper. Part of that
11 was because the person at Alto Woods really did want to
12 get this in the paper and this focus on the occurring
13 crime events, and I assume that the people at Hillcrest
14 didn't want that vandalism and any damage and the
15 problems that were occurring there to get in the paper.

16 So you know, it sort of takes people both from
17 the inside, telling stories, and on the outside telling
18 stories.

19 But another reason I bring it to you is this
20 same man that is part of this story in the South Jackson
21 church episodes has served on the city's crime task
22 force. He believes that that crime force is sort of
23 dead, because it just hasn't operated in the past eight
24 months, six or eight months.

25 William Wright, who is an African American,

1 thinks differently though. His assessment is different.
2 So the interesting point I think both in this and all of
3 the media in this city and the imagine change that I see
4 is the fact that we have African American journalists now
5 reporting news.

6 This second article I mentioned to you -- I
7 know is written by an African American. And what I see
8 is really a balanced reporting in what she presented. I
9 always find it interesting to see who is at the council
10 behind the camera. Some are white and some are African
11 Americans.

12 I find it interesting to see who is actually
13 reporting that news.

14 So I do see some changes and I think a lot of
15 it is coming from the media side itself in being able to
16 report to us more than one side of a story.

17 Future image in the city for the Jackson Police
18 Department I believe is key on Chief Johnson's shoulders
19 in the city, the city administration, the council, and
20 the neighborhoods that exist in this city, but we need
21 Chief Johnson's leadership.

22 The department itself I believe must earn the
23 respect of the neighborhoods they serve. They must build
24 relationships. They must get out of those vehicles and
25 talk to people.

1 I suspect there are very few people in the City
2 of Jackson who knows the police beat officer. That must
3 change. It's not going to change overnight, but it must
4 change.

5 There needs to be relationships of officers
6 with the folks they served. There must be trust built
7 among the youth in this city and the police in this city.

8 I had an opportunity to speak at Lanier High
9 and there's not any trust that I can find or respect. I
10 hope that will change.

11 We have now more officers on the street. I'm
12 hearing citizens talk about that in a very positive way.
13 That by itself is going to help a lot, but they can't
14 just stay in the car. They have to get out of the cars
15 and talk to folks other than simply writing a ticket or
16 investigating a crime.

17 We need to continue to improve in the
18 department and in-serve training for particularly this
19 middle group of folks who didn't -- haven't had that
20 opportunity.

21 We need to continue developing a partnership
22 with the community and use all of the tools that can
23 possibly be used. Those tools that Chief Johnson talks
24 about using are tools like curfew, tools like a new
25 trespassing law that we adopted on Tuesday, so that

1 officers have the ability to help people on private
2 property.

3 Some new emphasis on family violence. Lastly,
4 I will say I think it is important for every officer to
5 work as hard on prevention as they do on enforcement.

6 Those are my prepared remarks. I'd be happy to
7 answer any questions.

8 MS. MILNER: Ms. Weaver, we want to thank you
9 for coming tonight and sharing your comments with us.
10 Given your remarks about the fear of the residents in
11 your community of crimes of robbery and burglary,
12 does that at least indicate to you that in the past
13 or up until the time that the present chief has been
14 in place, that there was a lack of trust or
15 confidence in the Jackson Police Department?

16 MS. WEAVER: I think there has been a lack of
17 trust in the department. I'm not sure why that
18 reason occurs. I don't know that it's necessarily
19 the past administration of police chiefs. I think
20 that what we have had is a series of police chiefs
21 that did not jail with the community and maybe that
22 is because -- and I don't think it's only South
23 Jackson but I think it's throughout the city.

24 MS. MILNER: If you had Chief Johnson sitting
25 next to you right now, what would you tell him is the

1 the requirements of the consent decree.

2 So what I meant is the executive branch in my
3 opinion really didn't want to try to meet the needs,
4 solve the problems laid out in the consent decree.

5 MS. KEYS: Maybe it will help my understanding
6 then -- maybe I don't understand the city government
7 operations --

8 MS. WEAVER: Maybe I should just let you know
9 that it is executive legislative so that we really do
10 not deal with the daily activities of city government
11 at all.

12 MS. KEYS: So whether the council's position
13 that it was up to the mayor and the executive
14 committee to implement the consent decree provisions.

15 MS. WEAVER: Well, it was because we actually
16 have no staff to do any research, to do anything
17 about trying to solve that problem. I mean, if you
18 don't have any staff and you're a part-time staff,
19 elected official, you just -- there's no way that you
20 can put out the kind of time to try to solve a case,
21 a consent decree, and it took lawyers, it took the
22 police department administrators, and all of the
23 executive branch to finally bring to us a plan of
24 action.

25 MS. KEYS: As I understand the consent decree

1 simply required that you hire and promote without
2 regard to race, that you came up with a fair system
3 and that would take so long --

4 MS. WEAVER: Right, and if I legislate that we
5 hire X number and there's never an advertisement
6 given by the executive branch, then I can't legislate
7 it. That's an example.

8 MS. KEYS: I have one other question. You
9 mentioned when you went to Lanier there was no trust
10 or respect for the police that you felt coming from
11 youth. Why is that? Could you --

12 MS. WEAVER: They didn't tell me why. I just -
13 - a class -- a teacher had invited me to a class of
14 about 30 high schoolers and they -- the teacher had
15 asked me to talk about how laws passed at the city
16 level or any level, so I chose the law that I thought
17 would have interest in, and that was the curfew, and
18 of course they did have because it directly affected
19 them.

20 And in the conversations we did get down to
21 some community between the police and the youth, and
22 although we have JPD, youth liaison officers, there
23 did not seem in this class to be any rapport, any
24 knowledge nor did they want to talk to the police.

25 I said I can't make these things happen, but

1 what I can do, if you want to, I can let some of our
2 department come and sit on one side of the table and
3 some of you sit on the other side of the table, and
4 let's talk about what's happening and what needs to
5 happen and your feelings, but they didn't want to do
6 that. So I said well, fine. I said -- I thought
7 that I could make that happen. I could get our
8 officers there if they wanted to talk and they
9 didn't, so that told me they didn't have any trust in
10 who was going to be on that side of the table.

11 SENATOR HARDEN: Two things. Tell me your
12 opinion, Marcia, is the state of race relations in
13 Jackson and then based upon that, how has that
14 impacted community police relations in Jackson.

15 MS. WEAVER: Race relations I believe are much
16 improved. I can tell you that there are a number of
17 citizens that I represent that still do hate black
18 people. I don't know when that will change or if it
19 will ever change.

20 There are certainly fewer and fewer of those
21 people because most of them have moved to some other
22 location. There are a lot of people that I see
23 really trying to work together in neighborhoods that
24 are bi-racial. I'm pleased to see that happening.

25 However, I talked to one person today who was

1 telling me about all these problems and I said have
2 you ever contacted the neighborhood association?
3 Well, I happen to know that neighborhood association
4 has a black chair.

5 Well, no, she didn't and she wasn't. I think
6 it will continue to have some impact on policing and
7 how people feel about how safe their neighborhood is
8 for a long time to come.

9 SENATOR HARDEN: Now, let me ask you about the
10 city council's relationship with the county and the
11 new youth detention center.

12 MS. WEAVER: Be happy to talk about that. I
13 believe that one supervisor called it a three-headed
14 monster, and that indeed is a real problem. Nobody
15 can work for three bosses.

16 The youth detention center is under three
17 different authorities. That is a real problem. It
18 will continue to plague the success or lack of
19 success until that is solved. The city and the
20 county together are trying to build a new detention
21 center. What we have is not adequate, holds 23. We
22 need at least a hundred units or more.

23 We are moving forward to try to do that no
24 matter who has the authority. I hope that we can get
25 this authority problem addressed in some form or

1 fashion.

2 Whomever has it needs to have all of it.

3 SENATOR HARDEN: Finally, and this is it, is it
4 the responsibility of the school district within the
5 municipality or the county where the detention center
6 is located to provide the educational services for
7 that or what arrangements do you generally make --

8 MS. WEAVER: The city of Jackson certainly --
9 nor does the county have any direct responsibility in
10 educating the children. So it has to be the school
11 district's responsibility. And that is a vital
12 important unit of youth detention.

13 DR. WARD: All right. Thank you very much, Ms.
14 Weaver, for your presentation.

15 MS. WEAVER: Thank you. Would you want me to
16 file these with you?

17 DR. WARD: Yes. Give that to Ms. Robinson for
18 the record, please.

19 MS. WEAVER: Thank you.

20 DR. WARD: Mr. Louis Armstrong. Mr. Armstrong,
21 good evening. Thank you very much for agreeing to
22 make a presentation at the Mississippi Advisory
23 Committee to the U. S. Commission on Civil Rights. I
24 will ask you to follow this procedure which we've
25 established. Please state your name, spell your last

1 name, and provide your mailing address for the
2 record, and then proceed with your presentation.

3 MR. ARMSTRONG: Thank you, Chairman Ward. My
4 name is Louis Armstrong, council member from ward two, A-
5 r-m-s-t-r-o-n-g. I reside at 139 Valley North Boulevard
6 in Jackson, Mississippi.

7 And I'm a little late because I had to take a
8 few minutes to repair my front door. Someone attempted
9 to kick my front door in this afternoon and the only
10 thing that saved my TV set and stereo I guess was the
11 alarm system that went off and so that's why I'm a little
12 late this afternoon.

13 And I also had to attend a homeowners
14 association meeting at which I advised them I was coming
15 to testify before the U. S. Commission on Civil Rights
16 about police brutality and police relations in the City
17 of Jackson and they certainly gave me a message that I
18 will convey to you at the end of my statement.

19 I have a general statement and I hope that we
20 can get into some questions and dialogue.

21 Certainly I appreciated Marcia Weaver's
22 statements and I certainly appreciate serving with her on
23 the city council. She is a voice of true sensitivity to
24 the questions and issues that face our community and I
25 have certainly enjoyed working with her these last 11

1 years on the council.

2 I represent a northwest Jackson ward that is
3 approximately 92 percent black, that is the middle class,
4 unclaved you might call, City of Jackson. Most of my
5 constituents we have in fact the ward two is the second
6 highest home ownership of all wards in the city of the
7 seven wards in the city.

8 It has the second highest income, the second
9 highest educational level, so it is indeed the middle
10 class ward of the city, but I've spend my last 20 years
11 being an advocate for economic justice and human rights,
12 so I'm sort of maybe not the person that some people
13 would have liked to see represent that ward.

14 In fact, some people told me I had been
15 advocating for the poor too long to represent that
16 district, because they were middle class.

17 When I ran the first time, certainly the
18 constituents saw differently, but I'll get to my remarks
19 because I appreciate the opportunity to be here and I'm
20 aware of many of the studies that the Commission has
21 produced over the last 33 years.

22 While I don't think the commission was
23 aggressive enough in the years when it was most needed,
24 nevertheless your work has had some impact on the
25 struggle for human rights, particularly in the south.

1 Twenty years ago the police departments were
2 viewed and correctly so as occupying forces in most
3 minority communities. However, today the tremendous
4 increase in crime in minority communities have created
5 what I call a love-hate relationship.

6 Four communities are under siege by heavily
7 armed criminals who do not discriminate. In fact, if
8 these shameless criminals do discriminate, they
9 discriminate by praying upon the most vulnerable, the
10 most defenseless, the weakest of our constituents.

11 They usually inflict the pain of violence,
12 theft and drug sales on the low income communities in
13 which they live. Minority communities more than any
14 other community need the presence of effective law
15 enforcement agencies.

16 But because of the high incidents of crime in
17 minority communities, we also become the victims of the
18 agencies designed to protect us. We want aggressive law
19 enforcement in our community, but we do want abuse. That
20 is the thin line that the Jackson Police Department must
21 face in the years to come.

22 This is -- this first generation of black
23 elected officials must be prepared to support an
24 aggressive police force that has to control and out of
25 control criminal element.

1 As we ask our police departments to do more to
2 control crime, we must be prepared to address a
3 complicated difficult complaints that we'll receive
4 regarding excessive use of force by the Jackson Police
5 Department.

6 These complaints will be very difficult. They
7 will be very political and they will be hard to deal
8 with. In recent years we have had less frequent
9 complaints of excessive force but as we demand a more
10 aggressive police department, I believe we will see more
11 complaints because we have more officers on the street
12 with less experience with less decision making ability,
13 and many times with the message that from various sectors
14 that we want you to get this problem under control, and
15 I'm sure you heard that from a Metro Crime Commission
16 earlier today, and its director.

17 But as an elected official who served the
18 legislative capacity, we have to develop mechanisms that
19 will address these complaints that are presented to us,
20 and they will be coming to us as we -- as my constituents
21 and all other constituents -- elected official
22 constituents demand that we provide an aggressive
23 response to the rising criminal element in our
24 communities.

25 I think we'll eventually end up in Jackson with

1 a citizens advisory or a citizens review board or a
2 citizens advisory board that will serve as the
3 investigator of these kinds of complaints. I have been
4 an advocate for a citizens review board.

5 Years ago in 1979 the Jackson Police Department
6 used excessive force in the murder of Dorothy Brown, a
7 black female who was seven months pregnant, who was shot
8 in the stomach twice by an officer behind a tree with a
9 .357 magnum.

10 Nevertheless, needless to say, she died and so
11 did her child, and we -- I led a movement to change the
12 police use of force policy in the city that it took
13 months of demonstrations at city hall to change a simple
14 statement on the police use of force in the city.

15 As I remember, the community relations king
16 came out of Atlanta and came to Jackson and tried to
17 sabotage our efforts to organize a community to address
18 the police use of force policy at that time.

19 Just for your information, on some of the kinds
20 of struggles we have encountered in the past on this
21 issue.

22 But again, the most difficult issue that I see
23 that's facing the city council, and when I looked at your
24 agenda here I noticed that you listed us as the decision
25 making -- city decision makers and so that indicated to

1 me that you would want us to comment on how we would
2 implement policy that would address the abusive questions
3 that might come up in the near future, and I think we'll
4 have to do that with a citizens review board that can
5 give the citizens some feeling that there is some
6 oversight of the kinds of activity, but at the same time
7 every neighborhood organization that I have visited, they
8 tell me let's take names and kick butt, when it comes to
9 enforcing the law and reducing crime in this city and
10 it's as simple as that.

11 We are going to have to become more aggressive
12 and dealing with the criminal element, at the same time
13 be prepared to address some officers who might get a
14 little bit carried away, and who might get out of control
15 and who might be ill out there on the streets, and I
16 think that can be done by a vigilant first of all first
17 line of administrations who will be objective in their
18 analysis of their own staff, but also by the political
19 decision makers at our level who will be aggressive in
20 insuring that what is going on is fair.

21 At this point and the community group that I
22 did leave recently, they told me to express that they
23 were very concerned about crime and they wanted an
24 aggressive police department but they again wanted a
25 department that was going to be fair and that was not

1 going to engage in harassing law abiding citizens, but
2 one that would be fair, to be aggressive with the
3 criminal element, that's pervasive through our
4 communities.

5 Again, at this point I'll cease comments and
6 maybe engage in dialogue, if I've provoked any.

7 MR. RANGE: Mr. Armstrong, I have a couple
8 questions for you. The police department's
9 credibility in certain areas of the black community
10 is not very good and we are interested in finding out
11 what kind of ideas do you have that could change this
12 or improve it?

13 MR. ARMSTRONG: Well, I think the whole concept
14 of community policing, of developing a force of
15 officers who are sensitive to the community and who
16 get out of their cars and talk to people and visit
17 people and begin to get to know people on their beats
18 as a matter of doing business, as a routine way of
19 doing business, that is not going on in the city.
20 There are a few officers who have read some articles
21 on community policing somewhere and are trying to use
22 that approach, but by and large the department here
23 has not shifted to community policing and I think
24 that will be -- we'll begin to build up a trust in
25 these communities where you have these kinds of

1 problems.

2 But you're always going to have again a certain
3 element that's going to express that they don't trust
4 the police because they may not need to trust the
5 police, they may not be engaging in legitimate
6 activity in the first place.

7 MR. RANGE: It has come out with the staff's
8 work and interviews with the police department and
9 from some of the police officers that were here
10 earlier today that some of the community mechanisms
11 in the department appear to be weak. For example,
12 the complaint process, the internal affairs complaint
13 process, rests on officers signing out the policy and
14 it appears that people just aren't getting all the
15 information they need, officers. It appears that
16 officers don't know what their benefits are.

17 Are you aware of this and what do you think can
18 be done to improve it?

19 MR. ARMSTRONG: Well, I wasn't aware of that
20 much detail. When you mentioned the complaints, are
21 you referring to the citizens --

22 MR. RANGE: That's right.

23 MR. ARMSTRONG: -- complaints that are referred
24 to in internal affairs?

25 MR. RANGE: Yes.

1 MR. ARMSTRONG: Well, I think that system is a
2 little weak in terms of having officers who depend on
3 the goodwill of supervisors for a deputy chiefs and
4 district chiefs or whatever for promotions and their
5 investigators at their offices who may be considered
6 to be good officers and having to make decisions and
7 make recommendations.

8 I think it's a weak system the way we have it
9 set up here in the city and I think it's going to
10 require that we move toward a citizen review board.
11 Again, as we begin to hear more complaints.

12 And recently I actually took a person, a
13 constituent to the internal affairs division to file
14 a complaint against an officer who was abusive,
15 allegedly abusive to her, and it was a female he
16 stopped on the interstate at night and who was
17 basically, based on her allegations, was unduly
18 arrested.

19 That kind of situation I'm sure occurs in the
20 city and the complaint or review of it is not as
21 adequate as it should be.

22 MS. KEYS: Why did it take so long to have any
23 kind of promotions within the police department?

24 MR. ARMSTRONG: Because there was great
25 resistance. There was tremendous resistance. The

1 police departments and the fire departments in
2 Jackson have pretty much been sort of like the closed
3 society. They've been sort of like places where you
4 got your cousin and your brother and your uncle and
5 your nephew and your home boy from Simpson County
6 where they came to Jackson, you help them get jobs
7 there, and it was a very closed, very quiet little
8 voice system.

9 When I was elected and we in '86 -- I
10 discovered how difficult it was for promotions and
11 discriminatory hiring practices over there, and not
12 only in the police department but this was also
13 occurring in the fire department. In fact, I
14 contacted the lawyers committee for civil rights on
15 behalf of some firemen. We filed a -- we reopened
16 the consent decree and there were found -- found 83
17 violations in the fire department alone between '74
18 and '86.

19 So it was a good ole boy system and then -- and
20 the Justice Department just didn't trust the city to
21 fairly administer the plan so the Justice Department
22 along with the lawyers committee, laid out some very
23 stringent provisions for testing, for promotions,
24 review, that the city had to go out and hire
25 consultants to develop these kinds of tests.

1 Consultants had to work to get these tests
2 approved. Some of the tests were not approved so
3 they had to go back and get them change them, take
4 them back to the Justice Department, and this went on
5 for years and we spend hundreds of thousands of
6 dollars on consultants, who developed tests that we
7 had to go back and change because our own legal
8 department was sort of making sure that they kept as
9 much of the status quo as possible along the way.

10 So that was a tug of war going on between the
11 city and the Justice Department and the lawyers
12 committee on these questions.

13 MS. KEYS: What real involvement, authority
14 does the council have with the operation of the
15 police department?

16 MR. ARMSTRONG: Oh, not any at all. We have no
17 real authority, but we make it up as we go along.

18 MS. KEYS: Well, in terms of there's been so
19 many different police chiefs and we've heard that
20 morale is low in the department, no job performance
21 evaluation, some basic management considerations that
22 anybody in business would have done years ago, were
23 not done.

24 Now, who do you look to -- does the council say
25 that's not our job, that's the major?

1 MR. ARMSTRONG: Absolutely, it's the mayor's
2 job and the mayor's responsibility, and some would
3 say the mayor's fault. I'm not saying that.

4 MS. KEYS: Okay.

5 MR. ARMSTRONG: Although I'm not saying that.
6 I do believe though that we have had an excessive
7 number of police chiefs. I don't know in the
8 selection process must have been flawed in that we
9 went through these chiefs and again quite frankly, I
10 think there may have been too much executive branch
11 interference in the operation of the -- of police
12 departments.

13 The first chief had the qualifications but he
14 had grown up through the good ole boy system and was
15 a good ole boy himself, so he couldn't bring himself
16 to change anything over there. Then we went out and
17 hired a black chief and he came in and started making
18 changes too quickly, so he was gone. And then -- he
19 made a few judgment calls, maybe he should not have
20 made through the process, but -- and he was quite
21 young for the task at hand, but anyway I think as far
22 as the department is concerned, it's been a very
23 difficult situation for most officers for the last
24 eight years -- last ten years or so and that -- that
25 hasn't settled down. I hope it will settle down with

1 Chief Johnson.

2 I think he has -- I certainly believe he has
3 the qualifications and the skills to get the job
4 done. I still am not convinced that he will be given
5 the latitude to make the necessary changes that need
6 to be made in the department.

7 MS. MILNER: I'm trying to mesh this idea of
8 the aggressive but sensitive police officer, and
9 don't you think that if we are going to have
10 aggressive but sensitive police officers, that that's
11 going to require some specialized training?

12 MR. ARMSTRONG: Absolutely.

13 MS. MILNER: And if so do you have any models
14 or are there resources for such training?

15 MR. ARMSTRONG: I think there are models out
16 there that can be used? I think that the general
17 concept of community policing contains I think the
18 tools to accomplish that. I think having an
19 aggressive officer that has a trust of the community
20 -- that means an officer who has some contact with
21 the community beyond the arrest, beyond that arrest.
22 Going to community meetings, visiting the various
23 businesses located in that community, appearing in
24 community organizations, responding to those kinds of
25 community needs that may not be directly related to

1 responding to a call for -- because of a disturbance

2 And I think there are models out there, but --
3 but I think it takes a real commitment from a
4 department and from a city administration to push
5 those kinds of -- increase those kinds of skills in
6 the department, and it takes time. It takes time and
7 it takes trust in officers and giving those officers
8 all the tools they need, because we have hired a
9 couple hundred officers, I believe, in the last six
10 years or so, but they go through the eight-week
11 training academy and they hit the streets.

12 And they may not get to any serious training
13 until they get promoted to sergeant. And that is
14 very dangerous to have that kind of a person on the
15 street making the difficult decisions that these
16 officers have to make every day in dealing with these
17 problems that they face. It's almost unfair to put
18 them in this kind of situation, but we have not
19 established an ongoing training program. Every
20 police chief we've had, that's a question that
21 council had asked, are you going to do that. Every
22 one of them have promised that they're going to do
23 that, and we haven't seen one yet.

24 But we're still hoping that something will
25 occur in that area. We have a memorandum of

1 understanding with Jackson State University that we
2 pushed in a previous administration before the
3 current mayor was elected, that would be the vehicle
4 we hoped because Jackson State has a criminal justice
5 program and a strong urban affairs department as well
6 as a strong sociology department, so we were hoping
7 that we could develop a curriculum that could be used
8 to sensitize officers as well as increase their
9 skills in the areas where they needed it to most to
10 address these kinds of problems of the community, but
11 of course that memorandum may need to be reactivated
12 at this time.

13 MR. CANIZARO: Mr. Armstrong, could you comment
14 on the quality and coverage by the media of criminal
15 activity in our city?

16 MR. ARMSTRONG: Wherever there's blood and
17 guts, they're there. That's the qualify -- is that
18 what you mean? I mean, they're just like all the
19 other media out in the surrounding nation, if it's
20 not blood and guts, they don't want to cover it.
21 Their top story every night is who can get the most
22 blood and guts on the -- on story one, and it goes
23 from there. I'm a little bit disappointed in the
24 media in the way they address that issue in this city
25 and nationwide, but specifically in Jackson.

1 I think when there are community events that
2 demonstrate positive kinds of activities,
3 particularly that our young people are engaging in,
4 we can't get them there. We send them notices, we
5 invite them and we can't get them there, but if
6 there's a shooting or a fight or a stabbing, I mean,
7 you can't -- you can't -- the emergency people can't
8 get to the victim because of the media, so I think
9 it's a problem that is going to be with us. I think
10 it's just part of the nature of the business of the
11 competition that they have created themselves, and
12 until they look at that question internally and began
13 to try to develop other measures of success as a
14 quality media, then we're going to continue to have
15 that kind of blood and guts stories.

16 MR. CANIZARO: Do you think their reporting is
17 attributed to the lack of confidence that many of our
18 citizens have in the police departments?

19 MR. ARMSTRONG: Well, I might go as far as to
20 say that there's been a campaign to create that kind
21 of imagine at some point by some media outlets. In
22 specific situations, that there is this out of
23 control situation.

24 MR. CANIZARO: Meaning it's intentional?

25 MR. ARMSTRONG: I think there has been some

1 intent, yes.

2 DR. WARD: Thank you very much, Mr. Armstrong,
3 for your presentation. Mayor Ditto. Mayor Ditto,
4 I'd like to thank you for agreeing to make a
5 presentation to the Mississippi Advisory Committee
6 for the U. S. Commission on Civil Rights as part of
7 our fact finding meeting.

8 I will ask you to use the same procedure as
9 previous presenters, and that is to identify yourself
10 which will include the spelling of your last name and
11 providing for the record your mailing address, and
12 then proceed with your presentation.

13 MAYOR DITTO: My name is Kane Ditto, D-i-t-t-o.
14 I'm Mayor of the City of Jackson. My home address is
15 3972 Stewart Place, Jackson, 39211. I appreciate the
16 opportunity to be able to address this distinguished
17 panel. I appreciate the time that you have individually
18 put in on this effort.

19 I want to talk to you about some of the things
20 that we've done to try to improve the overall
21 effectiveness of our department and also to address some
22 of the issues affecting the relationship between the
23 police and the citizens in our city.

24 There's a lot more, of course, I could talk
25 about, but time constraints will probably leave the most

1 important issues for you to address in a question and
2 answer session.

3 In my six years as mayor I worked on many, many
4 projects in every area of city government. Fixing the
5 problems that I found in the police department, I
6 consider to be the most important issues that I face and
7 also the most time consuming.

8 No other department in city government has so
9 much direct impact on how our citizens feel about this
10 city and no other department has such great potential to
11 affect visitors, tourists, business leaders and other
12 people from outside the city and how they view the City
13 of Jackson.

14 Early on I felt it was crucial to do everything,
15 I could to transform the Jackson Police Department into a
16 modern, professional law enforcement agency, a police
17 department armed with the training and technology needed
18 to confront the kinds of problems that metropolitan areas
19 all over the country are facing.

20 Some of the major difficulties in our police
21 department when I took office were no regular management
22 training for senior level officers. Officers were not
23 being introduced to the concept of community oriented
24 policing. The department did not have enough computers
25 and was not using modern information systems, technology.

1 Our 911 system needed major improvements. And
2 overall the department simply did not have the resources
3 it needed to do the job.

4 But in addition to all these problems I found
5 that one of our biggest obstacles was dealing with an
6 atmosphere of racial tension and mistrust within the
7 department.

8 Much of this mistrust stemmed from the city's
9 inaction in addressing the way in which it hired and
10 promoted police officers.

11 We quickly went to work to see that the city
12 would at last keep a promise that it made in 1974.
13 That's a promise that was set out in a consent decree in
14 a federal court discrimination lawsuit.

15 Before I tell you about the court case let me
16 give you a brief historical perspective on the
17 department. In Jackson between the years of 1885 and
18 1962 the police department was all white. There were no
19 black sworn officers, members of the professional staff
20 or secretaries.

21 In 1963 in the aftermath of the assassination
22 of NAACP field secretary Medgar Evers, the city hired its
23 first black police officer.

24 By 1972 there was still only 21 black sworn
25 officers at a total of 302 officers.

1 In other words, blacks made up just under seven
2 percent of the police force at a time when the black
3 population of Jackson was nearly 40 percent.

4 Further evidence of the city's failure to do
5 the right thing in this area is this statistic, and that
6 is only one African American police officer was promoted
7 between 1963 and 1974.

8 In January of '73 a class action lawsuit
9 alleging racial discrimination in hiring was filed
10 against the police department. A little over a year
11 later in March of '74 the city signed a consent decree,
12 agreeing to hire black police officers at the same rate
13 as whites until the department's racial makeup reflected
14 the city's working population.

15 The city also agreed to submit testing, hiring
16 and promotion policies to the federal court or the
17 Department of Justice for approval. But then, having
18 signed such an agreement in the United States District
19 Court, the city thumbed its nose at that promise for the
20 next 15 years.

21 I would like to give you hard evidence of
22 exactly what city officials did during those years, but
23 unfortunately there are no real records to document their
24 actions.

25 The evidence we do have indicates that in the

1 years following the signing of the consent decree, the
2 city continued to hire and promote police officers in
3 violation of that decree.

4 Early in my first term in office we began the
5 complicated and difficult work of complying with the
6 consent decree. We hired a consultant who developed a
7 test for new officers that was approved by the Justice
8 Department.

9 We administered the test and lodged the first
10 legally sanctioned recruit class in the city since 1974.
11 After developing an approved test for promotions within
12 the Jackson Police Department, we elevated 25 officers to
13 the rank of sergeant in 1994, the first such promotions
14 since 1979.

15 We're now at work on our plans for promoting
16 lieutenants and hope to begin those advancements soon. I
17 would like to point out that at almost every turn in this
18 process we met resistance, controversy, accusations,
19 suspicions from all corners. There was a great deal of
20 media coverage and criticism about our efforts. Much of
21 that criticism seemed to be politically motivated rather
22 than a fair and objective assessment.

23 But I'm here today to report to you that
24 despite the complications and admitting our system is
25 still imperfect, we did it, and our commitment to

1 continue to honor the consent decree has been wavering.
2 We know that if Jackson is to ever see the day when
3 federal oversight is not needed in this area, we must
4 comply. We must prove through a pattern of action that
5 we will be fair in the hiring and promotion of police
6 officers.

7 And I believe that we're making that kind of
8 progress. When I took office in '89 there were 141 black
9 police officers out of a total force of 366. Today there
10 are 221 African Americans in sworn police positions.

11 Thirty-one of those hold the rank of sergeant
12 and above, while in 1989 only 16 held those ranks. So we
13 have doubled the number of black officers and supervisory
14 positions.

15 Today African Americans are now serving as
16 precinct commander, deputy chiefs, assistant police chief
17 and chief of police.

18 Making this kind of dramatic change is never
19 easy. Within the police department there was a great
20 deal of skepticism and apprehension, especially among
21 older, senior officers.

22 In the community we continue to find that many
23 white citizens believe our changes are nothing more than
24 a quota system, reverse discrimination, while many
25 African Americans in Jackson are convinced these changes

1 are superficial and that really nothing substantive has
2 changed.

3 But at the same time many, many people in our
4 city, black and white, see these changes for what they
5 really are, and that is substantial and substantive
6 progress, the kind of progress that will make Jackson a
7 stronger city as we move into the next century.

8 As I mentioned earlier, when I came into office
9 in '89 we were somewhat surprised at the inadequate
10 resources available in the department. As crime has
11 increased and this crime issue has risen to the top of
12 the priority list for our citizens, we've made sure that
13 our public safety budget reflects that priority.

14 In '89 the budget for the police department was
15 \$16,400,000. Last year we spent \$23.7 million on the
16 department. This represents about a 50 percent increase
17 in spending.

18 This very week our new \$5.5 million emergency
19 communications system is coming on line. It's a state-
20 of-the-art system and will take us far into the 21st
21 century.

22 A computer assisted dispatch system combined
23 with the latest 911 technology is helping send police
24 officers where they are needed as quickly as possible.
25 Our fleet of patrol cars is undergoing a major upgrade.

1 We will put some 25 new vehicles on the street soon and
2 we're eliminating wasted tax dollars through our plan to
3 get rid of older, high maintenance cars and replace them
4 with new ones.

5 We're also moving technology into the
6 precincts. A pilot program in one precinct prove the
7 valued of computerization to both police officers and
8 citizens. Our officers are getting more comfortable with
9 the notion that technology can be their partner in
10 fighting crime.

11 But perhaps the most profound changes have more
12 to do with the people in our department than the
13 equipment. We've recently added a crisis intervention
14 program to the Jackson Police Department, as one of the
15 few cities in the country with such a program within the
16 police department. We are one of the few cities in the
17 country with such a program located within the police
18 department.

19 That unit is helping hundreds of families each
20 year. Our city courts are ordering troubled couples to
21 participate in counseling or where there has been abuse
22 face jail time.

23 Beginning next month their officers will be
24 trained in the latest gun interdiction techniques that
25 have been successfully used in Kansas City and

1 Indianapolis to reduce violent crime.

2 Chief Johnson is reorganizing the structure of
3 the department from top to bottom. He has increased
4 staffing at precincts, moving more officers out of
5 headquarters and into the neighborhoods.

6 He is focusing on community oriented policing
7 and training our officers. He is working to make our
8 officers better understand how to deal with the diverse
9 population.

10 Changes in our police training program are
11 under consideration. Chief Johnson believes recruits
12 needs to spend more time learning the best problem
13 solving techniques instead of devoting so much of their
14 training course to more traditional physical fitness
15 activities.

16 I want to make just a few general comments
17 before concluding these prepared statements and taking
18 questions. First, I want to tell you that we have not
19 succeeded completely in completely removing racial
20 tensions from the Jackson Police Department.

21 But we will continue to work toward improving
22 relations between black and white members of our police
23 force. We've changed the policies and procedures that
24 held this department hostage for so many years.

25 We have changed the make-up of the department

1 to a level of inclusiveness that I think would surprise
2 many people who still cling to outdated negative images
3 of Mississippi.

4 We have clearly come a long way in a short
5 period of time and we're proud of the progress that has
6 been made.

7 The civil rights struggle in Mississippi is one
8 of the most powerful human rights stories in history.
9 The imagines of the roles played by law enforcement in
10 this state in that struggle, including that within the
11 police department, are etched into the nation's memory.

12 I believe that all of our citizens should know
13 more about that history and how it continues to affect
14 our lives today.

15 But somehow working together black folks and
16 white folks must strive to move through and beyond old
17 issues that have divided us.

18 We have to join hands to defeat the common
19 enemy of crime, no matter where it happens in our city.

20 I'll be glad to take any questions.

21 DR. WARD: Thank you very much, Mayor Ditto.

22 I'm going to begin the questioning and I have a
23 series of questions -- they come up to be three main
24 questions.

25 There are a number of things that need

1 clarification for the sake of the committee and the
2 record. I would ask you first if you would please
3 clarify what if indeed this does exist, what are the
4 shared responsibilities of Terry Hensley, the city
5 administrator, Police Chief Robert Johnson, and
6 yourself with the management of the Jackson Police
7 Department, and also what statutes beyond the consent
8 decree govern the creation of administrative policy
9 regarding the Jackson Police Department?

10 MAYOR DITTO: Terry Hensley is a member of my
11 staff, has the title of city administrator. I have
12 always had someone on my staff whose name has been
13 operations coordinator.

14 He has the same authority that those two
15 persons before him had, but the last one who was in
16 that position I had decided to change the title to
17 city administrator and so we did, but his job is to
18 coordinate the day-to-day operations of city
19 government, and he has the same relationship to Chief
20 Johnson as he does and I do to every one of the other
21 department heads, and just -- I guess expressing that
22 generally would say that I set policy for the
23 executive branch of the government within the
24 confines of the state law and the ordinances and
25 resolutions passed by the City Council.

1 Chief Johnson carries out the operations of his
2 department on a day-to-day basis the same as do all
3 the other department heads. I meet with him once a
4 week. Starting in June it will be once every two
5 weeks just to discuss general direction of the
6 department.

7 But he has complete latitude as do the other
8 directors on the day-to-day operations and I try --
9 they call me for policy issues that come up the spur
10 of the moment and we'll talk several times during the
11 week.

12 That's the best way I have to describe the
13 operations.

14 DR. WARD: My second question, do most of the
15 homeowners in your neighborhood employ the services
16 of a private security patrol?

17 MAYOR DITTO: Yes.

18 DR. WARD: And what does that say about the
19 level of confidence that people in your neighborhood
20 have in the Jackson Police Department?

21 MAYOR DITTO: Well, I'm familiar with several
22 other neighborhoods in our city that have a security
23 patrol, and I'm aware of many neighborhoods all over
24 the country who have had security patrols for 20, 25
25 years.

1 - I think it would certainly be desirable in our
2 society if there was not the need for a security
3 patrol, but I think that there are neighborhoods
4 where because of the level of crime, the perception
5 of crime, or just because of the income level, feel
6 like they want to have a security patrol that is
7 hired just for their neighborhood, that when they go
8 on vacation will drive up and look in their garage
9 and make sure nobody's there, that knows everyone
10 that generally goes to that house that can be extra
11 observant, if you will, and that -- just like
12 apartment houses and office buildings and
13 neighborhoods and condominiums and whatever all over
14 this country have had and will continue to have
15 security guards and the same reason that our suburban
16 -- a lot of our suburban communities who have a lower
17 crime rate than Jackson are now moving toward gated
18 communities with someone at the gate.

19 You know, you're going to have private security
20 guards continuing. I don't think it is a direct and
21 negative reflection on the Jackson Police Department,
22 so much as it is the reality of American life.

23 DR. WARD: Okay. If it's not a reflection on
24 the Jackson Police Department, do you think it will
25 be desirable let us say within the next ten years for

1 more communities, more neighborhoods so to speak, in
2 Jackson to follow this model of employing private
3 security?

4 MAYOR DITTO: Well, I don't think anyone would
5 deny that if you have more eyes and ears looking out
6 for crime problems, that you can reduce the level of
7 crime.

8 DR. WARD: Okay. My follow-up question, and
9 then I will open this up for other members of the
10 committee, this is a very sensitive question and I
11 want you to understand the two options that I'm
12 really giving you, because there's either an answer A
13 or an answer B to it.

14 Does your office consider that allegations of
15 corruption within the Jackson Police Department are
16 either A, well founded, or B, merely the projections
17 of a small group of citizens who have very strong
18 political and/or ideological agendas, and I'll repeat
19 that if you didn't get it?

20 MAYOR DITTO: No, I got them but I'm not going
21 to choose one of those two.

22 DR. WARD: Well, you may have your own option?

23 MAYOR DITTO: Well, I'll just have to have my
24 own option. I personally do not believe there is
25 corruption at the higher levels of the Jackson Police

1 Department.

2 I think folks that make that allegation
3 probably come within B, close to your answer B.
4 Although I haven't heard that much lately, although
5 you probably have -- I think that every major police
6 department in this country has some or has a good bit
7 of allegations of corruption dealing with drugs and
8 the amount of money that is involved in drugs and the
9 fact that many neighborhoods have bad drug problems
10 and they see police drive by and don't do anything
11 like arrest who the neighborhood knows to be drug
12 dealers, and so you get the feeling in many of these
13 neighborhoods by folks that are oppressed by the drug
14 dealers and live in very bad conditions that the
15 police are involved in corruption.

16 Unfortunately from time to time we find that to
17 be true, but I think it is by far the exception in
18 our police department, and I do not believe that we
19 have near the level of wrongdoing within the
20 department of any description as you have in -- has
21 been revealed lately in some of the major police
22 departments around the country.

23 I know of Chief Johnson's absolute
24 determination to rid the department of all
25 corruption, wherever you might find it.

1 MS. KEYS: Mayor Ditto, one of your officers a
2 a rather high level indicated to us that poor and low
3 income neighborhoods in the city generally get slower
4 poor service in all areas, and it was almost used as
5 an excuse in my estimation for -- we just operate
6 like all the other departments, you know, low -- poor
7 neighborhoods just get slower service.

8 I was surprised by that comment and I'm
9 wondering whether or not you believe that that does
10 exist, that that happens in the City of Jacksonville,
11 and if so what are you doing about it?

12 MAYOR DITTO: I just don't know who might have
13 said something like that. Nobody on here has ever
14 said anything to me like that.

15 MS. KEYS: Do you believe that --

16 MAYOR DITTO: I don't think that's true. I
17 hope it's not true. I can tell you this, I think
18 every precinct commander knows that I personally
19 would not tolerate that. Certainly Chief Johnson
20 does. We talked about that at length, as I have the
21 other police chiefs. I think -- you know, I don't
22 know why -- I don't know why someone up in the
23 department would accept that. That's an unacceptable
24 condition.

25 MS. KEYS: Some people from those neighborhoods

1 have indicated a different response time, depending
2 on where you live in Jackson. The availability and
3 rapidity of service -- do you think the that exists
4 and if so, what are you doing about it?

5 MAYOR DITTO: I really do not think that
6 exists.

7 MS. KEYS: Why -- one just last question -- I
8 don't want to take the time -- I understand you
9 initiated the JAN program, the Jackson Neighborhood
10 Association.

11 MAYOR DITTO: Right.

12 MS. KEYS: What was the point of starting that
13 and what are they doing about this?

14 MAYOR DITTO: Well, the Jackson Association of
15 Neighborhoods -- I've tried very hard within city
16 government and through JAN and through all our
17 neighborhood organizations to get neighborhood
18 organizations to be a lot more active, lot more
19 involved, get them organized in every neighborhood in
20 the city and they're still not -- some neighborhoods
21 are very well organized and very active. We don't
22 have enough and many of them are not active enough,
23 and I'm very hopeful that JAN can become much more
24 influential. I don't think it's near reached its
25 potential. It needs an executive director, needs a

1 lot of operating funds. It needs to recruit and
2 train leaders in the neighborhoods. It needs to be
3 independent of the politics, independent of the
4 mayor, independent of city council, needs to have its
5 own budget. It needs to be an advocate for
6 neighborhoods so that that will be a force of
7 pressure on the council and on the mayor, and I think
8 we need to put more governments back into
9 neighborhoods in terms of spending capital
10 expenditure funds that are for -- let the
11 neighborhood help decide. I think we need to let the
12 neighborhood talk about the policing issues and how
13 can we use the police both sworn officers and the
14 reserves that Chief Johnson is working hard to build
15 up.

16 Do some maintenance perhaps in the
17 neighborhoods on contract with the city, lots of
18 things neighborhood organizations are doing in other
19 areas of the country that we need to implement here
20 in Jackson.

21 And public safety certainly has been an impetus
22 for neighborhood organizations to become more active,
23 but it's not near a whole -- gambit of what they can
24 be doing.

25 MS. MILNER: Mayor Ditto, one of the things

1 - that we heard today which was disturbing to me was
2 the internal affairs process. Apparently there is a
3 30-day rule such that allegations of police brutality
4 are supposed to be investigated and then a result
5 rendered within 30 days, but almost all of the cases
6 are taking longer than that and there is a lot of
7 extension.

8 Also we heard that there is supposed to be an
9 escalation of punishment for officers that have
10 repeated misconduct; however, there's no process by
11 which former complaints can be drawn to the attention
12 of internal affairs except for personal remembrance
13 of certain officers.

14 Are there any plans to attack problems or do
15 you see any problems in the internal affairs process
16 and the turn-around for results?

17 MAYOR DITTO: Chief Johnson has expressed to me
18 his concern that that process was not like it ought
19 to be. And I know he is working on that. We've also
20 recently got computer equipment within the internal
21 affairs division, I believe. I know we're putting it
22 all over -- I think internal affairs office now has
23 it, in which we can keep records and do better than
24 just memory in terms of progressive punishment.

25 And certainly I think there is room for

1 improvement, but I think Chief Johnson recognizes it
2 and is going to move to correct it.

3 SENATOR HARDEN: Thank you for coming, Mayor
4 Ditto, tonight. Throughout these fact finding
5 hearings, which were preceded by interview of lots
6 and lots of people here in Jackson, one thing stands
7 out in my mind that I want to ask you about tonight,
8 and those are the fringe benefits that are afforded
9 police officers in the City of Jackson. It was
10 brought to our attention that particularly the
11 workers' compensation piece, where if an officer was
12 hurt in the line of duty that they would have to take
13 vacation time, sick time. I can't remember which one
14 it was, but anyway -- and if they didn't have the
15 adequate number of days that they were convalescing
16 for, full weeks, if they didn't have that -- that
17 would be deducted from their check.

18 It was also brought to our attention that some
19 of the officers did not understand that Social
20 Security benefits were not being afforded to them.
21 What do you propose in order to clear up these
22 discrepancies among police officers as far as what
23 their benefits are?

24 MAYOR DITTO: Okay. Well, the workman's comp
25 we have an opinion from -- I think it's more than one

1 from the attorney general's office that based on
2 state law, that's what we have to do. I admit it
3 comes up a lot in our police and fire departments and
4 in particular in terms of workman's comp benefits,
5 but the city's according to the attorney general's
6 office in our legal department have no option in
7 terms of when benefits cut in and what -- how police
8 officers have to be treated, which is basically like
9 every other city employee and state employees also.

10 Social Security -- that is an unusual --

11 SENATOR HARDEN: So none of the city's
12 employees have workers' compensation and all of them
13 have --

14 MAYOR DITTO: They all have workers'
15 compensation but it all follows the same rules that
16 the state follows, and we're required to follow those
17 rules.

18 SENATOR HARDEN: So they all take vacation time
19 if they're hurt in the line of duty --

20 MAYOR DITTO: After a certain amount of time,
21 if they want to, they can obviously take no pay, but
22 they can also use their vacation time or their sick
23 leave time.

24 SENATOR HARDEN: Okay. I understand what
25 you're saying. So in order to change that --

1 MAYOR DITTO: It's a state law issue.

2 SENATOR HARDEN: -- there would have to be a
3 change of a state statute?

4 MAYOR DITTO: Right. Or a permission by the
5 state for cities and counties to do something
6 different than they're required now to do under state
7 law.

8 SENATOR HARDEN: So I'm understanding you to
9 say that all police departments operate under this
10 state statute; is that correct?

11 MAYOR DITTO: That is correct, all city police
12 departments. I'm not sure about sheriff's
13 departments.

14 SENATOR HARDEN: But then the state government
15 also operates under --

16 MAYOR DITTO: That's right.

17 SENATOR HARDEN: -- the same statute. Okay.
18 Let's get back to the fringe --

19 MAYOR DITTO: Social Security.

20 SENATOR HARDEN: Yeah.

21 MAYOR DITTO: Well, this has not really come up
22 since I've been in office but I did ask about it when
23 I came in, and apparently the police have voted a
24 couple of times. They have an option to either have
25 Social Security withheld from their salary and have

1 the city match that, or not to have it withheld, and
2 they have voted I think at least twice not to receive
3 -- not have Social Security deducted, and so that's
4 where we are and frankly I have not had a police
5 officer mention that to me.

6 SENATOR HARDEN: It was just brought out in the
7 testimony. The other thing is the relationship of
8 the Metropolitan Crime Commission for the City of
9 Jackson, what is that relationship?

10 MAYOR DITTO: Well, I mean, technically there's
11 no relationship. I mean, they are a 501C3
12 organization and has its own money, but as a
13 practical matter I think Chief Johnson has regular
14 interaction with Wayne Taylor and maybe with one or
15 two of the committees that have looked into issues
16 dealing with the police department. I've certainly
17 met with them three or four times and thanked them
18 for some of the things they did and told them I
19 didn't think some of the things they did were what
20 they should have done, but you know, I think it's a
21 very cordial open relationship and --

22 SENATOR HARDEN: So it's just a group that's
23 outside of --

24 MAYOR DITTO: Just a group outside -- totally
25 outside government.

1 SENATOR HARDEN: How does the rank and file of
2 the police department have any input into the
3 decision making process? I mean --

4 MAYOR DITTO: You're not talking crime
5 commission now?

6 SENATOR HARDEN: No, I'm through with crime
7 commission since you told me that the city had no
8 relationship with them.

9 MAYOR DITTO: Right. How does the ordinary
10 rank and file officer have input into the decisions
11 made within the police department?

12 SENATOR HARDEN: Yes.

13 MAYOR DITTO: You know, there is no structure
14 for doing that that I know of. I do know that Chief
15 Johnson talks to rank and file as much as he's able
16 to do, and I've certainly encourage him to do that.
17 Also he meets regularly with the precinct commanders
18 and the rest of the command staff who, you know,
19 receive suggestions I know all the time.

20 But as far as a formal work group setting,
21 anything like that, there's not a formalize process.

22 SENATOR HARDEN: When's the last time there was
23 any kind of a survey that was done, you know,
24 internally with rank and file to find out what their
25 concerns are, what issues needed to be addressed --

1 MAYOR DITTO: It probably was when we were
2 choosing Chief Johnson. I submitted a survey to all
3 police officers, asked them what I should be looking
4 for in a police chief.

5 And also asked them about other aspects of the
6 department, and got a lot of good feedback on that.
7 I don't know -- I don't believe a police chief has
8 done a formal survey.

9 MR. RANGE: Mayor Ditto, would you discuss for
10 us to advantages or the disadvantages of a citizens
11 review panel to either -- to either oversee or be
12 involved in the citizens complaint process?

13 MAYOR DITTO: I wish I had reviewed my notes on
14 this topic before I came tonight. I should have
15 known to do that, but I didn't. When I first came to
16 the office I read a good bit about citizens review
17 panels and unfortunately that's been six years ago
18 and I don't have that good a memory, but my
19 recollection is that I decided that a local citizens
20 review panel made up of citizens, which is what that
21 implies, has really not been successful in any
22 setting that I read about, and I read about a survey
23 that reviewed a lot of it.

24 What I decided at the time was that if there
25 was to be any sort of review process that reviewed

1 internal affairs decisions or whatever disciplinary
2 decisions that the police department took, that we
3 probably should establish some state entity that is
4 totally removed from the politics and use that in the
5 best sense, but the politics, the personalities of
6 local government, and that could do a very objective
7 review of what went on in a serious situation where
8 there was cause to believe that -- or at least
9 reasonable cause to believe that the police
10 department itself should not be conducting that
11 investigation.

12 I had even read about some models that I
13 thought -- that the state might want to consider, but
14 I did not read about a successful case of a
15 satisfactory situation where there had been a totally
16 local citizens review board, looking over the
17 shoulders of the police department. I do remember
18 that, but I don't remember all the details and I
19 don't remember the model that I finally thought would
20 be the best, if in fact we went to some situation
21 like that.

22 MS. HALL: Two things that have been repeated
23 in the last two days of these hearings having to do
24 with crime in the city. Contributing factors are the
25 physical environment of the neighborhood, dilapidated

1 housing, encourage activities, et cetera, and also
2 the lack of personnel or adequate numbers of police
3 officers. And it was not brought out in the hearing
4 and just recently came to my attention, the reserve
5 officer program for the City of Jackson and also the
6 neighborhood services delivery program, both of which
7 seem to be good ideas to me, and I'm curious to know
8 number one, how are the sworn officers accepting the
9 reserve officers and what role are the reserve
10 officers playing, and number two, how are the members
11 of the services delivery program, how is it working
12 and how do you target the neighborhoods?

13 MAYOR DITTO: First the physical environment,
14 it's certainly true that there are way too many
15 dilapidated houses for lack of a better description
16 in the city. There are whole neighborhoods that are
17 in bad condition. Frankly, the housing in many cases
18 was never in very good condition, but with the crime
19 in the particular neighborhoods and the residents
20 frankly that could have afforded having better
21 housing options in the past, 20, 30 years since the
22 neighborhoods have become integrated and low income,
23 particularly African Americans have been able to move
24 to other neighborhoods, we've left a lot of
25 neighborhoods that where as I said the housing never

1 was very adequate and it was the first to be left and
2 it was the first to be vandalized and in bad shape.

3 There are you know hundreds of houses that need
4 to be torn down now. We have recently allocated an
5 addition \$200,000 of community development block
6 grant funds in this budget year -- we've amended the
7 budget to be able to tear down many additional
8 houses. We've also opened up a land fill for debris
9 so we don't have to pay the tipping charges for BFI
10 and we're -- so our demolitions will be a lot more
11 efficient.

12 And we're just redoubling our efforts to tear
13 down these houses. We're trying not to tear down
14 whole neighborhoods indiscriminately however, because
15 there are many houses that are characterized by
16 people as dope houses or crack houses or whatever,
17 that to tear them down would really damage the fabric
18 of the neighborhoods and I'm much more in favor of
19 working through Habitat, Voice of Cavalry, West
20 Jackson CDC, Housing Partnershp, which we formed
21 three or four years ago, Housing Authority,
22 Neighborhood Organizations to get those houses, and
23 we've just formed a land bank in order to do that,
24 and try to save them, so there are houses that
25 clearly need to be torn down, but there are also many

1 other houses that a lot of people would like to see
2 torn down that we really need to board up in order to
3 preserve those neighborhoods so that we can
4 revitalize it.

5 Lack of number of police officers, Chief
6 Johnson has said that he thinks that -- and I'm --
7 other folks that came in several years ago back in
8 '80 -- back in '90 that did a study of our police
9 department, you know, recommended a level of 450
10 officers, which we're fairly close to having and will
11 have about that many when this new class that's
12 coming in at the end of this fiscal year gets out,
13 you can say you can never have too many officers, but
14 you have to -- if you look at other cities our size
15 with similar crimes rates and other things like that,
16 450 is a medium high number and is probably a good
17 number.

18 I think the reserves can play a very important
19 role by assisting police officers in some of their
20 duties in taking over some functions that are not
21 hazardous and but would relieve uniformed police
22 officers from some jobs that are -- I wouldn't say
23 not as important, but not as dangerous and let them
24 leave them available to patrol other areas which have
25 more serious crime problems.

1 When Los Angeles recently announced an
2 intention to have 4,000 additional officers, they
3 decided to have 2,000 of them as reserve officers,
4 and other cities around the country have also adopted
5 that and they've been very satisfactory.

6 And if you have a good program, then you find
7 that there are many very dedicated motivated people
8 who want to be reserve officers, and I'm very
9 encouraged by that.

10 I have never heard a sworn officer that
11 resented a reserve officer. Now, they probably do
12 and they may have just not told me about it. I think
13 they appreciate them frankly. I mean, they know that
14 they're not paid nay less money because as a reserve
15 officer they're -- they may have some more help
16 because they have a reserve officer. So I don't
17 detect any resentment along those lines.

18 Neighborhood Service Delivery is a concept
19 that's been widely used around the country in the
20 last few years. We want to make it more
21 comprehensive than it has been. We have used it in
22 two neighborhoods recently, mainly as sort of
23 intensive code enforcement and clean-up. We used it
24 in Georgetown. We used it in an area west of State
25 Street as part of the Cherokee-Fondred Heights area.

1 We'll be using it in other neighborhoods that express
2 a desire to organize the neighborhoods and to be a
3 part of that effort.

4 We want to make neighborhood service delivery a
5 much more comprehensive scheme where all the
6 departments work together on a regular basis to take
7 care of problems interdepartmental without going up
8 the chain or going to action line and coming back,
9 having good communication among police, fire, public
10 works, human cultural services, whatever.

11 And that is a management change and outlook
12 that's going to take us probably several years to
13 institute. But as it's been instituted just
14 recently, it's more of a SWAT team approach to
15 cleaning up a neighborhood and looking at code
16 problems.

17 MR. CANIZARO: Mayor, in your remarks you talk
18 about the community policing being -- Chief Johnson
19 seemed to be interested in that and we've heard from
20 a number of officers today and I was quite concerned
21 with your kind of a difference of opinion on those
22 that talked about this. Described it as something
23 different -- described it as problem solving -- in
24 lieu of -- and it just -- everybody doesn't seem to
25 be on the same page here. Is this truly a job of the

1 police department?

2 MAYOR DITTO: I think you're right in terms of
3 not all the officers having a good concept of what
4 needs to be done in order to implement community
5 oriented policing and I'm sure Chief Johnson would be
6 the first one to agree with that summation.

7 The last police chief, Chief Wilson, talked
8 about problem solving policing as synonymous with
9 community oriented policing, and so that nomenclature
10 was used for two and a half years.

11 Both of them are frankly used a good bit around
12 the country, along with a couple other titles for
13 what is basically community oriented policing, or
14 problem solving policing in the sense that you go
15 into a neighborhood and you don't just answer calls,
16 you try to solve the problems that the community has,
17 some of them may be directly crime related, others
18 may not be.

19 But that's also an integral part of what's
20 described as community oriented policing also, so
21 there's really no difference, it's just kind of what
22 you call it, but it's going to take us a while to
23 fully implement community oriented policing
24 throughout the police department. There's a lot of
25 officers that we have not had a chance to really

1 train and I think the new ones coming out of these
2 classes that we're doing now will have a jump on
3 everybody else and we're going to have to go back and
4 retrain and continue to train.

5 In fact, one of tenants of community oriented
6 policing frankly as with all other professionals
7 these days, is that it's constant training and
8 retraining.

9 MR. CANIZERO: Is there a plan in place to
10 continue to do in-service training that --

11 MAYOR DITTO: There is. Chief Johnson has just
12 recently finished the curriculum. He worked with
13 staff at the training academy to devise.

14 MR. CANIZERO: One of the other things that we
15 have discussed and heard about are sensitivity
16 training with regards to race relations. Is that
17 also being considered as part of this --

18 MAYOR DITTO: Yes, it is. In fact, there are
19 plans to do sensitivity training, and not only within
20 the police department but throughout the city
21 government.

22 DR. WARD: Thank you very much, Mayor Ditto,
23 for your presentation. And we will enter your
24 printed remarks as part of our exhibit along with the
25 transcript and discussion. Thank you.

1 Now, we have to move to the open session
2 structure, which is slightly different. Here we have
3 provided an opportunity for those who were not
4 officially invited but who have statements to make to
5 make them and the ground rules here include the fact
6 that those statements cannot exceed five minutes and
7 we have two people who have indicated a desire to do
8 that.

9 First Ms. Jan Hilliss and secondly Minister
10 Charles Quinn, so we will take them in that order.
11 You had asked to make a statement?

12 MS. HILLISS: Yes, I do. Would you mind if I
13 spoke second?

14 DR. WARD: Well, I wanted to be fair so I put
15 your name on first, but you may certainly speak
16 second if Minister Quinn wishes to speak first.
17 Minister Quinn, please. For the record would you
18 please state your name and your mailing address and
19 then give us your statement?

20 MINISTER QUINN: Yes. I'm Minister Charles X.
21 Quinn, and of course my mailing address is P. O. Box
22 20454, Jackson, Mississippi. And the ZIP code is 39209.

23 I would like to first of all thank you for
24 giving me an opportunity to make a public response to
25 this commission. First of all, I'd like to just give a

1 general comment in reference to the relationships that
2 has been developed here in the City of Jackson between
3 the Jackson Police Department and the community.

4 As all of you may know, on August the 22nd,
5 1992, my son, Andre Jones, was murdered in the Simpson
6 County Jail and I of course used the language
7 deliberately murdered.

8 And on that night we received a visit from the
9 Jackson Police Department. At this time I can't recall
10 his name but the officer came to my home about 12:00 p.m.
11 and knocked on my door and I answered and of course I
12 asked him what was his purpose of being there, and he
13 said that he did not know, he was just instructed to give
14 my wife a note and that note was to call the Simpson
15 County Jail in Mindenhall, Mississippi.

16 I thought that that was very odd that him being
17 a police officer here in the City of Jackson, would not
18 know the purpose of coming to a resident's home at
19 midnight on a Friday night to deliver such a message.
20 And, of course, shortly after that my wife did call the
21 Simpson County Jail and was informed that my son was dead
22 and that he had been hung by his own shoe laces.

23 Because of that incident and because of the
24 national attention that it had received, I began to get
25 many more calls from local residents here in the City of

1 Jackson in reference to several incidents that have
2 occurred between them and Jackson Police Department.

3 And I'm sure you've heard all of those type of
4 cases in reference to what has happened. And what I
5 would like to say is that what I see as a community
6 leader, I am minister of the National of Islam here in
7 the City of Jackson, and of course the co-founder of the
8 Mississippi Coalition for Justice -- that we have a
9 serious attitude problem that exists between the members
10 of the Jackson Police Department and the local residents,
11 and as you have discovered, there is a serious attitude
12 problem within the department between black and white
13 police officers. This of course has carried over into
14 the community and, therefore, the police department has
15 lost a great deal of respect from the community and
16 because of that the community relationship with the
17 police department is very poor.

18 Based on the kind of reports that I have
19 received personally by members of residents here in the
20 City of Jackson, there's a tremendous -- what we call a
21 snitch program that exists where many of our young black
22 male men are being used as snitches in the community and
23 then of course after a period of time they are being
24 given up by the police department.

25 I had received calls from a mother whose son

1 was participating in such type of program and of course
2 he later on was killed himself.

3 Just recently several months ago a young man
4 cam to me and reported that he was brutally beaten by one
5 of the officers here in the City of Jackson, and he of
6 course said that he was only trying to find out how he
7 could get out of a neighborhood -- he had went down a
8 one-way street and the police hemmed him up and of course
9 didn't give him a chance to really discuss why he was
10 there in the neighborhood, but began to handle him in an
11 unprofessional way and harassed him.

12 These are the kinds of calls we have received -
13 - when I say we, my wife being the former president of
14 the NAACP here in the City of Jackson, and myself being
15 the minister of the Nation of Islam. These are the kinds
16 of calls we receive constantly, and I think that you must
17 take what you have received and take it back and consider
18 it because the attitude that the city of Jackson and the
19 State of Mississippi have toward any federal intervention
20 is that the federal government always want to dictate to
21 us what to do -- never want to give any resources to help
22 us correct the problem, so there's an attitude problem
23 here that exists in Jackson and Mississippi and
24 unfortunately the attitudes have hardened into beliefs
25 and it's part of a belief system here in Jackson and in

1 the State of Mississippi.

2 And sad to say, belief that exists here is not
3 true, is based on people's perception and our perceptions
4 are not always fact, so black men specifically is
5 perceived to be criminals and if myself, is found in a
6 certain neighborhood, I'm stopped and questioned, I'm
7 pulled over. I was pulled over in Clinton, Mississippi
8 after taking a young man home.

9 That's a serious problem and I agree that it's
10 not going to change overnight, but it has to be addressed
11 and it has to be a part of policy for this city to really
12 look at seriously, because if they do not look at it
13 seriously, I think that something really explosive may
14 happen in the very near future, but I know I had only
15 five minutes and I can say much more.

16 Again, I thank you for giving me an opportunity
17 to make a few statements. I truly believe that the
18 police department --

19 DR. WARD: Please summarize it because I've
20 already given you two minutes over.

21 MINISTER QUINN: Yes, sir. I believe that
22 there's a fraternal relationship between the police
23 department here in the City of Jackson and surrounding
24 counties and of course that allows situations to occur
25 where injustices are constantly occurring and it's very

1 unfair to the citizens of this city as well as this
2 state. Thank you.

3 DR. WARD: Thank you very much. Ms. Hillegas.
4 We would ask that you follow the same procedure,
5 state your name, spell your last name, and indicating
6 for the record your mailing address and then you have
7 five minutes to make your presentation.

8 MS. HILLEGAS: My name is January Hillegas, H-
9 i-l-l-e-g-a-s. My mailing address is P. O. Box 3234,
10 Jackson, Mississippi, 39207. I wanted to start by
11 clarifying for any of you who are not familiar with what
12 Mrs. Brown was talking about, that in addition to the
13 earlier incidents with the Jackson Police, her son
14 Benjamin Brown was shot in the back three times by the
15 Jackson Police on Lynch Street in 1967.

16 And shot and killed, did I say? And nothing
17 has ever been done about it.

18 If you want further information, there is a
19 clipping that I've given Ms. Robinson.

20 I wanted to mention a few short items, some of
21 which relate to things that have been said earlier in
22 these hearings. One is as far as the Metro Crime
23 Commission having grass roots members and indeed it may,
24 but I found the \$10 membership to be a deterrent to me to
25 my even going to their meetings because I had the feeling

1 I would have been expected to pay when I went to their
2 meetings, so I have not even attended to see what they're
3 all about.

4 I agree with the people who have said to you
5 numerous times that police are not trusted in Jackson,
6 that they're believed to be involved in corruption and
7 brutality and obviously a number of other people know
8 that they are or they don't just believe it, but those
9 who know it, know it and convey the idea that maybe you
10 can trust individuals but if you don't know the
11 individual, you don't know if you can trust the person or
12 not.

13 As far as education in the detention center is
14 concerned, I didn't know about that, but I am aware of a
15 14-year-old girl, a girl who is now 14 years old, who was
16 arrested a year ago at 13, has been in jail ever since
17 then to be tried as an adult on a capital murder charge,
18 one of the four who shot a state official. She has had
19 no schooling in that entire year and was a special
20 education student and there is supposed to be a special
21 provision for special education students at least to be
22 educated and she has not gotten any schooling.

23 Unfortunately I picked up on that late in the
24 process and they may be about to do something about that,
25 but there was nothing in place to see that that was taken

1 care of automatically as it should have been.

2 Her brother was a repeat offender for minor,
3 non-violent offenses who was ordered by the judge to
4 write book reports, which he is not able to do without --
5 unless a family member did it. He had no help with the
6 problems that put him there. The school didn't report
7 his truancy until he had been out 15 days and then only
8 because his mother and I were in there talking about
9 something else.

10 By the time he got to be 19, still unable to
11 read, he was shot in the head and killed and they ruled
12 it within a couple of hours to be an accidental homicide.

13 About schools in general, adopters and mentors
14 and I am a mentor, a tutor in an elementary school,
15 adopters and mentors don't change the daily classroom
16 experiences of children, which for many children include
17 verbal assaults, inappropriate discipline, and many other
18 things that discourage and make school and classrooms and
19 life in general very difficult for children.

20 Teachers are not trained in problem solving to
21 the extent they need to be a conflict resolution or many
22 other things of that sort.

23 There are even a few at least teachers that
24 I've observed that seem to enjoy berating weaker people.

25 At least Jackson Public Schools has a



1 significant need for more efficient professional -- more
2 effective professional development, which teachers would
3 respect and they don't necessarily respect professional
4 development now, it's something they tolerate.

5 Juveniles committing crimes are school-aged
6 children. They are products of our schools and that
7 whole dimension needs to be taken much more seriously and
8 examined much more seriously as to what can be done.

9 Any kind of education is not an answer to
10 juvenile crime. It has to be a high quality of teaching
11 and counseling and community caring and all the other
12 things that go into the whole village, bringing up the
13 child, which also -- responsive administration, boards
14 and public officials are needed and those are largely
15 lacking. I've wasted many days appealing to our school
16 board and they're just not on the kind of wave length to
17 do some very important things that need to be done. You
18 can witness their taking away the teacher from the jail
19 that wasn't important to them.

20 Just one example. This brings me to one of my
21 themes that I think applies to Jackson Police Department,
22 to Jackson in general and to this Advisory Committee.
23 I'm going to try to pull some ideas together here.
24 Schools and the police and public officials in Jackson
25 are among the sources of pervasive disempowerment that is

1 strangling us in Jackson.

2 People know at least a little bit about the
3 killing of Benjamin Brown in 1967. They know about the
4 shooting at Jackson State in 1970, about the shootout
5 with the RNA in '71, about Dorothy Brown and Johnny
6 Griffin and other cases less publicized, not necessarily
7 murders, but beatings and all kind of things. They know
8 it much better than those of mostly sitting in this room
9 know about them.

10 The ordinary people that aren't here -- and
11 they know that nothing has been done significantly about
12 most of these cases. That is one of the major sources of
13 this disempowerment. It leads to fear, it leads to non-
14 involvement and in many cases paralysis.

15 And I think this is very evident in the
16 community. This committee and the commission nationally
17 could be a force in a better direction to give a little
18 hope, a little expectation that something could possibly
19 change. Unfortunately things coming up to this meeting
20 seem to be to be disempowering and I want to just use
21 that as a reference to -- as an example, there was very
22 little publicity that actually came out, despite whatever
23 the efforts were didn't work.

24 All the people invited to speak had titles.
25 The rest of us come for five minutes and don't get asked

1 questions and so on. The hearings are being held here in
2 a room with a poor sound system so anybody who did come
3 to hear has had a real hard time hearing.

4 And it's in a building where people are
5 regressively taxed, where things are threatened to be
6 taken away from them, where they get a pittance for
7 various programs that are needed. This is not a place
8 that people are used to coming and expecting anything
9 good.

10 I would urge you to hold some hearings on
11 Farris Street and Bailey Avenue and Lynch Street and a
12 lot of other places around town or at least a few of the
13 other places around town where people are, and they would
14 come with some comfort and could tell you some things.

15 DR. WARD: Would you please summarize?

16 MS. HILLEGAS: I'm almost finished.

17 DR. WARD: Would you please summarize?

18 Otherwise I'll have to ask that you submit this in
19 writing to the commission?

20 MS. HILLEGAS: I'm four lines from the bottom
21 of the page. I urge you to hold some other hearings
22 accessible to the people who have the biggest problems
23 with the police, then to present your findings to the
24 community in ways that encourage community dialogue on
25 solutions, whether it's on public access TV, which I

1 could help you work with if anybody had asked me,
2 community meetings, council meetings which are televised,
3 supervisors meetings, neighborhood meetings, encourage
4 participation in solving these problems.

5 I told a friend of mine yesterday --

6 DR. WARD: I'm going to ask that you -- because
7 you are over time. I ask you to please -- those were
8 not four lines, and I'm not being mean and unfair --
9 there are two other people who have also asked to
10 make statements and I have to allow them to do that.
11 You have had seven and a half minutes and that's good
12 enough. Thank you, please.

13 MS. HILLEGAS: I guess this is really important
14 to you, isn't it?

15 DR. WARD: It is very important to me.

16 MS. HILLEGAS: I certainly don't wish to --

17 DR. WARD: I'm offering you an opportunity to
18 submit this in writing to the U.S. Committee on Civil
19 Rights so it can be fully included in the record.

20 MS. HILLEGAS: I think there's something old
21 operating here, Mr. Ward, but I urge this panel --

22 DR. WARD: I'm going to ask for a judgment from
23 the staff on this matter?

24 MS. HILLEGAS: -- to take on the challenge of
25 being an agent of empowerment instead of this kind of

1 disempowerment and nonsense. Good grief. I've been
2 sitting here for two days. You're all -- the media.
3 It's outrageous.

4 DR. WARD: Ms. Susan Craig. Ms. Craig. Please
5 follow the same procedure, please state your name,
6 spelling your last name, provide your mailing address
7 for the record, and make your presentation, and I ask
8 that you please stay within the five minute limit.

9 MS. CRAIG: My name is Susan Craig, C-r-a-i-g.
10 I'm at 3951 Eastwood Drive, Jackson, Mississippi. And I
11 came to talk about the Hinds County Sheriff's Department
12 and in particular the crime prevention unit of which I am
13 the administrative assistant.

14 My topic is not as deep as everybody else's has
15 been because I feel like we have a big success in our
16 program. We do have neighborhood watches. We've
17 established 45 neighborhood watches in three years with
18 about 2,000 members. They're all active.

19 We're very proud of them. We meet with each
20 one four times to get them established. We provide home
21 security surveys to them if they would like to have them.
22 These are free.

23 We have Operation ID, where we provide
24 engravers so they can engrave their Mississippi driver's
25 license on their valuables, so that they can be recovered

1 more easily. We also do the Crime and Drug Prevention
2 Programs in Hinds County Public Schools, making an
3 appearance twice at each school.

4 The first time Sergeant McBrayer and I go and
5 talk to the kids. The second time I take McGruff, the
6 crime dog, who flies in from Washington, D.C., of course,
7 to meet with the kids and it's very special.

8 Ninety-five percent of the children in the
9 United States know who McGruff is and 99 percent of that
10 group will do anything McGruff asks them to do. And they
11 love him. He's just like big bird. The only person they
12 love better is Santa Clause.

13 We have the DARE program in our unit. We do
14 special appearances at YMCA schools, child development
15 centers, Project Head Starts, different -- middle school,
16 which is a city project, and we took our crime prevention
17 unit, our drug specialist, our canine unit, and we were
18 the whole program. And we got back and they asked us to
19 come back the next day because they didn't have people to
20 fill in for whatever.

21 And so we had to go back. We did go back the
22 next day and -- I'm just real proud of us and I just hope
23 that you all have gotten a good impression of the
24 sheriff's department. Thank you.

25 DR. WARD: Our last speaker will be Ms. Tuggle.

1 Would you please follow the same procedure of giving
2 us your name, spelling your last name, and also
3 providing for the record your mailing address and
4 then you'll have five minutes for your presentation.

5 MS. TUGGLE: Thank you. My name is Percita
6 Tuggle. That's T-u-g-g-l-e. My mailing address is P. O.
7 Box 129, Terry, Mississippi, 39170. And this evening I
8 come to speak on crime prevention and community
9 relationship. We are primarily concerned with the Hinds
10 County Sheriff's Department. I have been in the Hinds
11 County system, Hinds County School System many years and
12 our relationship with the sheriff's department has grown
13 every year. The school has taken an active part in
14 working the with sheriff's department in establishing
15 your neighborhood watch groups.

16 The programs that they actually bring into our
17 schools are phenomenal. We've had the DARE program many
18 years now. We've had the dog units come down and what's
19 even more delightful for us is that they take an active
20 part in our festivals, our fund raisers. The community
21 has gotten to know the officers on a first name basis.

22 For those people who aren't familiar with the
23 officers, they are quite comfortable calling the school
24 and telling me their problem. I will of course give them
25 a phone number to call. If they're not quite comfortable

1 with it, I'll make the phone calls for them and of course
2 results have come about and we've been quite pleased with
3 it.

4 I can speak specifically about the Terry area
5 near the Terrymen Elementary School. That situation has
6 cleared up tremendously and it's because of the support
7 from the Hinds County Sheriff's Department.

8 I have to say that it's good to be on a first
9 name basis with the officers and even more delightful for
10 us is that Susan and Jamey are guided by the big dog, and
11 that's Officer McGruff. And we have enjoyed having
12 Sheriff McMillin in our building in the Christmas
13 program.

14 He was our reader for the Night Before
15 Christmas. Our children were impressed first of all by
16 his massive size. He is very impressive but they were
17 even more impressed that he took the time to share with
18 them. And for that I can only commend the department and
19 I offer them my support, you continued support because I
20 have worked with them and I shall continue to. Thank
21 you.

22 DR. WARD: Thank you. The fact finding
23 meetings are adjourned.

24 (Proceedings concluded at 9:30 p.m.)

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STATE OF GEORGIA)

COUNTY OF GWINNETT)

I hereby certify that the foregoing transcript is a true, correct, and complete record of the said proceedings; that I am not a relative, attorney, or counsel of any of the parties; am not a relative of attorney or counsel for any of the parties; nor am I financially interested in the action.

This, the 5th day if June, 1995.

Thomas M. Stites