

Civic Crisis and Civic Challenge . . .

Police-Community Relations in Jackson, Mississippi

**Mississippi Advisory Committee to the
United States Commission on Civil Rights**

March 1998

A report of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights prepared for the information and consideration of the Commission. This report will be considered by the Commission and the Commission will make public its reaction. The findings and recommendations of the report should not be attributed to the Commission but only to the Mississippi Advisory Committee.

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The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, as amended by the Civil Rights Commission Amendments Act of 1994, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the right to vote; study and collection of information relating to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections; and preparation and issuance of public service announcements and advertising campaigns to discourage discrimination or denials of equal protection of the law. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

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Letter of Transmittal

Mississippi Advisory Committee to the
U.S. Commission on Civil Rights

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The Mississippi Advisory Committee submits this factfinding report, *Civic Crisis and Civic Challenge. . .Police-Community Relations in Jackson, Mississippi*, to you pursuant to our responsibility to forward advice and recommendations to the Commission about matters the Advisory Committee has studied. The Advisory Committee unanimously approved submission of this report to the Commissioners.

This report is a review of police-community relations, race relations, and other attendant problems identified during the course of this study. Our review included an examination of the Jackson Police Department and the Hinds County Sheriff's Department.

The Mississippi Advisory Committee finds that there is a great need to improve race relations in Jackson. Race is a major factor in the city affairs of Jackson and often becomes the integral part of a controversy, whether real or not. Although perceptions between and among whites and blacks may vary about the nature and extent of what needs to be done, there is a consensus that race is the unsolved problem hovering over the city ready to erupt at any time. This age-old nemesis continues to be a barrier in solving problems in the areas of education, housing, employment opportunities, economic advancement, crime, and police-community relations.

The information contained in this report is based on information collected from August 1991 to March 1997. The Advisory Committee makes the following findings:

In spite of barriers found, there is in Jackson an environment open to ideas to improve race relations. Mayor Kane Ditto has spoken out on numerous occasions on the need for better race relations. There have been efforts by groups such as Leadership Jackson, Jackson 2000, Mississippi Mission, and Mississippi Humanities Council to establish dialogue and bridges of racial understanding. This, however, has not been enough. Gestures of racial cooperation among upper and middle-class people of various ethnic background do not address the frustrations of Jackson citizens who can be classified as belonging to the economic lower class. There continues to be distrust, fear, and a lack of confidence in city leaders. This crisis of confidence is marked not only by race, but economics, class, and power.

The public's perception of the city's image, whether it is progress or problems, is significantly shaped by the media. The image of the racial composition of crime, whether printed or televised, can be a powerful factor in bettering or worsening race relations. Although the media in Jackson are composed of a variety of print and electronic media outlets, the *Clarion Ledger*, the largest daily newspaper in the State, and the *Jackson Advocate*, a black weekly newspaper, were more often cited by citizens, police officials, and community leaders as having a negative effect on general race relations, particularly in the area of crime reporting.

The Advisory Committee finds that the Hinds County Board of Supervisors and the city of Jackson have been derelict in their duty to provide a detention facility that will meet the demands of the county and city, and provide appropriate services to youth detained at the center. Detainees were without educational, psychological, or counseling services and the recreational area was wholly inadequate. Although education services have now been resumed, detainees remain without social work, psychological, and counseling services.

Relations between the Jackson Police Department and some neighborhoods in Jackson have deteriorated. There are many factors that contribute to this problem, one of which is the lack of positive police contacts with residents. Information does not readily flow from officers to the citizen and from the citizen to the officer. With escalating crime, whites do not have confidence in JPD's leadership or ability to protect and serve, while black residents either fear or distrust the police. The police, on the other hand, believe that some blacks for the most part do not understand them and fail to support their efforts. JPD officials realize that the department's image must be improved, and that there is a wide divide between police officers and certain segments of the community. Although efforts are now underway to establish departmentwide and citywide community-oriented policing, certain barriers must be surmounted before it is fully implemented.

Effective crime reduction requires joint responsibility and cooperation between citizens and the police. JPD has not gained broad-based community support needed to effectively implement community policing. Cooperation can only be obtained when the community perceives the police department as effective and caring. Improved relations can occur when officers talk to residents, show interest in their neighborhoods, and solve problems related to crime, neighborhood blight, and other municipal services. Also, citizen support and crime reduction can be better produced through strong neighborhood organizations. Although the city has made a very good start by establishing a metrowide association of neighborhoods, additional efforts and funding are needed to strengthen the role of neighborhoods in building safer, productive, and cohesive communities.

The Advisory Committee finds that the Internal Affairs Division of JPD has a systematic problem in processing citizen complaints effectively and timely. The unit is not operating pursuant to its own policies and procedures, and many officers do not seem to understand the process itself. We found that the general public has very little knowledge of the existing complaint process. In the black community there is widespread dissatisfaction and lack of confidence that complaints will be investigated fairly. Complainants report that it is difficult to obtain complaint forms or information on how and where to file complaints, and are unable to find out the status of active complaint investigations. The general public is equally unaware of the process, and some citizens often do not feel comfortable filing their complaints to the very entity about which they are complaining.

The Advisory Committee commends the department's implementation of additional hours of police academy training to address community policing, cultural diversity, and interpersonal skills, and the hiring of a qualified training director. However, the department must also ensure that training continues throughout the careers of its command staff and rank and file, and that officers are provided the tools to meet the demands of contemporary crime problems.

The consent decree has been a source of racial resentment and misunderstanding within the ranks of JPD and in the broader community. Few officers interviewed knew the purpose of the 1974 consent decree or its relationship to the hiring and promotion practices. Black officers thought the consent decree was necessary but did not know how it worked or what it demanded. White officers, on the other hand, believed the consent decree was unfair but also did not know its requirements or why it was needed. Moreover, there continue to be reports that JPD remains in violation of the decree. Therefore, the Advisory Committee is requesting the Commission to refer this matter to the U.S. Department of Justice, Civil Rights Division.

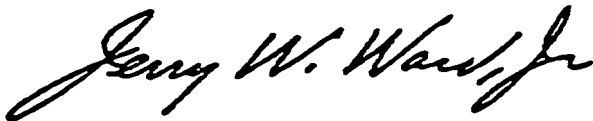
The Advisory Committee also reviewed the Hinds County Sheriff's Department relations with the community. Unlike JPD, the Hinds County Sheriff's Department is not a source of controversy in the community. The sheriff's department serves areas of the county that are primarily rural and the level of crime is not as pervasive. Overall, citizens of Jackson appear to be satisfied with the operations of the sheriff's department. However, we did find areas of concerns that should be addressed.

Although the Hinds County Sheriff's Department has made improvements in increasing blacks and females within its ranks, the Advisory Committee finds that blacks and females are still underrepresented in county law enforcement. This was cited by black employees and community leaders as a major concern. Only 34 or 28 percent of its officers are black, while 86 or 72 percent are white. Females represent only 23 or 19 percent of sworn personnel in law enforcement. There were only three blacks and no females represented at the command staff level. According to the sheriff, continued efforts will be made to improve the number of blacks and males represented in the patrol division.

The Advisory Committee also found that the Hinds County Sheriff's Department does not have in place written recruitment procedures explaining how and where recruits are solicited and under what circumstances recruitment activities are undertaken. Systematic recruitment efforts become especially important as the department addresses the underrepresentation of blacks and females in the patrol division.

Because of the above civil rights problems, the Advisory Committee requests your assistance that may be needed in our followup activities to this report.

Respectfully,

A handwritten signature in cursive script, reading "Jerry W. Ward, Jr.", written in dark ink.

JERRY W. WARD, *Chairperson*
Mississippi Advisory Committee

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Acknowledgments

The Mississippi Advisory Committee wishes to thank the staff of the Commission's Central Regional Office for its help in the preparation of this report. The project was the principal assignment of Farella E. Robinson. Support services was provided by Jo Ann Daniels. The project was carried out under the overall supervision of Melvin L. Jenkins, Director, Central Regional Office.

*No longer a member of the Advisory Committee.

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1 Introduction

Background

On June 14, 1991, the Mississippi Advisory Committee to the U.S. Commission on Civil Rights voted to conduct a project on police-community relations in Jackson, Mississippi. The decision to conduct this study was based on reports of police brutality involving the Jackson Police Department (JPD). Also, the city had recently appointed its first black police chief and criticisms were surfacing regarding the mayor's discontent with his leadership and management of the department. Some African American citizens believed the criticisms were racially motivated. Media coverage of police misconduct, police brutality complaints, as well as increasing racial polarization about the police chief position suggested to the Advisory Committee that a review of police practices in Jackson was warranted.¹

The Advisory Committee also found other areas of concern that significantly affected police-community relations, such as race relations, the local political climate, and the media.²

Considerable resources were committed to the study. Staff and Committee members collected information by conducting at least 80 on-site interviews with law enforcement officials, representatives of community and neighborhood groups, business officials, elected city and county officials, alleged victims of police abuse, and individual citizens who came forward to report problems related to police-community relations.³

As a step in the data collection process of the study, on May 24–25, 1995, the Committee held a factfinding meeting at the State capitol. During this meeting, 30 persons appeared before the Advisory Committee to provide detailed information on police-community relations and other relevant law enforcement practices.⁴

The methodology for this report consists of data analysis, review of the literature on police-community relations, and field investigations that included interviews and inspection of the Youth Detention Center.

Care was taken to ensure analytical soundness and a balance of differing points of view. Through this report the Mississippi Advisory Committee hopes to shed light on the problems that make police-community relations difficult, provide assistance on how these problems can be corrected, and build bridges of cooperation between law enforcement and the citizens of Jackson. The information collected will enable the Advisory Committee to make findings and recommendations for policy consideration by the city, the JPD and the Hinds County Sheriff's Department.

Demographics

Based on the 1990 census, the city of Jackson's population is 196,637; 55.7 percent black, 43.6 percent white, and 0.7 percent other. Since 1970 the white population in Jackson has decreased 17 percent. Since the 1980 census the black population has increased over 8 percent.⁵

¹ Minutes of the Mississippi Advisory Committee, Planning Meetings, June 14, 1991, Apr. 18, 1991; Project Proposal: "Police-Community Relations in Selected Communities in the State of Mississippi," "Ditto: Chief's Ouster Based on Personal Flaws, Not Race," *Clarion Ledger*, Nov. 6, 1991, p. 1A; "Policing Brutality," *Clarion Ledger*, Mar. 8, 1992, p. 1A; "Dual Standard Marks Police Probe of Police," *Jackson Advocate*, Aug. 13, 1992, p. 2A; "Mistrial Declared in Jackson Jailer's Assault Trial," *Clarion Ledger*, Sept. 14, 1991, p. 2A.

² Ibid.

³ All interviews on file at the Central Regional Office, U.S. Commission on Civil Rights, Kansas City, KS.

⁴ Information provided to the Mississippi Advisory Committee to the U.S. Commission on Civil Rights at its factfinding meeting in Jackson, MS, on May 24–25, 1995, *Transcript* (hereafter cited as *Transcript*).

⁵ 1990 General Population Characteristics, U.S. Commerce Department, Bureau of Census (hereafter cited 1990 Census); *Transcript*, vol. 1, p. 13.

TABLE 1.1
Population of Jackson and Jackson Area, 1980 and 1990

	Jackson		Hinds		Madison		Rankin	
1980	No.	%	No.	%	No.	%	No.	%
Total persons	202,895		250,998		41,613		69,427	
White	106,285	52.3	136,265	54.2	18,249	43.9	56,282	81.0
Black	95,357	47.0	113,301	45.1	23,255	55.8	12,901	18.6
Other	1,253	0.7	1,432	0.7	109	0.3	244	0.4
1990								
Total persons	196,637		254,441		54,070		87,681	
White	85,675	43.6	123,177	48.4	29,789	55.1	72,033	82.1
Black	109,620	55.7	129,558	50.9	23,731	43.9	14,610	16.7
Other	1,341	0.7	1,706	0.7	550	1.0	1,038	1.1

Source: Information provided by Metro Jackson Chamber of Commerce, Mar. 26, 1996. On file at the Central Regional Office, USCCR, Kansas City, KS.

TABLE 1.2
1990 Racial Composition By Wards

Area	Total	White	Black	Indian	Asian & others
Ward 1	32,843	30,322	2,112	26	383
Ward 2	29,114	2,026	27,004	24	60
Ward 3	24,884	276	24,587	13	8
Ward 4	31,663	15,344	16,111	35	173
Ward 5	25,993	1,709	24,154	20	110
Ward 6	27,294	24,693	2,383	37	181
Ward 7	24,846	11,305	13,269	36	235
Total	196,637				

Source: Information provided by Department of Planning and Development, City of Jackson, Apr. 27, 1995. On file at Central Regional Office, USCCR, Kansas City, KS.

The city of Jackson is becoming increasingly black, surrounded by predominately white suburbs. Metropolitan Jackson contains over 75 percent of Hinds County's population and is the seat of the tricounty metropolitan area that includes Rankin and Madison Counties.¹

According to the Center for Business Development and Economic Research at Jackson State University, a review of population trends shows an ongoing flight from Jackson to the suburbs. Rankin County, because of an exodus of residents from urban Jackson, picked up 9,110 peo-

ple between 1990 and 1994, growing to 96,250. Nearby Madison County's population rose to 63,683, an increase of 9,859 over 4 years. In comparison, Hinds County saw its population drop from 254,441 in 1990 to 251,917 in 1994. These population trends are similar to what other communities across the Nation have experienced in the last decade as people seek better schools, lower taxes, better housing, and an escape from crime. Gail Grass of the Center for Business Development and Economic Research reported: "In the case of Jackson and other urban centers, crime is among the reasons people are moving away. Crime is a factor when you

¹ 1990 Census.

look at any city the size of Jackson. People are concerned about it."²

Table 1.1 shows the population changes in the three county area and the city of Jackson from 1980 to 1990. Per capita income for whites in Hinds County is more than double that for blacks. Although statewide unemployment was 6.3 percent, the rate for black residents of Hinds County in 1991 to include Jackson was 11.4 percent. For white residents it was 3 percent. Black residents are 83 percent of those receiving aid to families with dependent children and 69 percent of food stamp recipients in Hinds County.³

The city of Jackson is divided into seven wards. Table 1.2 shows the racial composition of each ward. With the exception of ward 4 and ward 7, all wards are identifiable by race.

The Setting

Jackson, the State capital and largest city in Mississippi, is located in Hinds County in south central Mississippi. Jackson is the central seat of government and a prime trade and distribution center for Mississippi.⁴ The city was established in 1822 by the State Assembly.⁵

According to 1994 population estimates, there is a work force of 104,410 in the city of Jackson. The unemployment rate is estimated at 5.4 percent. For the Jackson metropolitan area that includes Rankin and Madison Counties, there is an estimated work force of 214,390 and an unemployment rate of 4.6 percent. With Jackson serving as the seat of the metropolitan area, the city provides services for a large commuting work force.⁶ The leading job sectors are the service industries, trade and retail, and government.⁷

On July 1, 1985, the city switched from the commission form of government to the strong mayor/council form of government with a seven-member council serving seven areas of the city. City government provides a full range of services, including public works, law enforcement, fire protection, social and human services, and cultural programs.⁸

Jackson Public Schools is the largest school district in the area. The district has 56 schools, 38 elementary, 10 middle, and 8 comprehensive high schools. The district's total student enrollment is 32,715 pupils, of whom 86.6 percent are black, 12.9 percent white, and 0.5 percent other minorities.⁹ There are 16 private and parochial schools in the metropolitan area. Jackson is also the home of such institutions of higher learning as Jackson State University, Millsaps College, Tougaloo College, Hinds County Community College, Belhaven College, Phillips Junior College, and the University of Mississippi Medical Center.¹⁰

The major daily newspaper is the *Clarion Ledger*. There are also several weekly newspapers published in the area; one, the *Jackson Advocate*, primarily covers news in the black community.¹¹

Jackson has made progress over the last 30 years. Municipal government, particularly the police and fire departments, is more reflective of the racial make-up of the city. The city council and the school board are majority black. There are blacks who serve on the boards of major banks, businesses, and cultural institutions, and there are some integrated neighborhoods with blacks living in exclusive housing subdivisions of Jackson.¹² Today, blacks hold positions in almost every kind of business and work side by side with whites in construction, manufacturing, service industries, and government.¹³ Segments of the community that include biracial socializing and cooperative work include Leadership

² Andy Kanengiser, "Small Towns Benefit As People Seek Better Life," *Clarion Ledger, Profile Mississippi*, Feb. 25, 1996, p. 4.

³ Charles Sallis, history professor, Millsap College, *Transcript*, vol. I, p. 13.

⁴ Information provided by Metro Jackson Chamber of Commerce, Mar. 26, 1996; documents on file at Central Regional Office, USCCR, Kansas City, KS (hereafter cited Chamber of Commerce).

⁵ Police Executive Research Forum, *Report on the Study of the Jackson Police Department* (1991), p. 3; documents on file at Central Regional Office, USCCR, Kansas City, KS (hereafter cited as PERF report).

⁶ Mississippi Employment Security Commission, *Mississippi Labor Market Information*, 1995, p. 3; document on file at Central Regional Office, USCCR, Kansas City, KS.

⁷ Chamber of Commerce.

⁸ PERF report, pp. 4, 6; *Clarion Ledger*, June 16, 1985, p. B-1.

⁹ Frances Murrill, Office of Planning and Evaluation, Jackson Public Schools, telephone interview, Mar. 20, 1996.

¹⁰ Chamber of Commerce.

¹¹ PERF report, p. 4; Charles Tisdale, publisher, *Jackson Advocate*, interview in Jackson, MS, Mar. 21, 1994.

¹² Charles Sallis, *Transcript*, vol. I, pp. 15-17; "The Town of Harmony in Tune with the New South," *Washington Post*, June 27, 1994, pp. 3, 4.

¹³ Charles Sallis, *Transcript*, vol. I p. 15.

Jackson, Jackson 2000, the Mississippi Humanities Council, and the youth leadership program that is sponsored by the Metro Jackson Chamber of Commerce.¹⁴

Yet, in spite of these accomplishments, the new Jackson is facing such challenges as rising crime levels, blighted neighborhoods, overcrowded jails, and backlogged courts. With shrinking resources to address these problems, Jackson is still haunted by some of the traditions of the past.¹⁵

According to Mayor Kane Ditto, many good things are going on in Jackson. He reported a 17 percent reduction in crime between 1994 and 1995 and an unemployment rate of 3.5 percent.¹⁶ However, for many, rising crime continues to be the number one issue in Jackson.¹⁷ Other challenges facing Jackson, and widely complained about, are a dysfunctional criminal justice system, a declining economic base, dilapidated neighborhoods, segregated schools, and a poorly run public school system.¹⁸

In the center of Jackson is a declining downtown area with tall office buildings surrounded by inner-city poverty. Many citizens say they are afraid to go downtown at night because of crime. Attempts by private developers, such as Capital Center Incorporated, to revitalize the area have been met with opposition by segments of the black community.¹⁹ Both the police and fire departments are under consent decrees to implement hiring and promotional procedures. Although the police and fire departments are integrated and the fire department has recently promoted its first black female to the rank of lieutenant, there is still racial polarization within both departments.²⁰

As the State capital, Jackson is governed in an extremely political environment.²¹ The city council and mayor are often at odds, and personality conflicts among members are frequent. The city council is viewed by the public with disdain for its bickering and inability to conduct meetings in a civil and disciplined manner.²² According to Leslie McLemore, a political scientist at Jackson State University:

The irony is that we have all these black elected officials and to what extent there is a dialogue between the elected leaders. I am really not sure....There is much turf protecting amongst black elected officials. There is so much posturing as opposed to trying to deal with real issues in this community. We [public] do not see the interconnections between the things done.²³

Historical Context

To understand the longstanding and persistent problems that exist between law enforcement and the black community, one must understand the historical context from which this problem arises.

Problems between law enforcement and the black community stem as far back as slavery. The legal relationships inherent in the institution of slavery established a tradition of black inequality and violence that continued through emancipation, the Civil War, Reconstruction, the Jim Crow era, and the civil rights movement.²⁴ Law enforcement in the South was used first explicitly and then with implicit legal sanction to maintain and reinforce the subservient position of blacks. This, coupled with the widespread failure of local officials to solve, prosecute, and fairly try cases of violence and harassment of blacks, not only placed fear and distrust in black

¹⁴ Ibid., p. 27; Leslie McLemore, political science professor, Jackson State University, *Transcript*, vol. I pp. 36–37, 40; Aurelia Jones-Smith, president, NAACP-Jackson, *Transcript*, vol. I, p. 198.

¹⁵ Charles Sallis, *Transcript*, vol. I pp. 14, 17; Leslie McLemore, *Transcript*, vol. I pp. 33–34.

¹⁶ "Mayor Ditto Proposes \$30M Bond Issue," *Clarion Ledger*, Feb. 20, 1996, p. B-1.

¹⁷ Ibid.; Leslie McLemore, *Transcript*, vol. I, p. 38; Aurelia Jones-Smith, *Transcript*, vol. I, pp. 198–99.

¹⁸ Charles Sallis, *Transcript*, vol. I, p. 14; "Mayor Ditto Proposes \$30M Bond Issue," *Clarion Ledger*, Feb. 20, 1996, p. B-1.

¹⁹ Charles Sallis, *Transcript*, vol. I, p. 14; Charles Tisdale, "CCI Rebuffed by New Leaders," *Jackson Advocate*, July 16, 1997, p. 1A.

²⁰ Kane Ditto, Mayor, *Transcript*, vol. II, pp. 529–32; Louis Armstrong, city councilman, *Transcript*, vol. II, p. 517; "Role

Model," *Clarion Ledger*, Mar. 19, 1996, p. C-1; Robert Lesley, communication director, city of Jackson, memo to Farella Robinson, USCCR, Mar. 11, 1997 (hereafter cited Robert Lesley Memo).

²¹ Aurelia Jones-Smith, president, Jackson NAACP, *Transcript*, p. 198.

²² "Jacksonians Criticize City Council for Behavior at Emotional Meeting," *Clarion Ledger*, Feb. 21, 1996, p. B-1; "Time for Council Pay Hike, Some Members Say," *Clarion Ledger*, Mar. 25, 1996, p. B-3.

²³ Leslie McLemore, *Transcript*, vol. I, p. 50.

²⁴ U.S. Commission on Civil Rights, *Law Enforcement, A Report on Equal Protection in the South* (1965), pp. 5–11 (hereafter cited as USCCR, *Law Enforcement, A Report on Equal Protection in the South*).

minds, but a general disrespect for the law.²⁵ Such attitudes have been fostered by such examples as the Sovereignty Commission, a State body created in 1956 to maintain racial segregation through any means necessary, and in the unsolved and/or unpunished racial murders of Emmitt Till, Vernon Dahmer, Mack Parker, Willie Edwards, Louis Allen, Roma Duckworth, Jr., and Benjamin Brown, to name a few.²⁶ Ollie Mae Brown, a resident of Jackson and mother of Benjamin Brown, spoke before the Committee of her despair that justice has not been served in the murder of her son.²⁷

As early as 1964, the U.S. Commission on Civil Rights initiated an investigation of law enforcement practices in Mississippi based on complaints that local law enforcement officials were depriving black citizens of their constitutional rights.²⁸ Mississippi was investigated because the Commission received complaints that in attempts by blacks to assert their civil rights, they were met with violence and suppression through agencies of local government.²⁹ Jackson was one of the communities examined. The following

findings about law enforcement agencies in Mississippi indicated that they:

(a) failed to protect blacks from preventable acts of violence;

(b) failed to conduct adequate investigations of incidents of violence;

(c) arrested or abused victims of violence who reported incidents to them;

(d) allied themselves or publicly expressed sympathy with extremist racist groups; and

(e) failed to prosecute adequately cases in which arrests were made.³⁰

The idea of regulating black insolence and insubordination by force with the consent and approval of the law was institutionalized. In the minds of some blacks, the situation has not changed.³¹ According to Mayor Kane Ditto:

The civil rights struggle in Mississippi is one of the most powerful human rights stories in history. The images of the roles played by law enforcement in this State, in that struggle, including that within the police department, are etched in the Nation's memory. I believe that all of our citizens should know more about that history and how it continues to affect our lives today.³²

²⁵ Ibid.

²⁶ "Unsolved Murders, Killers of Civil Rights Activists Remain Unpunished," *Emerge*, April 1996, pp. 30-42; Beverly Pettigrew Kraft, "Judge Questions Why Sovereignty Commission Files Remain Closed," *Clarion Ledger*, Apr. 5, 1996, pp. B 1-3.

²⁷ Ollie Mae Brown, *Transcript*, vol. II pp. 483-85.

²⁸ USCCR, *Law Enforcement, A Report on Equal Protection in the South*, p. 174.

²⁹ Ibid., p. 1.

³⁰ Ibid., pp. 1-2.

³¹ Ibid., p. 6.

³² Kane Ditto, Mayor, *Transcript*, vol. II, p. 533.

2 Civic Crisis and Civic Challenges

Crime

A March 1996 poll conducted by the Metropolitan Crime Commission showed that 72 percent of black and white residents identified crime as the number one problem in Jackson. The survey also revealed that citizens do not believe city and county officials are able to deal effectively with the crime problem.¹ Juvenile crime in Jackson has increased rapidly. A report released by the Hinds County Board of Supervisors Advisory Committee in 1994 revealed that juveniles committed 66 percent of the crime in Hinds County and 65 percent of the violent crime, most of which took place in Jackson.² Mayor Kane Ditto reported that there had been a 17 percent reduction in crime between 1994 and 1995.³

According to Robert Johnson, Jackson's police chief, although crime figures are still too high, there has been a downward trend in certain categories of crime. But he stated that citizens of Jackson are still overly preoccupied with crime. Chief Johnson believed that this is due in part to crime stories hyped by the media. He told the Advisory Committee that, "the fear of crime in many cases is rising faster than the crime itself, even in our best neighborhoods."⁴

In a news article Wayne Taylor, director of the Metropolitan Crime Commission stated:

Beware of those who would lull us into a state of complacency through reassurances that crime is down and everything is OK. It is true that crime rates have fallen each of the past four years, but only by 1.1 percent in 1994 and 3.3 percent over the five year period 1990-94. Crime has merely ebbed, it has not been defeated . . .⁵

The rise in crime has affected police community relations and race relations. Police Chief Johnson stated:

while crime and its attendant problems bring us together with its effect, it drives us apart because of its pervasiveness. Our citizens, while they may be sensitive to the victims of crime of every circumstance, they have also become suspicious and resentful of those who they believe are responsible for most, if not all, of the crimes, blacks and juveniles.⁶

Race Relations

Race relations are intergroup relations based on race that arise out of the political, cultural, and social affairs of a community.⁷ The very mention of race sends some American citizens scrambling into retreat or confrontation. There are those who wish the subject would simply go away. Others see the topic as a perennial subject that is endemic to America. Consequently, even the wish for the reality of race to go away is a testament to its prevalence in society. Race, we must conclude, is inextricably bound up in the idea of America and is an essential thread in this country's demographics.⁸

¹ "Beware of Any Politician Saying Crime Under Control," *Clarion Ledger*, Aug. 4, 1996, p. 1G; "Frank Melton Chairs Metro Crime Group," *Jackson Advocate*, May 8, 1996, p. 2A.

² *Transcript*, vol. II, pp. 304-05; "Hinds County Criminal Justice System," Report by Hinds County Board of Supervisors Advisory Committee, June 21, 1994, p. 11 (According to Police Chief Johnson the statistics cited in the "Hinds County Criminal Justice System Report," on juvenile crime are inaccurate and there are no data to support the statement that 60-65 percent of all crimes are committed by juveniles in Hinds County.); "Beware of Any Politician Saying Crime Under Control," *Clarion Ledger*, Aug. 4, 1996, p. 1B.

³ Kane Ditto, Mayor, City of Jackson, Statement at fact-finding meeting before the Mississippi Advisory Committee to the U.S. Commission on Civil Rights, Jackson, MS, May 24-25, 1995, vol. II, p. 530 (hereafter cited as *Transcript*); "State of City," *Clarion Ledger*, Feb. 21, 1996, p. 9A.

⁴ *Transcript*, vol. II, pp. 278-79, 282.

⁵ "Beware of Any Politician Saying Crime Under Control," *Clarion Ledger*, Aug. 4, 1996, p. 1G.

⁶ *Transcript*, vol. II, p. 274.

⁷ E.D. Hirsch, Jr., Joseph Kett, and James Trefit, *The Dictionary of Cultural Literacy* (New York: Houghton Mifflin Company, 1993), p. 338; Webster's *Third New International Dictionary* (Massachusetts: G.C. Merriam Company, 1971), p. 1,870.

⁸ Anthony Neal, "U.S. Constitution's Original Intent on Race Relations Scrutinized," *Black Issues in Higher Education*, Mar. 21, 1996, p. 28.

Similarly, in Jackson, race is a major factor in city affairs and often becomes the integral part of a controversy whether real or not.⁹ Race became an issue in the selection process for the police chief and the subsequent firing of two black police chiefs. Early on, Mayor Kane Ditto attempted to address the matter of racial discord. In a speech before the city council, he explained his frustration with being accused of racism for the benefit of whites and reverse discrimination for the benefit of blacks. On November 5, 1991, Mayor Kane Ditto stated in part:

We need to rid ourselves and this city of this burden of racial discord We should make strenuous efforts to build bridges of communication between the black and white communities and between black people and white people as individuals. In particular, this process needs to be undertaken by our churches, our educational institutions and our civic organizations. If we do not, then all our efforts to get better jobs for our people, better housing for our families, and a better quality of life for all of us will surely fail I will not shirk my duty to make a management change when it is necessary for the best interest of the city, neither will I back away from steps to assure that black managers are fairly represented in city government If government and our other institutions are to function well as integral parts of a diverse society, it is essential that the leadership of these institutions reflect that diversity

We must take into consideration the need to actively bring out the sharing of governmental authority and responsibility so that we move closer to the day when we judge each other solely by ability and integrity, and the lingering scar of discrimination has been removed from our midst¹⁰

There is no doubt that racial progress has been made in Jackson, as evidenced by an integrated police force, a majority-black city council, and the apparent hospitality and ease in certain social settings between whites and blacks. Successful blacks have moved out of the inner city to the suburbs or to more exclusive black neighborhoods in north Jackson, such as Woodlea, Natchez Trace Estates, and Presidential Hills.¹¹

⁹ Rims Barber, community activist, interview, Mar. 23, 1994.

¹⁰ "Ditto: 'It's Time To Rid Ourselves, City of the Burden of Racial Discord,'" *Clarion Ledger*, Nov. 6, 1991, p. B-1 (hereafter cited as Ditto's "Rid Ourselves of Racial Discord").

¹¹ "Jackson, Miss.: The City Time Remembers," *Washington Post*, Feb. 11, 1994, p. B-1; "Crushing Petty Prejudices is

A black lawyer was recently elected president of the Mississippi Bar Association, and for the first time a black female was promoted to the rank of lieutenant in JPD.¹²

In spite of these changes, the Committee also found significant sources of racial tension in Jackson, regarding crime, administration of justice issues, city services, the schools, media coverage, and everything related to the distribution of power.¹³ Blacks and whites have divergent views about the nature and extent of racial progress. This is captured in the following statements by a black and a white Jacksonian:

Over the last 40 years, race relations have moved from its origins of overt racial hostility to moderation now it is back to open hostility.¹⁴

Race relations in Jackson are generally good we have in place many forums for discussion and planning that were not in place years ago but I feel that relations are pretty good.¹⁵

The crimes that took place in April 1996 involving the deliberate killing and shooting of black customers at a restaurant by a white supremacist and the killing of four white fire department officials by a black coworker magnify the glaring racial problems that still exist.¹⁶

Another source of racial tension is the ongoing debate about public schools versus private schools, yet both continue to be racially segregated.¹⁷ The district attorney's office is accused of being lax in prosecuting black on black crime and is looked upon by many as a negative force in the administration of justice.¹⁸ Although the

United Ministry's Mission," *Clarion Ledger*, Feb. 27, 1996, p. B-1; *Transcript*, vol. I, p. 48.

¹² *Clarion Ledger*, Feb. 27, 1996, p. B-1; *Clarion Ledger*, Mar. 17, 1996, p. B-2.

¹³ See appendix C, Survey of Opinions, Perspectives and Recommendations on Race Relations in Jackson during interviews from August 1992 - April 1995 (hereafter cited as appendix C).

¹⁴ Jimmy Bell, Department of Criminal Justice, Jackson State University, interview, Aug. 25, 1992.

¹⁵ Louis Slater, senior vice president, Metro Jackson Chamber of Commerce, *Transcript*, vol. I, p. 159.

¹⁶ "Sniper Drive by Racism, Police Say," *Clarion Ledger*, Apr. 14, 1996, p. A-1.

¹⁷ "Public vs. Private School Issue Still Kindles Passions in Mississippi," *Clarion Ledger*, July 10, 1995, p. A-1.

¹⁸ *Transcript*, vol. I, p. 217; Clara Spencer, community activist and member of Jackson Peace, interview in Jackson, MS, Jan. 25, 1995; Perry Robinson, Georgetown Community Association, interview in Jackson, MS, Aug. 11, 1994;

mayor has tried gradually to move blacks into positions of authority in city government, this too has been tainted by racial discord within the police, fire, and public works departments. Some blacks continue to claim that there are disparities in police protection, neighborhood improvements, and economic development. Crime and race stand as major social problems in Jackson.¹⁹

As discussed earlier in this report, the city is demographically in transition from predominately white to predominately black. The population is more than 50 percent black and the black proportion is increasing. The public schools are more than 80 percent black, while white and black students with economic advantage attend private schools.²⁰

Black candidates have had some political success. Fifty-seven percent of the Jackson City Council is black, and the Hinds County Board of Supervisors has a black majority. Such changes have brought attention to core power issues related to decisionmaking and the sharing of power among the races.²¹ These changes have produced doubts and uncertainty on the part of whites about the sharing of power, and distrust on the part of blacks that the gains that have been made will be lost.²²

Charles Sallis, a historian, stated:

Jackson is becoming increasingly black surrounded by white-populated suburbs. In 1970 Jackson's white population constituted 60.2 percent of the population. Twenty years later this had fallen to 43.6 percent. Neighboring Clinton has 82 percent white; Pearl, 91 percent; Richland, 98 percent; Brandon, 87 percent; Ridgeland, 87 percent; and Madison, 96 percent white population In 1994 Broadmore Baptist Church with a congregation of over 4,000 . . . voted to leave

Jackson and move to Madison County. In 1993 Parkway Baptist Church on West Capitol voted to move to Clinton. Both were located in racially transitional neighborhoods²³

Dr. McLemore stated:

There are really not enough black people on boards or in decisionmaking positions. Clearly there are a few black people, one or two, but the same blacks are recycled. I am not criticizing that, but I am saying that the universe has to be expanded because when we expand that universe, then we are able to deal with some of these decisionmaking issues²⁴

Bishop William Houck of the Jackson Catholic Diocese described race relations:

Race relations in Jackson at this time are a polite acknowledgment that we want to respect one another but really underneath, there are still problems with institutional racism. Whites moving out of the city over the last 10 years is a challenging problem for the metropolitan community.²⁵

Clara Spencer, a community activist, stated:

I think Jackson is a powder keg. Race relations is in a poor state. There is no real communication. When you are in the business sector of the world and you are a successful white person, you never get to talk to people like myself, because you don't have to. But there is no way anybody can make a decision without talking to the people that are truly involved We are not really concerned about talking to the people, or getting to the root of the problem In the area of decisionmaking, even though the city council is majority black, they are powerless They have no real control over decisionmaking.²⁶

Although some political progress has been achieved, the benefits that have been gained through the electoral process have been few. Generally, black elected officials have not fulfilled the expectations of black Jacksonians. To some blacks in Jackson, the idea of the political process being the key to racial harmony and equality has not been realized.

Aurelia Jones-Smith stated:

Jimmy Wilson, former Police Chief, interview in Jackson, MS, Jan. 23, 1995; see attachment B.

¹⁹ Jimmy Wilson, interview in Jackson, Jan. 23, 1995; Tony Davis, union member, Jackson Fire Department, interview in Jackson, MS, Feb. 15, 1995; *Transcript*, vol. I, pp. 180, 198-99; *Transcript*, vol. II, p. 517; "Ditto: It's Time to Rid Ourselves off Racial Discord," *Clarion Ledger*, Nov. 6, 1991, p. B-1; "Works Department Biased Against Black Workers," *Jackson Advocate*, Jan. 26, 1995, p. A-1.

²⁰ Charles Sallis, *Transcript*, vol. I, pp. 13-15; "Suburbs Changing Metro Demographics," *Clarion Ledger*, Apr. 7, 1996, p. A-3.

²¹ Charles Sallis, *Transcript*, vol. I, p. 25; Leslie McLemore, *Transcript*, vol. I, pp. 46, 49; Beneta Burt, president, Urban League, Jackson Branch, interview, Mar. 22, 1994.

²² Leroy Walker, business owner, McDonald's, interview, Jan. 23, 1995; Beneta Burt, interview, Mar. 22, 1994; Ditto: "Rid Ourselves of Racial Discord."

²³ Charles Sallis, *Transcript*, vol. I, pp. 13-14.

²⁴ *Transcript*, vol. I, p. 49.

²⁵ Bishop William Houck, Jackson Catholic Diocese, interview, Mar. 22, 1994.

²⁶ Clara Spencer, *Transcript*, vol. I, pp. 40, 198.

We do have a city government and we certainly have a council form of government, but with the council form of government, and the majority essentially being African American, we still are not seeing the fruits of our labor in terms of having the sort of equity and distribution of dollars in our community.²⁷

According to Dr. McLemore, improved race relations will not come until blacks gain economic independence.²⁸ Dr. Sallis also reported that Jackson is not integrated economically. Per capita income is more than double for whites than for blacks. More important, he says, very few blacks are in business or in positions of authority in the business community. The negative effect of black economic disadvantage upon race relations and crime was echoed by many citizens of Jackson.²⁹ Dr. Sallis stated: "Economic disadvantage has played a major role in polarizing the black and white communities and I think has an enormous impact on law enforcement and attitudes of citizens toward the police."³⁰

Last year, the nonprofit philanthropic group Foundation for the Mid-South gave grants totaling \$265,000 to six nonprofit organizations to improve conditions in Jackson's depressed neighborhoods. Of the funds awarded, \$60,000 was allocated to the New Horizon Ministries to help unemployed and underemployed adults. However, there does not appear to be any ongoing effort or plan of action in the public or private sector to address job creation and economic development in depressed areas of the black community.³¹ An official of the Metro Jackson Chamber of Commerce indicated that it was not involved in developing job or economic opportunities for low income residents.³² The \$30 million bond the mayor planned to propose in 1996 also did not appear to include jobs and economic opportunities.³³ Some persons interviewed strongly

believe there is a direct relationship between the lack of economic opportunities and racial tension in Jackson.³⁴

A factor in the race problem is class division. Based on interviews with both black and white respondents, there is less racial friction between upper and middle income whites and blacks. Between these groups there appears to be a strong desire to establish social relationships and opportunities for biracial socialization and dialogue.³⁵ Examples are Leadership Jackson, Jackson 2000, and Youth Leadership Jackson. Other positive biracial opportunities are Mission Mississippi and the Mississippi Humanities Council.³⁶

But particularly striking is the deep estrangement between the black underclass and black middle and upper class citizens.³⁷ This is evident in the following comments:

- Within the black community there is a class schism. The middle class does not help out blacks and they do not invest economically in the black community.³⁸
- Everyone has failed to be inclusive of the grassroots community.³⁹
- The black middle class in Jackson is complacent.⁴⁰

Clearly, these socioeconomic divisions have affected the extent to which race, crime, and other social conditions remain problems. It is fair to say that this estrangement has also been a barrier to the overall improvement of race relations in Jackson.⁴¹

Another source of racial divisiveness is the media. The public's perception of crime and law enforcement is significantly shaped by what is reported in the print and electronic media. The

²⁷ Ibid., p. 35.

²⁸ Ibid., pp. 13, 15, 25.

²⁹ Ibid., p. 18; Aurelia Jones-Smith, *Transcript*, vol. 1, pp. 196, 198-99; Leslie McLemore, *Transcript*, vol. 1, pp. 35, 38; Wydett Hawkins, Mid-City Business Association, Jackson, MS, *Transcript*, vol. 1, pp. 237-38.

³⁰ Ibid.

³¹ "Foundation Gives \$265,000 to Help Depressed Areas," *Clarion Ledger*, Apr. 3, 1996, p. B-1; "Mayor Ditto Proposes \$30M Bond Issue," *Clarion Ledger*, Feb. 20, 1996, p. B-1 (hereafter cited as "Bond Issue").

³² *Transcript*, vol. 1, pp. 158-59.

³³ "Bond Issue."

³⁴ Leroy Walker, interview, Jan. 23, 1995; Clara Spencer, interview, Jan. 15, 1995; *Transcript*, vol. 1, pp. 18, 35.

³⁵ R. David Sanders, president, Eastover Neighborhood Association, interview, Aug. 11, 1994; Beneta Burt, interview, Mar. 22, 1994.

³⁶ Beneta Burt, interview, Mar. 22, 1994; *Transcript*, vol. 1, pp. 40, 198.

³⁷ Ali Sham-sideen, community activist, interview, Aug. 25, 1992; Clara Spencer, interview, Jan. 25, 1995.

³⁸ Ali Sham-sideen, interview, Aug. 25, 1992.

³⁹ Clara Spencer, interview, Jan. 25, 1995.

⁴⁰ Ibid.

⁴¹ Jimmy Bell, interview, Aug. 25, 1992, Mar. 21, 1994; James W. Burton, *Blacks and Social Change* (Princeton University Press, 1989), pp. 222, 226, and 240.

major daily newspaper in the city and State is the *Clarion Ledger*. There are also four weekly newspapers published in the area, four local television stations including affiliates to the major networks, and at least 15 radio stations.⁴² There are two black weekly newspapers, the *Mississippi Link* and *Jackson Advocate*. The *Jackson Advocate* is the major black weekly. The *Jackson Advocate* serves to provide news coverage on issues of concern in the black community.⁴³ The views featured in the *Advocate* in most instances run counter to those of the mainstream establishment. For example, the *Jackson Advocate* takes a particular interest in reporting in great detail instances of alleged social injustice, whereas the *Clarion Ledger* is more conservative and reports a broader mainstream brand of news.⁴⁴

During the course of this study, concerns were expressed routinely by citizens, police officials, and community leaders about the negative effect the media have on general race relations and crime. Both the *Clarion Ledger* and the *Jackson Advocate* were cited more often than any other news organizations as contributing to racial polarization.⁴⁵

The owner and publisher of the *Jackson Advocate* contends that he was under surveillance by JPD and the *Clarion Ledger* for actively reporting on and speaking out against racial injustices.⁴⁶ In an unusual move, Kenneth Stokes, a black city councilman, filed a lawsuit against the *Clarion Ledger* alleging malicious reporting and a deliberate attempt to discredit him as an elected official.⁴⁷ Black citizens expressed concern about how black suspects are featured on local TV news reports in comparison to white

suspects.⁴⁸ The Jackson branch of the NAACP publicly accused the *Clarion Ledger* of racism and blamed the newspaper for the firing of former Police Chief Jimmy Wilson. When the newspaper held a summit on crime, some black community leaders felt the summit was not relevant to the black community and solving its crime problem. It was called a "gimmick."⁴⁹ A white resident of an upscale low crime neighborhood (Eastover) indicated that the media would probably cover the same crime committed in the central city differently than if it occurred in his neighborhood; crime in Eastover would be covered more prominently and with much more followup coverage.⁵⁰

Although it is acknowledged that in a democracy an unfettered press is important for informing the public, persons interviewed felt that there is an overemphasis on negative news and the hyping of crime stories. Sheriff McMillin stated his office has basically been the beneficiary of a good press but suggested that there is a need for more balance. He said:

I think that the media in this community has a tendency to emphasize what's wrong as opposed to talking about what's right, because there's a lot of good happening here, there's a reaching out between communities that we don't read and hear about . . . It's almost as if bad things sell and good things don't. As one reporter said to me, "Ten planes land at the airport every day safely; that's not news. One crashes, it is."⁵¹

Chief Johnson of JPD is very outspoken on the role of the media and its influence on the public's view. He described his first impression of TV news when he arrived in Jackson: "My reaction to the 6 o'clock news stories when I first arrived here was nothing like I had ever experienced in any other city, any place. It was almost like wham, bam, in your face...this is the only thing happening in the city, crime."⁵²

⁴² PERF Report, p. 4.

⁴³ Ibid.; information submitted by Leslie Range, Advisory Committee member, Jan. 29, 1997.

⁴⁴ Charles Tisdale, publisher, *Jackson Advocate*, Transcript, pp. 163-84; Charles Tisdale, interview, Mar. 21, 1994.

⁴⁵ Ali Shamsi-deen, interview, Aug. 25, 1992; Wydett Hawkins interview, Jan. 26, 1995; Clara Spencer, interview, Jan. 15, 1995; Charles Tisdale, interview, Mar. 21, 1994; interview meeting with community police advisory committee, Aug. 27, 1992; Sutton Marks, member of police advisory committee, interview, Feb. 13, 1995.

⁴⁶ Charles Tisdale, Transcript, pp. 170-72.

⁴⁷ "Councilman Stokes Files Lawsuit Against a Jackson Newspaper," *Jackson Advocate*, Jan. 1, 1997, p. 1A; "Auditors Examine Jackson Council," *Clarion Ledger*, Dec. 10, 1996, p. 1B.

⁴⁸ Enoch Sanders, community activist, interview, Jan. 26, 1995; Clara Spencer, interview, Jan. 25, 1995.

⁴⁹ Clara Spencer, interview, Jan. 25, 1995; "NAACP Blames White Press, Power Structure for Wilson Firing," *Jackson Advocate*, May 12, 1994, p. 1A; "NAACP Demands Apology for Cartoon," *Clarion Ledger*, Apr. 23, 1994, p. 2B.

⁵⁰ R. David Sanders, president, Eastover Neighborhood Association, Transcript, vol. I, pp. 134-35.

⁵¹ Malcolm McMillin, Sheriff, Hinds County, Transcript, vol. II, pp. 389-90.

⁵² Robert Johnson, Police Chief, JPD, Transcript, vol. II, pp. 275, 279.

Chief Johnson further explained the effect this has had on the department and the broader community:

It's almost a daily occurrence for me in the course of talking with a citizen about a complaint or concern, that one of them will say to me, "I guess I'll have to go to the newspaper to get something done about this," or they'll say, "I'd hate to have to call the TV and report this." And in some cases when I receive correspondence concerning a problem, the letter will contain a carbon copy notation at the bottom to the CEO of one of the local TV stations. Now, the implications for me from this is that our citizens have been exposed to a steady diet of stories in which the police department has failed to act or has in some way screwed up, and only by the media's intervention has anything been done about it. I have no doubt that this has had a detrimental effect on the public's confidence in our ability and competence to do the job, and what's worse, is that it's had as much or more of an impact on the police officers themselves . . .⁵³

It is understood that the priorities of media and law enforcement are sometimes different, but despite these differences we seek a fair and cooperative relationship that is in the best interest of all our citizens . . .⁵⁴

Problems associated with the Juvenile Detention Center are also a civic crisis and challenge facing Jackson. Although there is consensus in all quarters of the community that the juvenile facilities and services must be improved, some black citizens report that neglect of the center has been tolerated because the juveniles placed in the center are mainly black.⁵⁵

The facility and services were wholly inadequate to meet the needs of juveniles for counseling, education, social services, recreation, and medical care. The Hinds County Board of Supervisors Advisory Committee on Criminal Justice in a 1994 report stated:

The present juvenile detention facility and its operation and support services are so inadequate that it could present a serious liability for any public official who participates in the confinement of juveniles to that facility. Youth Court judges are virtually without acceptable methods of administering punishment or providing rehabilitation to juveniles. The only remedial resources the Youth Court has to work with are its small staff, the parents or surrogate parents, if any, and a few community-based resources.⁵⁶

An investigation of the facility by the U.S. Department of Justice found the detention center to be so inadequate that it violated the constitutional rights of juveniles held there. The Justice Department cited inadequacies in medical care, mental health services, suicide prevention, staff training and supervision, and numerous deficiencies in the physical facility.⁵⁷

During a visit to the detention facility, the Advisory Committee did not observe white juveniles at the center and found circumstances similar to those reported by the U.S. Department of Justice and the Hinds County Board of Supervisors Advisory Committee.⁵⁸

⁵³ Ibid., pp. 276-77.

⁵⁴ Robert Johnson, *Transcript*, vol. II, p. 280.

⁵⁵ Clara Spencer, interview, Jan. 25, 1995; Perry Robinson, Aug. 11, 1994; see appendix C.

⁵⁶ Hinds County Board of Supervisors Advisory Committee, "Criminal Justice System Report," June 21, 1994; document on file at Central Regional Office, USCCR, Kansas City, KS; U.S. Department of Justice, Civil Rights Division, "Notice of Findings of Investigation, Jackson City-Hinds County Youth Detention Center, Jackson, MS," Nov. 17, 1993 (hereafter cited U.S. Department of Justice, Letter of Findings).

⁵⁷ U.S. Department of Justice, Letter of Findings.

⁵⁸ Onsite tour of Juvenile Detention Center: Jerry Ward, Gary Hill, and Farella Robinson, Apr. 5, 1995.

3 Citizens' Perceptions of Police-Community Relations . . . The Community Speaks

Generally, there is a crisis of confidence in the criminal justice system. According to the 1994 report by the Hinds County Board of Supervisors Advisory Committee on Criminal Justice, the system is impaired to the point that in its present state, it cannot successfully meet the challenges of criminal activity in the county.¹ Although scrutiny is more frequently centered on JPD because of its visibility and the fact that 90 percent of the crimes committed in Hinds County are perpetrated in Jackson, the crisis of confidence includes the sheriff's department, JPD, district attorney, and the courts.² The following excerpt details pertinent parts of the findings reached by the committee:

- The criminal justice system in Hinds County is overloaded. The absence of an efficient criminal justice management system combined with an increasing crime rate, has severely impaired the capability of the system to apprehend, try and punish criminals.
- Problems of juvenile justice is the most difficult to deal with and is in most urgent need of attention. There are no existing programs or efforts being made that have any real chance of substantially reducing juvenile crime county-wide.
- There are difficulties and lack of cooperation between the various law enforcement officials (Prosecutor, FBI, Jackson Police Department, and Sheriff's Department).
- A system of punishment and rehabilitation is needed. The current system does not provide for this.
- There are significant problems between the city and the county in managing the criminal justice system Inability to work together There is a need for a united effort.

- There is not adequate data available to make appropriate decisions about the criminal justice system. Facts and figures are not maintained routinely or consistently. There is no monitoring or tracking of persons who enter and leave the system. The State and local officials do not know who is in the system, how many or when they leave.³

Jackson Police Department

Good police-community relations require citizen support. That cooperation can only be obtained when the police force is perceived as being effective and caring. Perceptions of the JPD are wide ranging and complex depending upon who is talking. However, there was unanimity that JPD was not meeting the needs of the community. Some of the factors influencing these perceptions were race, socioeconomic factors, the area where one lived, and how other areas of the criminal justice system such as the district attorney's office or the Juvenile Detention Center were viewed.⁴

Blacks, in most instances, were sharply critical of JPD. Black citizens were mainly concerned about inequitable treatment and lack of trust, while whites were more supportive of JPD, but greatly concerned about the department's ability to prevent crime and protect law-abiding citizens.⁵

Within the city of Jackson, as community concerns heightened about crime and the selection of a police chief, the mayor formed a police-community advisory committee. The seven-member committee represented each ward in the city and served as advisors to the mayor and the chief of police.⁶ However, most citizens inter-

¹ Hinds County Criminal Justice System, Report by Hinds County Board of Supervisors Advisory Committee, June 21, 1994, pp. 3-36; document on file at Central Regional Office, USCR, Kansas City, KS (hereafter cited as Hinds County, Criminal Justice Report).

² Ibid.

³ Ibid.; see appendix C.

⁴ See appendix C.

⁵ Ibid.

⁶ Policies and Procedures of the Community Advisory Committee to the JPD Police Department; Kane Ditto, Mayor, and members of the Community Advisory Committee, interview, Aug. 27, 1992.

viewed for this study were not aware of this committee's existence. It was reported that at no time did the advisory committee appear to fulfill its purpose to advise the mayor and the police chief on strategies to receive direct input from the community to JPD, to improve communications and cooperation between the department and the public, to promote greater efficiency with JPD, and to assure the delivery of effective law enforcement services in the city.⁷

JPD's community outreach activities were significantly expanded during Police Chief Jimmy Wilson's administration. During Chief Wilson's administration the Citizen Police Academy was established and the School Liaison Program was expanded.⁸ The department has in place an array of crime prevention and Neighborhood Watch Programs in the schools and neighborhoods, a domestic violence and crisis intervention program, and the Jackson Citizen Police Academy.⁹

Although many traditional outreach programs have been established, the performance of the officer on the street is at the heart of anxiety about community relations. What do Jacksonians think about JPD?

Interviews conducted by the Advisory Committee from August 1992 through March 1995 revealed that the general public, both white and black, were very critical of JPD.¹⁰ At that point the department had been under the leadership of three different police chiefs and the mayor over a short span of time. Based on interviews and media reports, the department was viewed as leaderless, mismanaged, ineffective, unresponsive, and racially divided.¹¹ Demands and solutions to the problem were many and came from all quarters of the community such as increasing the number of police; improving re-

cruitment and training; increasing pay and improving working conditions for police; providing community policing; establishing a police commission to oversee operation and/or a civilian review board.¹²

JPD's Perception of the Community

In order to better understand the dynamics of police-community relations in Jackson, it is also important to evaluate how the police views the public they serve. The following are excerpts of their views:

- The community must change too. Many residents mistrust police and have unrealistic expectations.
- Residents must realize that all crimes are not emergencies or life threatening.
- The city (elected officials) does not care about police officers. They try to drive wedges between officers.
- Everything in Jackson is race based.
- The public views JPD with a sense of confidence.
- The community is now being more proactive in helping the police.
- The public's image of the JPD is better now than it was a year ago.
- City Hall dictates everything that goes on in the police department.
- City officials have no vision for the police department.
- People are now beginning to realize that they play a role in crime prevention and see JPD as a partner.
- The public's view of JPD in large part is shaped by the media, and unfortunately in this city that has been mostly negative.
- Citizens of Jackson are too preoccupied with crime.
- JPD has a very negative public image.
- There is a wide divide between the police and the community. Information does not readily flow from the officers to the citizens and from the citizens to the officers.¹³

⁷ Jimmy Bell, professor of Criminal Justice, Jackson State University, interview, Aug. 25, 1992; Ali Sham-sideen, community activist, interview, Aug. 25, 1992; Community Advisory Committee Policies and Procedures, Sept. 18, 1990; see appendix C.

⁸ Jimmy Wilson, former JPD Police Chief, interview, Jan. 23, 1995; "Did Chief Deserve Ouster from Force or Was It Needed?", *Clarion Ledger*, May 8, 1994, p. 1A.

⁹ Ibid

¹⁰ See appendix C.

¹¹ "Ditto: Chief's Ouster Based on Personal Flaws, Not Race," *Clarion Ledger*, Nov. 6, 1991, p. 1A; "Policing Brutality," *Clarion Ledger*, Mar. 8, 1992, p. 1A; "Dual Standard Marks Police Probe of Police," *Jackson Advocate*, Aug. 13, 1992, p. 2A.

¹² Based on field interviews, survey of opinions, perspectives and recommendations from August 1992 to April 1995; see appendix C; see appendix E.

¹³ *Transcript*, vol. II, p. 276, 278, 296-98, 415, 459, 464; Linda Wooley, JPD, interview, Apr. 26, 1995; Mickey Vitt, JPD, interview, April 26, 1995; Robert Johnson, JPD Police Chief, interview, Apr. 28, 1995.

Hinds County Sheriff's Department

The sheriff's department is the principal law enforcement agency representing Hinds County. The department is also responsible for the county jail and detention facilities.¹⁴

The Hinds County Board of Supervisors provides funding and oversight of all the department's functions. The duties of the sheriff's department are divided into two major functions, law enforcement and detention. The law enforcement component is structured into five divisions, Narcotics Bureau, Patrol, Administrative Bureau, Special Operations, and Criminal Investigations Bureau (see appendix D). The second function and by far the most significant part of the work of the sheriff's department is maintenance and operation of the county's detention facilities in Raymond, the downtown jail and the penal farm.¹⁵

Although JPD has primary responsibility for law enforcement in Jackson, the sheriff's department also has jurisdiction to make arrests and respond to citizen requests for assistance. Therefore, the Committee conducted a brief review of the department's law enforcement function and its relations with citizens of Jackson.¹⁶

The sheriff's department conducts many community outreach activities and programs. These are traditional programs such as Drug Abuse Resistance Education (DARE), Speakers Bureau for Crime Stoppers, Community Advisory Council for Drug-Free Schools, the School Liaison Program, and Neighborhood Watch.¹⁷

Unlike JPD, the sheriff's department is not a source of controversy in the community. The sheriff's department serves areas of the county that are primarily rural and the level of crime is not as intense as in Jackson. Also patrol officers' contact with residents is not as frequent as that of JPD. The department appears to have a good image with citizens, and it is frequently called by citizens to respond to calls because they say the response time is better than JPD's. The officers

of the sheriff's department were described as professional and helpful.¹⁸

The following are additional comments made by citizens about the sheriff's department:

- The leadership maintains contact with the different communities and has good relations with the media.
- Although blacks in Jackson view all law enforcement agencies with suspicion, the Sheriff's Department is perceived as less controversial.
- The Sheriff's Department is viewed far better by the public than the Jackson Police Department.
- There is a need for more representation of blacks in higher level positions.¹⁹

Sheriff McMillin stated:

I can't really say what the perception was when I came into the office other than I can say that it would probably be a general feeling that we are now a more representative department than it was before . . . I am confident that the African American community would tell you that this is a good department, it's a representative department, it's a responsive department.²⁰

However, there were concerns expressed regarding the need for more representation of blacks in the patrol division and the underrepresentation of blacks in the higher ranks of the department.²¹ The department's rank and chain of command structure is sheriff, undersheriff, major, captain, lieutenant, sergeant, investigator, deputy, and reserve deputy.²² At the time this information was collected, the upper ranks of the command staff included one black major. At the command level there were two black captains. Staffing characteristics are shown in table 3.1.

¹⁴ *Transcript*, vol. II, pp. 376-77; "Hinds County Criminal Justice System," Report by Hinds County Board of Supervisors Advisory Committee, June 21, 1994, p. 9.

¹⁵ *Ibid.*; *Transcript*, vol. II, p. 394.

¹⁶ *Transcript*, vol. II, pp. 376-77; "Hinds County Criminal Justice System," Report by Hinds County Board of Supervisors Advisory Committee, June 21, 1994, p. 9.

¹⁷ George McBrayer, Hinds County Sheriff Department, interview, Apr. 27, 1995.

¹⁸ See app. C.

¹⁹ *Ibid.*

²⁰ Malcolm McMillin, Sheriff, Hinds County, *Transcript*, vol. II, pp. 383-84.

²¹ Willie Sanders, deputy, Hinds County Sheriff's Department, interview, Apr. 27, 1995; Nathaniel Ross, deputy, Hinds County, Sheriff's Department, interview, Apr. 27, 1995.

²² Table of Hinds County Sheriff Department Organizational Structure.

TABLE 3.1
Staffing, Hinds County Sheriff's Department

Law enforcement sworn personnel

	No.	%		No.	%
Black female	5	22%	White female	18	78%
Black male	29	30%	White male	68	70%
Total	34	28%	Total	86	72%

Civilian personnel

Black female	3	17%	White female	15	83%
Black male	1	10%	White male	9	90%
Total	4	14%	Total	24	86%

Source: Employee statistics provided by Hinds County Sheriff's Department, Dec. 12, 1996. On file at Central Regional Office, USCCR, Kansas City, KS.

TABLE 3.2
Black Law Enforcement Employment, Hinds County Sheriff's Department

Unit	1991	Now	Improved to
Patrol	1	6	30%
Warrants	None	3	37
Investigations	None	6	33
Court bailiffs	3	10	48
Communications	None	1	9
Crime prevention	None	1	17
Civil process	None	4	45
Community police	None	1	50

Source: Employee statistics provided by Hinds County Sheriff's Department, Feb. 27, 1997. On file at Central Regional Office, USCCR, Kansas City, KS.

As of December 1996, the law enforcement component of the county had a total of 148 employees. One hundred twenty are sworn personnel and 28 are civilian. Of the sworn personnel, 34 or 28 percent are black and 86 or 72 percent are white. Females represent 23 or 19 percent of the sworn employees. At the civilian level, meaning the administrative and clerical support staff, blacks represent 4 or 14 percent, while whites represent 24 or 86 percent of the civilian staff.¹

Based on the above information, blacks and females are significantly underrepresented in

the ranks of law enforcement in the county.² The sheriff stated that since his election he has increased minority representation. In 1991 when he assumed office, the racial composition of the Hinds County Sheriff's Department and Detention Center was 21 percent black, in contrast to 42.8 percent today.³ Interviews with black officers revealed that although some progress had been made, most of the black staff are employed in detention rather than the law enforcement side of the department. Black interviewees indicated that they would like to see more blacks in

¹ Employee statistics provided by Hinds County Sheriff's Department, Dec. 12, 1996.

² Ibid.

³ Malcolm McMillin, sheriff, Hinds County, interview, Aug. 24, 1992; *Transcript*, vol. II, pp. 383-84..

the patrol division and in supervisory positions. Positions in the patrol division are considered the better positions in terms of salary, visibility, and authority.⁴ Additional information provided by the sheriff does in fact show substantial improvements in the hiring of minority personnel. Sheriff McMillin stated that when he assumed the position in 1991, he recognized that there were improvements needed in this area.⁵ Table 3.2 shows the progress made in minority hiring.

In addition, the department has employed and/or promoted females in nontraditional roles, and have hired qualified disabled employees. The personnel officer and the head of medicine for the jail are black females, and the head of Administrative Services is black.⁶

Sheriff McMillin said the department will continue to hire and promote qualified persons. He stated: "Our goal is for the racial make-up of the department to be representative of the population we serve....While we have not yet reached our goal, we are constantly working for improvement."⁷

The sheriff department's operating procedures are contained in the manual of General Orders, established June 1, 1992. Review of this manual shows that the department does not have in place written recruitment procedures explaining how and where recruits are solicited and under what circumstances recruitment activities are undertaken. Systematic recruitment efforts becomes especially important as the department addresses the underrepresentation of blacks and females in the patrol division⁸

Police-Community Relations in Selected Neighborhoods

Neighborhoods are the fundamental building blocks of a city, the sites where relationships and community begin.⁹ Although there are some

pockets of racially mixed neighborhoods, for the most part neighborhoods are racially segregated in Jackson. In the 1960s as a new cycle of neighborhood development took place with the advent of school desegregation and the civil rights movement, city boundaries expanded and blacks began to migrate from the Farish Street area to neighborhoods such as West Jackson, College Addition, Lynch Street, and Washington Addition.¹⁰ Other areas of neighborhood development that took place were North Jackson, Virden Addition, Brinkley Place, Bel Air, Belhaven, Shady Oak, and South Jackson. By the late 1970s even more neighborhoods were formed such as Presidential Hills, Valley North, Natchez Trace Estates, and Woodlea, to name a few.¹¹

Over the last 6 years, along with the escalation of crime have come blighted neighborhoods. Most of these are located in black neighborhoods of Jackson such as Georgetown, Virden Addition, University Park, Presidential Hills, and Washington Addition.¹² Other than crime, the most frequent complaint from some black citizens is the city's failure to revitalize neighborhoods suffering from crime, blight, and economic depression. These concerns ranged from police response time to the delivery of city services, such as getting a street light repaired or an abandoned house boarded up.¹³ Some blacks also contend the delivery of city services is better in white neighborhoods than in black neighborhoods.¹⁴ One black resident of Georgetown recited a litany of services needed in the neighborhood:

We do not have any services for people that have drug problems....We have continually gone before the city council to try to get centers to help reduce crime in areas such as Georgetown, Midtown, Washington Addition, Virden Addition, areas that appear to be totally redlined by people in position and title....I live around the corner from 120 apartment units called

⁴ Nathaniel Ross, interview, Apr. 27, 1995; Willie Sanders, interview, Apr. 27, 1995; Charles Jones, major, Hinds County Sheriff's Department, interview, Apr. 27, 1995.

⁵ Employee statistics provided by Hinds County Sheriff's Department, Feb. 27, 1997.

⁶ Ibid.

⁷ Ibid.

⁸ Manual of General Orders, Hinds County Sheriff Department, June 1, 1992; document on file at Central Regional Office, USCCR, Kansas City, KS.

⁹ "The Story of A Neighborhood Lost," *Kansas City Star*, Mar. 7, 1996, p. 8; Kansas City Consensus, Safe Neighborhoods Task Force, "Report on Safe Neighborhoods," (1995),

p. 5; document on file at Central Regional Office, USCCR, Kansas City, KS.

¹⁰ Metro Jackson Convention and Visitors Bureau, "African-American Heritage Guide," June 1993, pp. 1-3; document on file at Central Regional Office, USCCR, Kansas City, KS.

¹¹ Ibid; Charles Sallis, *Transcript*, vol. I, p. 14; Clara Spencer, pp. 242-47; Perry Robinson, pp. 205-07; Robert Johnson, JPD Police Chief, *Transcript*, vol. II, p. 282; "Fighting for Fair Park," *Clarion Ledger*, Aug. 23, 19992, p. 1A.

¹² Ibid.

¹³ Ibid.; Wydett Hawkins, *Transcript*, vol. I, pp. 224-29; Clara Spencer, *Transcript*, vol. I, pp. 242-49.

¹⁴ Ibid.

TABLE 3.3
Distribution of Police Precincts by Council Ward

Ward	City council representative	Police precinct
1	Anglin	4
2	Armstrong	3
3	Stokes	3
4	Calhoun	2,1,3
5	Foster	2,1
6	Weaver	1
7	Barrett	2,1,4,3

Source: Information submitted by Jackson Police Department, Mar. 31, 1996. On file at Central Regional Office, USCCR, Kansas City, KS.

Jackson Apartments. Of those units, 75 percent are single mothers with children. Those units have approximately 176 to 196 children but we do not have a park, a recreation center, or a library. We have high teenage pregnancy but we don't have parenting classes....Senior citizens don't have bus benches to sit on, or if it's raining you stand in the rain....Instead, we have dilapidated, disease-infested houses with burnt walls and dog and rat skeletons....Most of these houses are owned by white absent landlords....The police cannot address the services needed if our elected officials fail to do so.¹

A high ranking police official stated:

I think one of the reasons that we have some of the crime problems that we have today is because of the lack of services....in some communities over the years, the citizens have gotten poor services, not only from the police department but from all agencies, city, State, and Federal.²

The city is divided into seven areas called wards: At least 183 individual neighborhood groups, home associations, or block clubs representing distinct neighborhoods defined by geography, race, and socioeconomic characteristics are located in each ward.³

The city of Jackson is served by four police precincts.⁴ Table 3.3 shows the specific police precincts serving each ward.

In 1990 during the Ditto administration, the city for the first time formed a citywide group of citizens representing neighborhood organizations called the Jackson Association of Neighborhoods, Inc. (JAN).⁵ JAN is described as an independent nonpartisan organization formed to preserve and improve the residential character of neighborhoods. JAN's primary objective is to develop a spirit of cooperation between neighborhoods and businesses, and to develop a better quality of life for citizens. The 15-member body is composed of two representatives from each ward. All serve as volunteers.⁶

Perry Robinson, a member of the board and president of the Georgetown Neighborhood Association complained that JAN is not productive. Meetings are held, but the real concerns of neighborhoods, such as crime and drugs, are not addressed.⁷

Board members expressed concerns about the police department. Representatives from wards 1 and 4 stated that slow response to 911 was a problem.⁸ A representative from ward 3 com-

¹ Clara Spencer, *Transcript*, vol. I, pp. 242-49.

² Cleon Butler, JPD, *Transcript*, vol. II, p. 459.

³ List of Neighborhood Associations, Jackson Association of Neighborhoods (JAN), submitted by city of Jackson, Planning and Development, Mar. 27, 1995, document on file at Central Regional Office, USCCR, Kansas City, KS (hereafter cited JAN).

⁴ Information submitted by the Jackson Police Department, Mar. 31, 1996; document on file at Central Regional Office, USCCR, Kansas City, KS.

⁵ JAN.

⁶ Ibid.

⁷ Perry Robinson, president, Georgetown Neighborhood Association, interview, Aug. 11, 1994.

⁸ Agnes Tripplett, president, Jackson Association of Neighborhoods, *Transcript*, vol. I, pp. 137-40.

plained that police are more attentive to white neighborhoods, and that communications with the police administration are poor.⁹ Representatives from wards 2, 6, and 7 reported no problems and indicated that JPD is doing a good job.¹⁰

Jackson has much to gain from encouraging neighborhood involvement in the fight against crime and improving relations with the police department. If taken seriously and institutionalized into policymaking, neighborhood groups can be a source of solving police-community relation problems.

The Advisory Committee reviewed selected neighborhoods in Jackson to ascertain the nature and extent of police-community relations in the community. The representatives of neighborhood and community groups were interviewed from Richwood Estates Homeowners Association, Georgetown Community Association, Eastover Neighborhood Association, and the Midtown Business Association.¹¹

The president of the Richwood Estates Homeowners Association, Agnes Triplett, described her neighborhood as a predominately black middle income neighborhood in a low crime area.¹² She reports that JPD attended neighborhood meetings and provided monthly reports on crime activity in the area. Ms. Triplett describes residents' relations with JPD as good and blames poor communications and apathetic citizens for poor police community relations.¹³ She stated: "If people would ask they would be surprised at what help and assistance they can get from the police. People complain but they never ask for help or get involved until there is a crisis."¹⁴

The president of Georgetown Community Association, Perry Robinson, described his neighborhood as predominately black with a high concentration of elderly and low income residents.¹⁵ The area is a mixture of residential, rental, and apartment housing stock. According to Mr. Perry, despite the aggressive efforts of residents with some assistance from JPD, drugs and crime

still remain a major problem.¹⁶ He reported that police officers have attended neighborhood meetings and implemented a number of strategies to help reduce crime in the area. The association has worked closely with JPD in reporting drug activity and other related crimes to the media and political leaders.¹⁷ Based on the association's efforts, JPD has made drug arrests and launched a series of drug raids.¹⁸

Although there has been a slight decrease in homicides in the Georgetown area from 21 percent in 1994 to 18 percent in 1996, Mr. Perry said residents are still not satisfied and more needs to be done. He said his neighborhood needs more patrols. Also, the police department needs to implement community policing and improve the overall management of police operations.¹⁹

The president of the Eastover Neighborhood Association, R. David Sanders, described his neighborhood as predominately white with a few residents of Asian, Hispanic, Greek, and East Indian descent.²⁰ He reported that there are no black residents living in Eastover. Mr. Sanders described the area as the most affluent neighborhood in Jackson comprised of mostly professionals, business owners, and corporate executives.²¹ He said residents generally do not fear abuse at the hands of the police and do not view the police negatively in any significant way. Instead, law enforcement is viewed as a friendly force, serving as a partner with the community in maintaining a safe and orderly environment.

Mr. Sanders reported that over the years, crime has increased not only in frequency but took on new qualities of viciousness and randomness, and became more mobile—not only in certain areas of town but striking anywhere.²² As a result, although the rate of crime was very low in Eastover, the fear of crime increased. He said residents became concerned that JPD was not dedicated to low-level policing needed in their neighborhood because of the rampant crime wave in other parts of the city. After a rash of burglaries in 1993, the association con-

⁹ Ibid.

¹⁰ Ibid.

¹¹ See appendix D.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

tracted with a private security firm for patrol services.²³

Mr. Sanders said:

The patrol fills the gap between the level of security and service desired by an affluent neighborhood located nervously close to a high crime area and the level of service that JPD can realistically be expected to provide. The patrol reduces the frustration and criticism that otherwise would be directed toward the police for their failure to provide the desired level of service.²⁴

Mr. Sanders cited the following concerns regarding police-community relations: widespread concern about police morale, whether or not JPD is dedicated to low-level policing that Eastover needs, more visibility of police in neighborhood, crimes such as night-time burglaries, and violent crime in the neighborhood.²⁵

The president of the Mid-City Business Association, Wydett Hawkins, described the area of central Jackson or midtown as predominately black with a white population of about 10 percent.²⁶ He said residents are primarily blue collar and the businesses located in the area are about 65 percent white owned, 34 percent black owned, and 1 percent Hispanic/Asian owned. He reported that before crime and white flight set in, residents and business owners were mainly white.²⁷

According to Mr. Hawkins, since 1991 the Mid-City Business Association has been aggressively trying to reduce crime in the area. He reported that area businesses have suffered tremendous business losses due to crime. In 1993-94 his companies, Wasco-Town Enterprises, were burglarized and vandalized at least 30 times causing a loss of over \$30,000. He said other businesses in the area have also suffered similar losses.²⁸ Police reports, letters, and telephone calls were made to city and elected officials indicating the enormous financial drain crime was having on midtown businesses. He reported that although JPD conducted drug raids in response to the association's complaints, area businesses continue to be dissatisfied with

the level of police protection.²⁹ Mr. Hawkins said if more patrols were provided police-community relations would improve.³⁰

Efforts are underway by the city to fight crime and improve police-community relations through the revitalization of neighborhoods and community involvement. These efforts are especially needed in high crime areas of the city like Georgetown and Midtown.³¹ The Neighborhood Service Delivery Program (NSD) was established in 1993 to increase community involvement, improve neighborhoods, deliver city services to citizens, and to fight crime. Recently NSD has become very aggressive in targeting high crime areas of the city.³² In February 1996, Mayor Ditto proposed a \$30 million bond issue to fund street improvements, drainage, and recreation facilities. Bond money would also be used to organize more neighborhoods, demolish an additional 400 abandoned structures, and provide quality activities for youth.³³

Community-Oriented Policing

In 1991 a report by the Washington-based Police Executive Research Forum (PERF Report) was very critical of JPD's policing style. It stated:

The style of police patrol in Jackson is reactive or incident driven. This is a traditional and common approach to police service in which officers patrol in their vehicles waiting for a call for service to be initiated by communications, the public, or through their own observation and intervention. The call is then handled and a report is written and submitted for filing and processing. The officer then resumes patrol awaiting the next call for service.³⁴

John DiIulio, professor of politics and public affairs at Princeton University in the 1992 book, *Setting Domestic Priorities: What Can Government Do?* says:

²⁹ Ibid.

³⁰ Ibid.

³¹ Letter received from Kane Ditto, mayor, letter to Melvin L. Jenkins, regional director, Central Regional Office, USCCR; document on file at Central Regional Office, USCCR, Kansas City, KS (hereafter cited Kane Ditto Letter Apr. 11, 1996) Apr. 11, 1996; "Service Helps Neighbors Fight Crime," *North Side Sun*, May 5, 1995, p. 1.

³² Ibid.

³³ "Mayor Ditto Proposes \$30 Million Bond Issue," *Clarion Ledger*, Feb. 20, 1996, p. 1B.

³⁴ PERF Report, p. 91.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

The unflattering but accurate image of contemporary policing in cities is that of cops in cruising patrol cars who are physically and psychologically distant from the people of the communities they serve and who are never around when needed . . . what better way, than to improve their image and build trust than for police officers to get out of their cars, talk to residents, solve problems, and ultimately inhibit crime.³⁵

Although PERF highly recommended that JPD develop and implement community-based policing, until recently efforts never fully got off the ground.³⁶ Recognizing the need for changes, JPD is turning toward cooperative approaches to policing and involving the community in partnership to reduce crime.³⁷

Police Chief Johnson said he supports the concept of community policing and is gradually building the approach and philosophy into JPD's policing practices.³⁸ Community leaders and neighborhood groups support community policing and are hopeful that, if implemented, it will have a positive effect upon police community relations and their neighborhoods.³⁹

In May 1996, Police Chief Johnson began implementing his community policing philosophy. Thirty-two sworn officers were redeployed to enhance JPD's community policing efforts on the streets. These officers came from all divisions and were reassigned to the Patrol Division.⁴⁰

Police Chief Johnson said that in order for community-based policing to be effective in Jackson, all officers must first obtain basic investigative and problem-solving skills to take on the responsibilities required. Further, he believes that officers must be able to use discretion and make independent decisions. From the community, Chief Johnson said the public must begin to trust JPD and let go of unrealistic expectations.⁴¹

The Community Affairs Division also plays a vital role in implementing community-oriented policing. The division provides services to the neighborhood watch block clubs, homeowner associations, advisory committees, and the business community. Community affairs representatives have been assigned to each precinct. Crime prevention services are focused around problem solving, information sharing, and expanded community and business programs. At each community meeting there are representatives from the Crime Prevention Unit, the Crisis Intervention Unit, and the Patrol Division. According to JPD officials, of the four precincts, precinct I located in South Jackson appears to be most active in community-based policing.⁴²

³⁵ "Changing Their Ways," *Ingrams*, November 1995, p. 30.

³⁶ Robert Johnson, Police Chief, interview, Apr. 6, 1995.

³⁷ Data received from Kane Ditto, Mayor, Apr. 11, 1996; memorandum to Chief Robert Johnson from John A. Tisdale, "Crime Prevention Representatives," Dec. 16, 1996, document on file at Central Regional Office, USCCR, Kansas City, KS.

³⁸ Robert Johnson, Police Chief, interview, Apr. 6, 1995.

³⁹ "Neighborhoods Embrace Police As Residents," *Clarion Ledger*, Apr. 22, 1996, p. 1A.

⁴⁰ Data received from Kane Ditto, Mayor, Apr. 11, 1996; memorandum to Chief Robert Johnson from John A. Tisdale, "Crime Prevention Representatives," Dec. 16, 1996; document on file at Central Regional Office, USCCR, Kansas City, KS.

⁴¹ Robert Johnson, interview, Apr. 6, 1995; *Transcript*, vol. II, p. 284, pp. 286-87.

⁴² *Ibid.*

4 Jackson Police Department

Race Relations

JPD is the oldest and largest police force in the State.¹ The department is empowered by law to preserve the peace, protect life and property, and arrest violators of the law within the city of Jackson. To achieve this goal, the department must maintain a sufficient force of qualified police officers.²

Between 1885 and 1962 JPD was all white. In 1963 the city hired its first black police officers. By 1972 when the city's black population was 40 percent, only 21 (7 percent) of 302 sworn officers were black.³ According to Mayor Kane Ditto, because there was great resistance to racial integration, the city did not aggressively hire or promote black officers.⁴ Between 1963-74 only one black officer was promoted. In 1973 a class action lawsuit was filed alleging the city engaged in racial discrimination in the hiring and promotion of blacks.⁵ The city entered into a consent decree with the U.S. Department of Justice to hire black police officers at the same rate as whites until JPD's racial make-up reflected the city's working population. According to Mayor Ditto, prior to his administration, the city failed to adhere to the consent decree. Mayor Ditto stated that providing effective management in the police department was one of the most cru-

cial areas of city government he faced when elected.⁶

The city's failure to implement the consent decree negatively affected the department's ability to recruit and hire qualified police officers. Mayor Ditto said:

The city agreed to submit testing, hiring, and promotion policies to the Federal court or the U.S. Department of Justice for approval. But the city thumbed its nose at that promise for the next 15 years . . . but continued to hire and promote police officers in violation of that decree . . . Early in my first term of office we began the difficult work of complying with that consent decree. We developed an approval test and launched the first legally sanctioned recruit class since 1974. We developed an approved test for promotions and in 1994 made the first promotions since 1979.⁷

Until 1991, there was no real effort to comply with the decree. At that time, the city hired a consultant to develop lawful hiring and promotion procedures.⁸ Although the city experienced critical manpower shortages throughout the ranks of the department, it continued without promotions for at least 17 years.⁹ It was not until 1994, after the U.S. Department of Justice approved the department's hiring and promotions, that legally sanctioned promotions were made. City officials contend the department is now complying with the requirements of the consent decree.¹⁰

Phillip Claiborne, president of Jackson Concerned Officers for Progress (JCOP), also stated the consent decree was not complied with for many years. He said that instead of utilizing lawful promotions, the department chose to appoint people to circumvent blacks participation

¹ Cmdr. Joe L. Austin, director, Jackson Police Training Academy, interview, Apr. 5, 1995; Mickey Vitt, deputy chief, Internal Affairs Division, interview, Apr. 27, 1995.

² "Hiring Procedures for Entry Level Police Officers," Jackson, MS, received from Bracy Coleman, assistant chief of police, Apr. 7, 1995.

³ Kane Ditto, Mayor, Jackson, MS, information provided to the Mississippi Advisory Committee to the U.S. Commission on Civil Rights at its factfinding meeting in Jackson, MS, on May 24-25, 1995, *Transcript*, vol. II, pp. 526-27 (hereafter cited as *Transcript*).

⁴ *Ibid.*

⁵ *Ibid.*; United States of America vs. City of Jackson (Civil Action J74-66 [N]) and Corley and Carter vs. Jackson Police Department (Civil Action 73J-4 [C]), Mar. 25, 1974; Robert Lesley, communication director, city of Jackson, memo to Farella Robinson, Mar. 11, 1997 (hereafter cited Robert Lesley memo).

⁶ Kane Ditto, *Transcript*, vol. II, p. 525.

⁷ Kane Ditto, Mayor, *Transcript*, vol. II, pp. 526-28; see also, Joe Austin, interview, Apr. 5, 1996.

⁸ See appendix F; Leslie Scott, City Attorney, memorandum to Mayor Kane Ditto, Sept. 11, 1991.

⁹ *Ibid.*

¹⁰ *Ibid.*; Kane Ditto, *Transcript*, vol. II, p. 525.

in the promotional system.¹¹ Mr. Claiborne also contends that the sergeant promotion test administered in 1994 was unfair. He reported that the persons chosen to conduct the testing were not qualified. Also, he said the content of the test was too subjective. According to Mr. Claiborne, JCOP requested an investigation by the Justice Department but was advised by the Justice Department that an investigation would not be conducted unless the test adversely affected minorities.¹² Chief Johnson also did not support the sergeant test and stated it was inadequate. He suspended the use of the test and did not continue promoting from the list.¹³ Mr. Claiborne still continues to allege the department is in violation of the consent decree. He stated: "I think the city of Jackson has been in violation since 1975 and I think that they are in violation at the present time . . . racial and sexual discrimination . . ."¹⁴

Employee organizations representing JPD, the Jackson Police Officers Association (JPOA), the predominantly white union, and JCOP, a black police fraternal organization, have been divided along racial lines. Over the years, these organizations have not worked well together and have publicly opposed each other on many police matters. Representatives of both groups say they recognize that the interests of police officers would be better served if they would work more closely together. During the course of this study, JCOP and JPOA officials reported they have been meeting to resolve their political and racial differences.¹⁵

In addition to the above-cited problems, morale was very low in the department. Mr. Claiborne, stated:

¹¹ Phillip Claiborne, president, Jackson Concerned Officers for Progress, *Transcript*, vol. II, p. 416; Phillip Claiborne, written response to draft report, Mar. 4, 1997; document on file at Central Regional Office, USCCR, Kansas City, KS.

¹² Phillip Claiborne, *Transcript*, vol. II, pp. 426-28.

¹³ Robert Johnson, police chief, *Transcript*, vol. II, p. 298; "No More Sergeants Needed, Chief Says," *Clarion Ledger*, Mar. 14, 1995, p. B1.

¹⁴ Phillip Claiborne, *Transcript*, vol. II, pp. 427-28; Phillip Claiborne, written response to draft report, Mar. 4, 1997; document on file at Central Regional Office, USCCR, Kansas City, KS.

¹⁵ Mike Cox, police officer, Jackson Police Department, and president of Jackson Police Officer's Association, interview, Apr. 26, 1995; Phillip Claiborne, interview, Apr. 24, 1995; Jimmy Bell, Criminal Justice Department, Jackson State University, interview, Mar. 24, 1994.

For minority officers there still are racial problems . . . This administration tends to play male against female, black against white, and veteran against junior officer . . . Major complaints of police officers are working conditions, pay, health and insurance benefits, and outdated equipment.¹⁶

Organization and Personnel

JPD's written policy states that the department shall maintain a fair and impartial personnel selection process that is designed to identify and employ well-qualified candidates for the position of police officer. This process includes application appraisals, written and oral exams, background investigations, drug tests, and a medical examination. The policy also states the process shall ensure equal opportunities for employment by utilizing valid tests, and minimum adverse impact standards.¹⁷

The PERF Report recommended that JPD hire more officers and provide more and better training. The report stated that JPD's weaknesses included poor response to calls for service and inadequate crime investigations. The report also cited a lack of trust and cooperation between units, particularly between the patrol and the detective sections. The report stated that the public is justified in not trusting its police force because of the poor response they receive.¹⁸ Some of the relevant recommendations made are as follows:

- Assign minority officers to all precincts. The current duty-assignment system gives the impression of segregation. Black residents and officers interviewed criticized the assigning of more black officers to black-majority precincts.
- Move quickly to meet requirements of the 1974 court order to eliminate discrimination in the promotion of blacks and the hiring of blacks and women.
- Provide training to all upper level managers in the department. A training manual should be developed and issued to each officer and civilian employee.

¹⁶ Phillip Claiborne, *Transcript*, vol. II, pp. 416, 418.

¹⁷ JPD Hiring Policies and Procedures for Entry Level Police Officers, October 1991, document on file at Central Regional Office, USCCR, Kansas City, KS.

¹⁸ "Report on the Study of the Jackson Police Department," Police Executive Research Forum (hereafter cited PERF Report), Aug. 8, 1991; "Report Urges Changes for Jackson Police," *Clarion Ledger*, Aug. 14, 1991, p. 1A.

- Take immediate steps to ensure that command staff members, supervisors and others are accountable for proper use of the evaluation process. Retraining of supervisors and managers in the evaluation process will be necessary.
- Establish a new, written internal affairs policy.
- Train all employees in internal affairs procedures and individual employee rights relating to internal investigations. Information should be disseminated to the public on citizen complaint procedures via media, informational brochures, and personnel.
- Improve communication between the district attorney's office and JPD. The chief of police and district attorney should meet on a regular basis to discuss issues common to the two agencies.
- Implement a training program for patrol officers with the goal of upgrading basic skills.
- Supervisors should be held to a higher level of accountability for supporting and monitoring personnel, improving community service, resolving personnel issues, and improving productivity.
- Patrol officers should be held accountable for followup calls for service.
- Beat officers should be held accountable for meeting with a specific number of neighborhood leaders at least once every work/pay period.¹⁹
- Created a Housing Authority Unit
- Moved Community Affairs to the Patrol Division
- Established flexible patrol units
- Reassigned 30 officers to precincts
- Created Gun Interdiction Teams
- Obtained mountain bikes for foot patrol officers
- Trained additional patrol officers as evidence technicians
- Created Jackson-Hinds County Narcotics Task Force
- Increased patrol beats from 27 to 36
- Reorganized department, going from 5 deputy chiefs and a director to 3 deputy chiefs
- Hired a new director of training
- Established an AFIS fingerprint system²²

Current JPD staffing breakdown is shown in table 4.1. Since May 1995, the number of sworn officers has increased from 400 to 406 and reserve officers from 48 to 87. As of October 1996 there were 748 employees, versus 763 in 1995, including sworn, civilian, and reserve personnel. The racial composition of sworn officers is 251 (62 percent) black and 155 (38 percent) white. The number of black sworn officers has substantially increased from 56.2 percent to 62 percent, while white sworn officers decreased from 43.8 percent to 38 percent. At the reserve officer level, black reserve officers decreased from 73.3 percent to 62 percent and whites increased from 37.5 percent to 38 percent. JPD civilian personnel numbers decreased from 315 to 255. Blacks now represent 80 percent of the civilian personnel while whites represent 20 percent.²³

Under the administration of Police Chief Johnson, steps have been taken to reorganize the department by eliminating bureaucracy and shifting responsibility and decisionmaking down to the precinct level. Departments have now been consolidated into three divisions: Patrol Operations, Investigative, and Support Services.²⁰ Chief Johnson noted, "Instead of being headquartered in downtown offices, patrol officers will be doing their work in the neighborhoods."²¹ Other changes made include the following:

¹⁹ Ibid.

²⁰ Robert Johnson, *Transcript*, vol. II, pp. 283-84; "Chief Reorganizes JPD to Empower Precincts," *Clarion Ledger*, Jan. 27, 1996, p. 2A; "JPD Chief Reassigns 30 Officers to Precincts," *Clarion Ledger*, Feb. 10, 1996, p. 1A.

²¹ Information submitted by Kane Ditto, Mayor, Apr. 11, 1996; document on file at Central Regional Office, USCCR, Kansas City, KS; "JPD Chief Reassigns 30 Officers to Precincts," *Clarion Ledger*, Feb. 10, 1996, p. 1A.

²² Information submitted by Kane Ditto, Mayor, Apr. 11, 1996.

²³ Personnel Characteristics of Jackson Police Department submitted by Chief Robert Johnson, Oct. 4, 1996; document on file at Central Regional Office, USCCR, Kansas City, KS.

TABLE 4.1
Personnel Characteristics, Jackson Police Department, 1996

	Number	Percent		Number	Percent
Sworn personnel: 406					
Black female	33	08	White female	5	01
Black male	218	54	White male	150	37
<i>Total</i>	<i>251</i>	<i>62</i>	<i>Total</i>	<i>155</i>	<i>38</i>
Civilian personnel: 255					
Black female	142	56	White female	45	17
Black male	60	24	White male	08	03
<i>Total</i>	<i>202</i>	<i>80</i>	<i>Total</i>	<i>53</i>	<i>20</i>
Reserve officers: 87					
Black female	12	14	White female	5	06
Black male	42	48	White male	28	32
<i>Total</i>	<i>54</i>	<i>62</i>	<i>Total</i>	<i>33</i>	<i>38</i>

Source: Personnel Characteristics of Jackson Police Department, submitted by Chief Robert Johnson, Oct. 4, 1996. On file at Central Regional Office, USCCR, Kansas City, KS.

Recruitment and Hiring

Applicants for JPD must meet the following minimum requirements:

- Be 21 years of age or older
- Have obtained 60 semester credit hours at an accredited college or university
- Be of good moral character
- Be a U.S. citizen
- Be drug free
- Pass written test
- Pass physical
- Pass background check
- Reside in Hinds County or city of Jackson¹

According to the 1991 PERF Report, JPD's recruitment process was weak and haphazard. The report noted the lack of trained recruiters, of mentoring programs to encourage law enforcement careers, and of a list of potential candidates.²

JPD's written hiring procedures provided to the Advisory Committee do not describe the re-

cruitment process.³ Recruitment efforts appeared to be limited to public announcements in the local newspapers, TV, and at public meetings. Also, the pool of candidates or recruitment sources appear to be limited to the city/local level or internally for promotional positions.⁴ The hiring procedure did not provide a recruiting program designed to attract and inform blacks and females of job opportunities with JPD.⁵

According to Police Chief Johnson, recruitment efforts are now underway to rapidly build up the police force. There is an effort to recruit females. As of October 1996, females represented 38 or 9.4 percent of the sworn personnel.⁶ Police Chief Johnson stated:

Females are underrepresented in the department and would benefit the department by bringing a different

¹ JPD's Hiring Procedures for Entry Level Police Officers, October 1991, see appendix G; "Jackson Chief Wants More Female Officers on Police Force," *Clarion Ledger*, June 13, 1996, p. 2A.

² "JPD's Hiring Procedures for Entry Level Police Officers," October 1991; see appendix G.

³ PERF Report; "Jackson Chief Wants More Female Officers on Police Force," *Clarion Ledger*, June 13, 1996, p. 2A; see appendix E.

⁴ "JPD's Hiring Procedures for Entry Level Police Officers," October 1991; see appendix G.

⁵ Ibid.

⁶ Robert Johnson, Police Chief, *Transcript*, vol. II, p. 285; information submitted by Kane Ditto, mayor, Apr. 11, 1996; "Jackson Chief Wants More Female Officers on Police Force," *Clarion Ledger*, June 13, 1996, p. 2A.

perspective to the job of police officer They will be hired on their merits You don't have to lower your standards or qualifications, you just have to increase the pool of candidates.⁷

Chief Johnson's goal is to recruit and hire up to 450 sworn officers by 1997. He believes this increase is necessary in order to serve a city the size of Jackson.⁸

Effective May 1996, the department adopted higher educational qualifications for entry-level recruits. JPD no longer uses the lottery, whereby everyone who passed a standardized test was assessed a number and hires were chosen by random lottery drawings regardless of an individual's qualifications. The lottery was replaced with a system in which applicants are awarded points throughout the application process and those with the most qualification points are hired. Instead of only a high school diploma, a recruit must now have at least a minimum of 60 college credits from an accredited college or university.⁹

Promotions

The JPD was without a promotional system from 1979 through March 1994. Officers who were elevated to higher positions were appointed rather than promoted. Although in reality patrol officers by rank, officers were working in senior command positions that they may or may not have been able to perform properly.¹⁰ Thus, not only was there a leadership vacuum, but there were no qualified replacements for supervisory and/or senior officer positions.¹¹ The lack of promotions also created ongoing morale problems.¹² Chief Johnson describes the promotion problem by saying:

It has been no secret that I've been critical of the operation and management abilities of the police department. There are dedicated, bright, capable people

throughout the ranks of the department. But through no fault of their own, they have been in a department that had no promotions for 17 years and with no opportunities for growth or experience at the management and administration level. Without any systematic way of advancing people through the ranks and assuming additional responsibilities, they are unable to grow in the job through experience and additional responsibilities.¹³

Few officers seemed to know the department's hiring, promotion, or screening process. Senior staff were quick to point out that the promotion process was flawed but each indicated that they were not involved in the implementation.¹⁴ Senior staff and officers alike seemed to blame the "Consent Decree." Black officers thought the promotion process was flawed but necessary to support the consent decree, but even they had no idea how the process worked or what the consent decree demanded. White officers seemed to feel the process was very unfair and also blamed the consent decree, but could not say what the consent decree required. The major complaint about the promotion procedure was that unqualified people had been hired.¹⁵

In 1994, 25 officers, 11 white and 14 black, were promoted to sergeant. These were the first promotions since 1979. Later, however, the promotion process was deemed inadequate by Chief Johnson because a written test was not conducted and consideration was not given to officers' experience. Additional promotions from this list were suspended.¹⁶

Training

JPD's police training academy is the oldest in the State. The academy was formed even before the State had established standards for police training. Before Police Chief Johnson began his reorganization and other improvements in the department, training was under the Administrative Services Division and directed by a sergeant who held the title of commander. Later this posi-

⁷ "Jackson Chief Wants More Female Officers on Police Force," *Clarion Ledger*, June 13, 1996, p. 2A.

⁸ Robert Johnson, Police Chief, *Transcript*, vol. II, p. 285.

⁹ "Jackson Chief Wants More Female Officers on Police Force," *Clarion Ledger*, June 13, 1996, p. 2A; "Ditto Rangers Hurting Image of Jackson Police," *Clarion Ledger*, Jan. 7, 1996; see appendix H.

¹⁰ Kane Ditto, *Transcript*, vol. II, pp. 526-28; Phillip Claiborne, *Transcript*, vol. II, p. 416.

¹¹ Robert Johnson, *Transcript*, vol. II, pp. 277-78; Kane Ditto, *Transcript*, vol. II, p. 529.

¹² Ibid; Phillip Claiborne, *Transcript*, vol. II, p. 418.

¹³ Robert Johnson, Police Chief, *Transcript*, vol. II, pp. 277-78, 283-84.

¹⁴ Gary Hill, member of study team, Summary of Observations Made During Onsite Visit, Apr. 7, 1995 (hereafter cited Gary Hill Memo to Farella Robinson); document on file at Central Regional Office, USCCR, Kansas City, KS; see appendix J.

¹⁵ Ibid.

¹⁶ "No More Sergeants Needed Chief Says," *Clarion Ledger*, Mar. 14, 1995, p. B1.

tion was reassigned to a captain with the title of acting deputy police chief. The training staff included one director, two investigators, and two clerical/administrative staff.¹⁷

The training division, now headed by a training director, is housed in a police academy building located across town from police headquarters. It is a large complex and includes a full service cafeteria/auditorium, classrooms, and physical training areas, including a weight training room.¹⁸ The academy provides recruit, inservice, and officer field training (FTO). Recruit training is also provided to personnel from other law enforcement agencies from around the State.¹⁹

According to Mayor Ditto, JPD had not yet been transformed into a modern, professional law enforcement agency, a police department armed with the training and technology needed to confront the kinds of problems that metropolitan areas have to face.²⁰ Up until about 1990, there were no regular management training sessions for senior level officers. Officers were not being introduced to the concept of community policing.²¹

During interviews there were many complaints about JPD's training program. Specific complaints were made regarding the lack of planning, the type and quality of training, the qualifications of trainers, and the lack of ongoing inservice training throughout the ranks.²²

The Mississippi State standard for police law enforcement training is a minimum 400 hours. Chief Johnson increased training requirements to 440 hours to ensure that officers are well trained on the concepts of community-oriented policing and are able to assume responsibilities in all areas of policing.²³

Chief Johnson said that the past training curriculum did not adequately address community relations and human relations. JPD increased training in ethics, human relations, civil

liability, use of force, crime scene investigations, accident investigations and radio communications.²⁴ Chief Johnson said this new curriculum will produce more responsible and responsive police officers.²⁵

Internal Affairs/Citizen Complaint Process

The Internal Affairs Unit (IA) under the Special Investigations Division is responsible for investigating citizen complaints and criminal and administrative police misconduct. IA is critical to maintaining professional conduct and ensuring the department's accountability to the public.²⁶

A survey conducted by the U.S. Department of Justice's Civil Rights Division from October 1984 through September 1990 on police misconduct revealed that JPD was ranked among the top 25 law enforcement agencies with the largest number of complaints. Jackson ranked 21 with an average of 9 complaints reported per year to the U.S. Department of Justice. The study concluded that although large cities produced the highest number of complaints, smaller communities like Jackson produced a disproportionately high number of complaints for the size of their police departments.²⁷

The use of excessive force by the police has always generated tension between the police and the black community. Studies and investigations of this matter have shown that race is a salient factor in the use of excessive force by the police and that racial bias on the part of some officers exists and contributes to a negative interaction between the police and the community.²⁸ Similarly, in Jackson, allegations of police misconduct and brutality are a major concern of blacks

¹⁷ Joe L. Austin, director, Jackson Police Training Academy, interview, Apr. 5 1995; G.B. Cumberland, captain, Jackson Police Department and acting deputy chief, interview, Apr. 5, 1995.

¹⁸ PERF Report, p. 59.

¹⁹ Ibid.; Joe Austin, interview, Apr. 5, 1995.

²⁰ Kane Ditto, *Transcript*, vol. II, p. 525; Mickey Vitt, deputy chief, interview, Apr. 26, 1995.

²¹ Robert Johnson, *Transcript*, vol. II, p. 284.

²² See appendix I; see appendix J, Gary Hill Memo.

²³ See appendix H; Robert Johnson, *Transcript*, vol. II, p. 284, pp. 295-96.

²⁴ Ibid.

²⁵ Robert Johnson, *Transcript*, vol. II, p. 278.

²⁶ General Order, "Investigation of Employee Misconduct, Jackson Police Department, p 1 July 1, 1992; document on file at Central Regional Office, USCCR, Kansas City, KS (hereafter cited Employee Misconduct Policies and Procedures, see appendix K); Mickey Vitt, Deputy Chief, JPD, interview, Apr. 26, 1995.

²⁷ "New Orleans Ranks No. 1 in Complaints About Police," *Kansas City Star*, May 20, 1992, p. A-3.

²⁸ "Race Still Factor in Use of Excessive Force by Police Officers Survey Reveals," *Kansas City Globe*, Nov. 16, 1995, p. C-3.

and are pointed out as one of the cause of ongoing hostility and mistrust.²⁹

It was reported to the Advisory Committee that for many years IA was not managed properly.³⁰ The PERF Report revealed that JPD failed to establish appropriate policies and procedures governing employee discipline.³¹ Although the department had a written policy on internal investigations, it was out of date and lacked direction on issues related to the use of force and how criminal and internal investigations would be conducted.³² IA investigators were not trained on internal affairs procedures, case law, or employee rights.³³

According to Deputy Chief Mickey Vitt, the complaint filing system is inadequate.³⁴ Complaints are logged in manually and there is no file or an index system to cross-reference cases by complainant, officer, nature of complaints or the racial characteristics of the parties involved.³⁵ This type of information is crucial to monitoring the extent and nature of complaints reported.³⁶ There is no followup to determine the outcome of complaints referred to field supervisors for investigation and no procedure in place to notify command staff of employees with an unusual number of complaints.³⁷ The PERF Report concluded that JPD displayed an overall lax approach to citizen complaints. The report stated:

Overall, the accountability and public relations benefits of a comprehensive internal affairs program are not reaped in Jackson. The internal affairs process is viewed as a "necessary evil" rather than a tool for maintaining a reputable, proud agency. The department's philosophy and approach to internal affairs will have to change—and the public will have to be made aware of this change—if the benefits of an in-

spection and internal affairs program are to be realized.³⁸

Employee misconduct policies and procedures went into effect on July 1, 1992 and use of force policies and procedures went into effect on July 16, 1993. Deputy Chief Vitt told the Advisory Committee that complaints are classified as class I or class II complaints.³⁹

Class I complaints include violations of Federal, State, or local laws and excessive force allegations.⁴⁰ For example, allegations of being hit, slapped, kicked, or struck with any object causing pain and/or visible signs of bodily injury are class I complaints.⁴¹ Class II complaints are less serious than class I complaints and include violations of departmental policy such as minor attitude or behavior infractions. These complaints are referred to the officer's immediate supervisor for resolution.⁴²

JPD has a different set of policies and procedures for investigating each complaint classification.⁴³

Review of JPD's complaint policies and practices shows many shortcomings and discrepancies between the written procedure, how it is applied, and statements made by staff.⁴⁴ Procedures established for both class I and class II complaints are redundant and confusing. The written policies and practices implemented do not coincide. This problem is reflected in the fact that during interviews IA staff were unable to provide a clear understanding of the complaint process for both class I and class II complaints that would comport with the written procedures.⁴⁵

According to Deputy Chief Vitt, the 30-day timeframes are not adhered to in most cases due to lack of staff. He also indicated that IA investigators do not fully understand how to conduct

²⁹ W. Marvin Dulaney, *Black Police in America* (Indiana University Press, February 1996); Jimmy Bell, *Transcript*, vol. I, pp. 61–62; see appendix C.

³⁰ Mickey Vitt, *Transcript*, vol. II, pp. 43–44; Employee Misconduct Policies and Procedures; PERF Report pp. 67–72.

³¹ PERF Report, pp. 67–68.

³² Mickey Vitt, Deputy Chief, Internal Affairs, JPD, *Transcript*, vol. II, pp. 43–44; Employee Misconduct Policies and Procedures; PERF Report, pp. 67–72.

³³ PERF Report, pp. 67–72.

³⁴ Mickey Vitt, interview, Apr. 26, 1995; PERF Report, pp. 67–68.

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ PERF Report, pp. 67–68.

³⁸ PERF Report, p. 72.

³⁹ Employee Misconduct Policies and Procedures, See Appendix K; Use of Force Procedures, see appendix L.

⁴⁰ Use of Force Procedures, see appendix L.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ Employee Misconduct Policies and Procedures, see appendix K; Use of Force Procedures, see appendix L.

⁴⁴ Hubert E. Williams, IA investigator, JPD, interview, Apr. 26, 1995.

⁴⁵ Employee Misconduct Policies and Procedures, See Appendix K; Use of Force Procedures, see appendix L.

investigation of citizen complaints.⁴⁶ Although Deputy Chief Vitt stated that IA accepts and processes telephone complaints, the staff investigator stated complaints handled by IA require a completed complaint form and telephone complaints are referred to the precinct supervisor.⁴⁷ Another inconsistency found was that although Deputy Chief Vitt detailed an appeal process for police officers that included a review by the city disciplinary action board, the civil commission, and the mayor, this was not reflected in the written procedures.⁴⁸

Neither the class I nor class II written policies includes the rights of complainants, an appeal process, or established procedures to notify the public of the department's citizen complaint process.⁴⁹ This is also evident by the fact that two residents of Jackson who said they filed complaints against the department complained that they were not provided information about the complaint process or the status of the department's investigations.⁵⁰ Other shortcomings reported were the poor management of disciplinary files and complaint records. Deputy Chief Vitt stated that IA does not maintain records on all disciplinary actions made against an officer. These records are maintained by the personnel department. He says this is a problem because IA staff does not have access to the case history of each officer in order to impose escalating penalties when making recommendations on disciplinary actions.⁵¹

From 1993 to 1995, IA received 376 complaints. In April 1995 there were 100 backlogged complaints.⁵² Deputy Chief Vitt stated that the most frequently referred complaint against an officer is conduct unbecoming an officer.⁵³ According to Dr. Jimmy Bell of Jackson State Uni-

versity, many of the complaints filed by blacks are related to a lack of respect. He stated: "Of all the complaints made by blacks about the police, respect and civility are the biggest problems. There is much disrespect and lack of civility toward African Americans in Jackson."⁵⁴

Table 4.2 shows the breakdown of citizen complaints filed from 1993 to 1995 and their disposition per year. Although the information in table 4.2 provides a breakdown on the number of citizen complaints received, it does not show the offense, the racial characteristics of the parties involved, and the disciplinary action meted out to the officer.⁵⁵ The Advisory Committee could not determine the type of complaints filed, who filed the complaints, or whether the action taken complied with JPD discipline policies and procedures.⁵⁶

From 1993 to 1995, of the complaints received, 113 alleged excessive use of force or police brutality. Table 4.3 shows the breakdown of complaints filed from 1993 to 1995 and their disposition per year. Of the complaints resulting in a finding of excessive use of force, three in 1993 and four in 1994, there was no information to show what disciplinary actions were taken.⁵⁷

The Central Regional Office was contacted by alleged victims of police abuse and harassment to report on what had happened in their cases. Staff also monitored incidents of police abuse reported in the media. A pattern was noted in the information collected. With the exception of a white female and a racially mixed couple, all alleged victims were black, and in most cases incidents of brutality or misconduct occurred when complainants were stopped or approached for routine traffic violations or while driving their cars.⁵⁸

⁴⁶ Mickey Vitt, *Transcript*, vol. II, pp. 442, 443; Mickey Vitt, interview, Apr. 26, 1995.

⁴⁷ Ibid; Hubert E. Williams, interview, Apr. 26, 1995.

⁴⁸ Employee Misconduct Policies and Procedures, see appendix K; Use of Force Procedures, see appendix L.

⁴⁹ Ibid.

⁵⁰ Frederick Powell, police brutality complainant, *Transcript*, vol. I, p. 399-409; "Youth Claims He Was Beaten by JPD Officers," *Jackson Advocate*, Apr. 6, 1995, p. A-1; Delores Daniels, complainant, *Transcript*, vol. I, pp. 257-61; letter from Delores Daniels to Melvin Jenkins, USCCR, Mar. 1, 1997.

⁵¹ Mickey Vitt, *Transcript*, vol. II, pp. 433-34; Mickey Vitt, interview, Apr. 26, 1995.

⁵² Hubert Williams, interview, Apr. 26, 1995.

⁵³ Mickey Vitt, *Transcript*, vol. II, pp. 433-34; Mickey Vitt, interview, Apr. 26, 1995.

⁵⁴ Jimmy Bell, interview, Mar. 21, 1994.

⁵⁵ Citizen complaints and disposition data received from JPD on Apr. 7, 1995.

⁵⁶ Ibid.

⁵⁷ Use of Force/Police Brutality Complaints and Dispositions, 1993-95.

⁵⁸ List of Reported Police Brutality and Misconduct Complaints, 1990-1996, see appendix M.

TABLE 4.2
Citizen Complaints: Dispositions, 1993-95

Dispositions	1993	1994	1995*
Sustained	16	34	—
Not sustained	18	22	—
Unfounded	11	9	—
Exonerated	15	11	—
HBO/information	11	2	—
Remanded	30	19	—
Incomplete	27	106	24
Exonerated/unfounded	6	—	—
Resignations	1	1	—
Exonerated/not sustained	1	—	—
Justified	1	—	1
Complaint withdrawn	2	—	—
Forwarded to Division	3	5	—
Total	142	209	25

*Complaints received from Jan. 1, 1995 - May 24, 1995.

Source: Information supplied by Jackson Police Department, Apr. 7, 1995.

Source: Use of Force/Police Brutality Complaints and Dispositions, 1993-95.

On file at Central Regional Office, USCCR, Kansas City, KS.

TABLE 4.3
Use of Force and Police Brutality Complaints: Dispositions, 1993-95

Dispositions	1993	1994	1995*
Sustained	3	4	—
Not sustained	3	6	—
Exonerated	12	2	—
Unfounded	6	1	—
Incomplete	12	40	6
Remanded	10	7	—
Referred to division	—	1	—
TOTAL Unnecessary use of force	45	61	6
Brutality	1	—	—

*Complaints received from Jan. 1, 1995 - May 24, 1995.

Source: Use of Force/Police Brutality Complaints and Diagnostics, 1993-95.

During interviews and the factfinding meeting, two alleged victims of physical brutality and harassment reported their experiences to the Advisory Committee. The most serious incident involved Frederick Powell, a 23-year-old black male. He alleged that on March 16, 1995, he was unjustly stopped, orally abused with racial slurs, and brutally beaten by two white officers. Mr.

Powell said the incident was witnessed by a third officer who was black. Mr. Powell was charged with possession of marijuana, resisting arrest, assault on a police officer, and attempted bribery. He contends the two police officers set him up with drugs and made up the bribery charge. He admitted that he did attempt to escape but only because he feared for his life. Al-

though he filed a complaint with IA 2 weeks later, he said he did not receive information on what his due process rights were. According to Mr. Powell, his attempts to find out the status of the department's investigation and why IA did not interview his witnesses went unanswered.¹ According to JPD, a complaint was filed by Powell and an investigation conducted. The complaint was not sustained. However, a JPD official said that there was no letter of notification of the finding to the complainant on file.²

Delores Daniels, a black female, reported to the Advisory Committee that on March 26, 1995, she was harassed and jailed by a white police officer. According to Ms. Daniels, she tried to

assist a friend who was picketing a bingo hall. The friend's protest signs were taken. When she attempted to speak on behalf of the friend, the police officer handcuffed her and charged her with resisting arrest. She believed this was in violation of her free speech rights. According to Ms. Daniels, a formal complaint was filed with IA. She was told that her complaint was not being investigated because the officer involved in the incident was no longer employed with the department. According to recent information provided by Ms. Daniels on March 1, 1997, the police officer involved has returned to the department.³ According to JPD, it has no record of a complaint filed by Delores Daniels.⁴

¹ Frederick Powell, police brutality complaint, *Transcript*, vol. II, pp. 399-409.

² Bracy Coleman, Deputy Chief, telephone interview, May 9, 1997.

³ Delores Daniels, *Transcript*, vol. I, pp. 257-61; letter from Delores Daniels to Melvin L. Jenkins, Mar. 11, 1997.

⁴ Bracy Coleman, Deputy Chief, telephone interview, May 9, 1997.

5 Findings and Recommendations

The following findings and recommendations are submitted under the provision of section 703.(2)(1) of the Commission's regulations, empowering the Advisory Committee to initiate and forward advice and recommendations to the Commission upon matters that the State Committee has studied. The Mississippi Advisory Committee concludes and recommends the following actions:

Race Relations

Finding 1: The Advisory Committee finds that there is a great need to improve race relations in Jackson. Race is a major factor in the city affairs of Jackson and often becomes the integral part of a controversy whether real or imagined. During the course of this study, race was a predominant factor in the hiring of three police chiefs, issues related to crime, delivery of city services, education, media coverage, and everything related to the distribution of power. Although perceptions between and among whites and blacks may vary about the nature and extent of what needs to be done, there is a consensus that race is the unsolved problem hovering over the city ready to erupt at any time. Coupled with incidents of what appear to be racially motivated killings at a local restaurant and the Fire Department, there is even a greater obligation to address race relations in an honest and proactive way. This age-old nemesis continues to be a barrier in solving problems in the areas of education, housing, employment opportunities, economic advancement, crime, and police-community relations.¹

In spite of these barriers, there is in Jackson an environment open to ideas to improve race relations. Mayor Kane Ditto has made some sterling speeches on improving race relations. There have been efforts by groups such as Leadership Jackson, Jackson 2000, Mississippi Mission, and Mississippi Humanities Council to establish dialogue and bridges of racial under-

standing. This, however, has not been enough. Gestures of racial cooperation among upper and middle class people of various ethnic backgrounds do not address the frustrations of Jackson citizens who can be classified as belonging to the economic lower class. There continues to be distrust, fear, and a lack of confidence in city leaders that efforts to improve the quality of life for all citizens without regard to race will occur. This crisis of confidence is marked not only by race, but economics, class, and power.²

Recommendation 1: The Advisory Committee strongly recommends that a private non-profit organization consider setting up an independent bipartisan human relations council to develop and coordinate a comprehensive program to address human and race relations. The council should be composed of high octane citizens representing all segments of the community, and who are willing and capable of creating positive change.

Some suggested objectives of the council would be:

- Develop an agenda with goals and milestones for race relations in Jackson;
- Receive and review race or human relations complaints and mediate differences;
- Serve as a facilitator and an advisor on race relations and its effect on general public policy and quality of life issues;
- Support the activities of other groups with complementary agendas and stress the need for cooperation among various interests;
- Report to the community on progress or lack of it in enhancing race and human relations.

This council would require funding for staff support. Jackson has many resources to support such a council. The Advisory Committee hopes that city leaders would consider and have constructive dialogue on forming such a council.

¹ See pp. 7-9; pp. 18-20; p. 24.

² Ibid.

Finding 2: The public's perception of the city's image, whether its progress or problems, is significantly shaped by the media. The image of the racial composition of crime, whether printed or televised, can be a powerful factor in bettering or worsening race relations. Although the media in Jackson are composed of a variety of print and electronic media outlets, the *Clarion Ledger*, the largest daily newspaper in the State, and the *Jackson Advocate*, a black weekly newspaper, were more often cited by citizens, police officials, and community leaders as having a negative effect on general race relations, particularly in the area of crime reporting. General comments made were "more balance in reporting is needed"; overemphasis on negative news and hyping of crime stories; television stories too often portray African American males involved in crime without shirts, in handcuffs or shackles.³

Recommendation 2: The Advisory Committee recommends that the *Clarion Ledger* and the *Jackson Advocate* conduct an internal examination of the ethics of their journalism. Reports or stories about criminal activity should be balanced and covered for all social strata of the city. This examination should be conducted with the intent to provide deeper analytical coverage of issues, both good and bad, that will help citizens make valid conclusions and problem solve on their own.

Juvenile Detention Center

Finding 3: The Advisory Committee finds that the Hinds County Board of Supervisors and the city of Jackson have been derelict in their duty to provide a detention facility that will meet the demands of the county and city, and provide appropriate services to youth who require detention.

Juvenile crime in Jackson and Hinds County is a major crisis. Yet, it has been known for many years that the existing physical facility and its programs were grossly inadequate. On-site review of the center shows that the physical structure and the programs offered do not meet the minimum standards for juveniles set forth by the American Correctional Association. The facility is dilapidated and does not have sufficient space to house the number of persons requiring detention. There were no educational,

psychological, or counseling services, and the recreational area was wholly inadequate. According to an investigation conducted by the U.S. Department of Justice in 1993, the center was understaffed, there was a lack of supervision, medical care, mental health services and inadequate staff training and supervision.⁴

The Advisory Committee also found that there were possible violations of State and Federal laws regarding the center's failure to provide an appropriate education to disabled students placed at the center as required under section 504 of the Rehabilitation Act of 1973.⁵

Recommendation 3: The Advisory Committee strongly recommends that the county/city provide a juvenile detention facility and programs that will meet the demands of the community and the needs of student detainees. This should include social work counseling and psychological and recreational services. Furthermore, a referral system should be developed to ensure that student records and information are transferred in a manner that will allow continuity in a student's program when moving to and from detention to the regular school setting.

Recommendation 3A: The Advisory Committee strongly recommends that youth referred to the center receive a broad educational program that meets at least the minimum State education standards. This educational program should operate under the auspices of the year-round school system in which that student resides. In the case of disabled students who may be referred to the center, the school district of residence for each student must ensure that students in their jurisdiction receive an appropriate education.

Police-Community Relations

Finding 4: Relations between the Jackson Police Department and some neighborhoods in Jackson have deteriorated. Many factors contribute to this problem, one of which is the lack of positive police contacts with residents. Information does not readily flow from the officer to the citizen and from the citizen to the officer. With escalating crime, whites do not have confidence in JPD's leadership or ability to protect and serve, while black residents either fear or

³ See pp. 25-28.

⁴ See pp. 29-31.

⁵ 29 U.S.C. 701 et seq., Pub.L. No. 93-112, 87 Stat. 357 (1973), see p. 31.

distrust the police. The police, on the other hand, believe that some blacks for the most part do not understand them and fail to support their efforts. JPD officials realize that the department's image needs to improve and that there is a wide divide between them and certain segments of the community.⁶ Although efforts are now underway to establish a departmentwide and citywide community-oriented serving approach, certain barriers must be surmounted before it is fully implemented. All officers, in addition to performing basic investigations, must be able to use problem-solving techniques, acquire the ability to use discretion, and make independent decisions in the field.⁷

Recommendation 4: The Advisory Committee recommends that the Jackson Police Department take steps to provide the level of officer training needed to establish departmentwide and citywide community-oriented policing.

Recommendation 4A: The Advisory Committee realizes that any community-policing approach used is not a stagnant model and may need adjustments and refinements through time. The police who are practicing the philosophy on the street are in a position to offer suggestions and criticisms on what is working and not working. Therefore, we recommend that as part of the continued growth of community policing, the Jackson Police Department should consider the formation of a task force to encourage the active participation of its officers in the expansion, refinement, and ongoing development of JPD's community-oriented police servicing philosophy. This should include representatives from the command structure, line officers, and nonsworn staff.

Recommendation 4B: The Advisory Committee recommends that as the Jackson Police Department develops and refines its community policing review, it consult with other police departments that have already established effective community-oriented policing services, such as Little Rock, Arkansas; Columbia, South Carolina; Charlotte-Mecklenburg, North Carolina; Kansas City, Missouri; and New York City. Other avenues of consultation could be schools of higher learning that have specialized programs in criminal justice such as Jackson State University.

⁶ See pp. 35-40.

⁷ See pp. 86-87.

Finding 5: Effective crime reduction requires joint responsibility and cooperation between citizens and the police. The Jackson Police Department has not gained broad-based community support needed to effectively implement community policing. Cooperation can only be obtained when the community perceives the police department as effective and caring. Improved relations can occur when officers talk to residents, show interest in their neighborhoods, and solve problems related to crime, neighborhood blight, and other municipal services. Citizens' ability to support the police and to participate in a meaningful way in crime reduction can be produced through strong neighborhood organizations. Although the city has made a very good start by establishing a metrowide association of neighborhoods, additional efforts and funding are needed to strengthen the role of neighborhoods in building safer, productive, and cohesive communities.⁸

Recommendation 5: The Advisory Committee recommends that the Jackson Police Department initiate a public information campaign to inform the public about the community policing effort and other aspects of policing that the public needs to be aware of, such as the citizen complaint process, the 911 system, and so on. The mayor, city council, and chief of police should issue a joint statement emphasizing their support of efforts to improve community relations between JPD and all citizens.

Recommendation 5A: The Advisory Committee highly recommends that the city of Jackson and the private sector work in partnership to revitalize neighborhoods. The Jackson Association of Neighborhoods (JAN) should be strengthened. Steps should be taken to increase funding and strengthen JAN's ability to assist neighborhoods in organizing. The Advisory Committee also recommends that each neighborhood association appoint a community liaison to work with JPD.

Jackson Police Department Internal Affairs/Citizen Complaint Process

Finding 6: The Advisory Committee finds that the Internal Affairs Division of the Jackson Police Department has a systematic problem in processing citizen complaints effectively and

⁸ See pp. 44-46.

timely. The unit is not operating pursuant to its own policies and procedures, and many officers do not seem to understand the process itself.⁹ We found that the general public has very little knowledge of the existing complaint process. In the black community there is widespread dissatisfaction and a lack of confidence that complaints will be investigated fairly and timely. Complainants report that it is difficult to obtain complaint forms or information on how and where to file complaints, and that they are unable to find out the status of active complaint investigations. The general public is equally unaware of the process, and often some citizens do not feel comfortable filing their complaints to the very entity about which they are complaining.¹⁰

Recommendation 6: The Advisory Committee strongly recommends that the existing citizen complaint process be overhauled. The Jackson Police Department should establish a citizen complaint process that balances the rights of both police officer and citizen. Procedures should be established to ensure timely, fair, and impartial review of cases, and such procedures should be made available to the public. Consideration should be given to establishing an alternative complaint procedure for those citizens who wish to file grievances against police officers. The creation of an alternative procedure, separate and apart from the Internal Affairs Division, would give citizens an alternate route to file complaints. In addition, the alternative procedure should ensure that grievances filed by citizens are actually heard and resolved. Neutral sites should be set up for citizens to file complaints other than at police facilities.

For the purpose of an alternative procedure, a committee, council, etc., should be established to oversee grievances filed by citizens. What would be helpful would be a committee to accept appeals from citizens who believe their complaint was unfairly or unresponsively investigated by Internal Affairs. The group selected should be independent, bipartisan, diverse, free of political influence, and represent of all areas of the city.

Finding 7: A survey conducted by the U.S. Department of Justice's Civil Rights Division from October 1984 through September 1990 on police misconduct revealed that the Jackson Po-

lice Department was ranked among the top 25 law enforcement agencies with the largest number of complaints reported to the U.S. Department of Justice. The study determined that although large cities produced the highest number of complaints, smaller communities like Jackson provided a disproportionately high number of complaints for the size of their department. Jackson ranked 21 with an average of 9 complaints per year. Police brutality and misconduct is a major concern of blacks and is pointed out as one of the causes of mistrust and racial tension.¹¹

The Advisory Committee also found the department's complaint filing system to be inadequate; there was an overall lax approach to citizen complaints. Citizen complaint disposition records provided to the Advisory Committee are not written in a manner by which a determination can be made about the nature and extent of complaints filed. The information does not show the offense, the racial characteristics of the parties involved, and the disciplinary action meted out to the officer(s) involved.¹²

Recommendation 7: The Advisory Committee strongly recommends that the Jackson Police Department develop a recordkeeping system to track complaints by date, offense, racial characteristics of the parties involved, and the final disposition or disciplinary action taken. The office of Internal Affairs should prepare monthly reports on the disposition of citizen complaints. This information should be used to monitor the status of complaints, detect lax or unresponsive performance, identify officers whose records show they might be susceptible to using excessive force, and determine trends in complaints that might indicate a need for further officer training.

Training

Finding 8: The Advisory Committee commends the Jackson Police Department's implementation of additional hours of police academy training to address community policing, cultural diversity, and interpersonal skills, and the hiring of a qualified training director. However, the department has failed to ensure that training

⁹ See pp. 72-73; 75-78.

¹⁰ See pp. 39, 40; 84-85.

¹¹ See p. 71.

¹² See pp. 77-78.

continues throughout the careers of its command staff and rank and file.¹³

Recommendation 8: The Jackson Police Department should put procedures in place to routinely assess the training needs of officers throughout the command staff and its rank and file. Training curricula should also be routinely evaluated to ensure that officers can address contemporary problems related to policing such as domestic violence, crisis intervention, the role of the police in urban environments, and ethical guidance. Professional help should be obtained to design a training program for the Jackson Training Academy to address such relevant issues. Jackson State University, Criminal Justice Department, may be a resource.

Recommendation 8A: The Advisory Committee recommends that the Jackson Police Department conduct performance evaluations at least annually for officers and implement performance improvement plans and training for those officers in need of the same. Every State agency in Mississippi is required to do these performance evaluations, and there is desperate need for this to be implemented in the police department to improve quality of performance and fairness in promotions.

Consent Decree

Finding 9: The Advisory Committee finds that the consent decree has been a source of racial resentment and misunderstanding within the ranks of the Jackson Police Department and in the broader community. Few officers interviewed knew the purpose of the 1974 consent decree or its relationship to the hiring and promotion practices. Black officers thought the consent decree was necessary but did not know how it worked or what it demanded. White officers, on the other hand, believed the consent decree was unfair but also did not know its requirements or why it was needed. Moreover, there are reports that JPD remains in violation of the decree.¹⁴

Recommendation 9: The Advisory Committee recommends that as long as the Jackson Police Department remains under the consent decree that background on the consent decree be provided regarding: (1) the problems leading to the lawsuit; (2) the provisions of the settlement;

(3) the progress made in meeting the requirements of the settlement; and (4) what the consent decree means and does not mean. The Advisory Committee recommends that JPD develop a one-page written summary on the consent decree to be distributed to officers and to the general public.

Recommendation 9A: The Advisory Committee calls upon the U.S. Commission on Civil Rights to refer this report to the U.S. Department of Justice for review and further monitoring for possible violation of the Federal court decree.

Hinds County Sheriff Department

Finding 10: Although the Hinds County Sheriff's Department has made improvements in increasing blacks and females within its ranks since 1991, the Advisory Committee finds that blacks and females are still underrepresented in county law enforcement. Only 34 (or 28 percent) of its officers are black, while 86 (or 72 percent) are white. Females represent only 23 (or 19 percent) of sworn personnel in law enforcement. There were only three blacks and no females represented at the command staff level. This was also cited by black employees and community leaders as a major concern.¹⁵

Recommendation 10: The Advisory Committee recommends that the Hinds County Sheriff's Department reevaluate its recruitment, hiring, and promotion practices. A concerted effort is needed to increase representation of blacks and females throughout the ranks of the department. The department should develop a progressive and proactive candidate outreach program.

Finding 11: The Advisory Committee finds that the Hinds County Sheriff's Department does not have in place written recruitment procedures.¹⁶

Recommendation 11: The Advisory Committee recommends that the Hinds County Sheriff's Department establish written recruitment procedures explaining how and where recruits will be solicited and under what circumstances recruitment activities will be undertaken, to be contained in the department's operating procedures.

¹³ See pp. 66-70.

¹⁴ See pp. 56-57; 69.

¹⁵ See pp. 91-93.

¹⁶ See p. 94.

Appendix A

MISSISSIPPI ADVISORY COMMITTEE to the U.S. COMMISSION ON CIVIL RIGHTS

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

AGENDA

**"Civic Crisis and Civic Challenge....
Police-Community Relations in Jackson, Mississippi"**

WEDNESDAY, MAY 24, 1995

9:00 a.m. - 9:15 a.m.

OPENING REMARKS

●Dr. Jerry W. Ward, Jr., Chairperson
Mississippi Advisory Committee

●Melvin L. Jenkins, Director
Central Regional Office, USCCR

SESSION I

"Historical Overview of Law Enforcement and Race Relations in Jackson"

9:15 a.m. - 9:45 a.m.

●Dr. Leslie McLemore
Political Science Department
Jackson State University

9:45 a.m. - 10:15 a.m.

●Dr. W. Charles Sallis
History Department
Millsaps College

SESSION II

"Evaluating Police Performance"

10:15 a.m. - 10:45 a.m.

●Dr. Jimmy Bell
National Coalition of Community Researchers
Jackson State University

10:45 a.m. - 11:15 a.m.

●William Spell, Chairman
Hinds County Criminal Justice Taskforce

11:15 a.m. - 11:45 a.m.

●Gary Hill
Nebraska Advisory Committee to the
U.S. Commission on Civil Rights

11:45 a.m. - 1:30 p.m.

LUNCH

SESSION III

"Community Perceptions and Responsibilities"

1:30 p.m. - 2:00 p.m.

●David Sanders, President
Eastover Homeowners Association

2:00 p.m. - 2:30 p.m.

●Leroy Walker, Businessman (No Show)
McDonald's Franchise

2:30 p.m. - 3:00 p.m.

●Duane O'Neill, President
Chamber of Commerce-Metro Jackson

3:00 p.m. - 3:00 p.m.

●Charles Tisdale, Editor/Publisher
Jackson Advocate

3:30 p.m. - 3:45 p.m.

BREAK

3:45 p.m. - 4:15 p.m.

●Aurelia Jones-Smith, President
NAACP-Jackson

4:15 p.m. - 4:45 p.m.

●Agnes Tripplett, President
Jackson Association of Neighborhoods

4:45 p.m. - 5:15 p.m.

●Perry Robinson, President
Georgetown Neighborhood Association

5:15 p.m. - 7:00 p.m.

DINNER

6:30 p.m. - 7:00 p.m.

●Ali Shamsideen (No Show)
City Wide Coalition

7:00 p.m. - 7:30 p.m.

●Wydett Hawkins, President
Midtown Business Association and Hico Neighborhood
Association

7:30 p.m. - 8:00 p.m.

●Clara Spencer
Jackson Peace

8:00 p.m. - 8:30 p.m.

OPEN SESSION

8:30 p.m.

RECESS

MISSISSIPPI ADVISORY COMMITTEE
to the
U.S. COMMISSION ON CIVIL RIGHTS

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

AGENDA

"Civic Crisis and Civic Challenge....
Police-Community Relations in Jackson, Mississippi"

THURSDAY, MAY 25, 1995

9:00 a.m. - 9:15 a.m.

OPENING REMARKS

• Dr. Jerry W. Ward, Jr., Chairperson
Mississippi Advisory Committee

SESSION III (Cont'd)

"Community Perceptions and Responsibilities"

9:15 a.m. - 9:45 a.m.

• Robert Johnson, Police Chief
Jackson Police Department

9:45 a.m. - 10:15 a.m.

• Wayne Taylor, Executive Director
Metropolitan Crime Commission

10:15 a.m. - 10:45 a.m.

• Duane McCallister, Publisher (No Show)
Clarion Ledger

10:45 a.m. - 11:15 a.m.

BREAK

11:15 a.m. - 11:45 a.m.

• Dr. Peggy Crowell, Director
Pupil Assessment
Jackson Public Schools

11:45 a.m. - 1:00 p.m.

LUNCH

SESSION IV

"Law Enforcement Perspectives"

- | | |
|-----------------------|---|
| 1:00 p.m. - 1:30 p.m. | ●Chet Henley, Judge
Youth Court, Hinds County |
| 1:30 p.m. - 2:00 p.m. | ●Douglas Anderson, Vice President (No Show)
Hinds County Board of Supervisors |
| 2:00 p.m. - 2:30 p.m. | ●Malcolm McMillin, Sheriff
Hinds County |
| 2:30 p.m. - 3:00 p.m. | ●Mike Cox, President (No Show)
Jackson Police Officers Association |
| 3:00 p.m. - 3:30 p.m. | ●Phillip Claiborne, President
Jackson Concerned Officers for Progress |
| 3:30 p.m. - 3:45 p.m. | ●Mickey Vitt, Deputy Chief
Special Investigations
Jackson Police Department |
| 3:45 p.m. - 4:00 p.m. | ●Cleon Butler, Deputy Chief, Patrol Division
Jackson Police Department |
| 4:00 p.m. - 4:30 p.m. | Advisory Committee Consultation |
| 4:30 p.m. - 5:00 p.m. | ●Ed Peters, District Attorney (No Show)
Hinds County |
| 5:00 p.m. - 6:45 p.m. | <u>DINNER</u> |

SESSION V

"City Government Decisionmaking"

- | | |
|-----------------------|--|
| 6:45 p.m. - 7:15 p.m. | ●Kenneth Stokes (No Show)
City Council #3
Jackson, Mississippi |
|-----------------------|--|

7:15 p.m. - 7:45 p.m.

●Marcia Weaver
City Council #6
Jackson, Mississippi

7:45 p.m. - 8:15 p.m.

●Louis Armstrong, President
City Council #2
Jackson, Mississippi

8:15 p.m. - 8:45 p.m.

●Honorable Kane Ditto, Mayor
Jackson, Mississippi

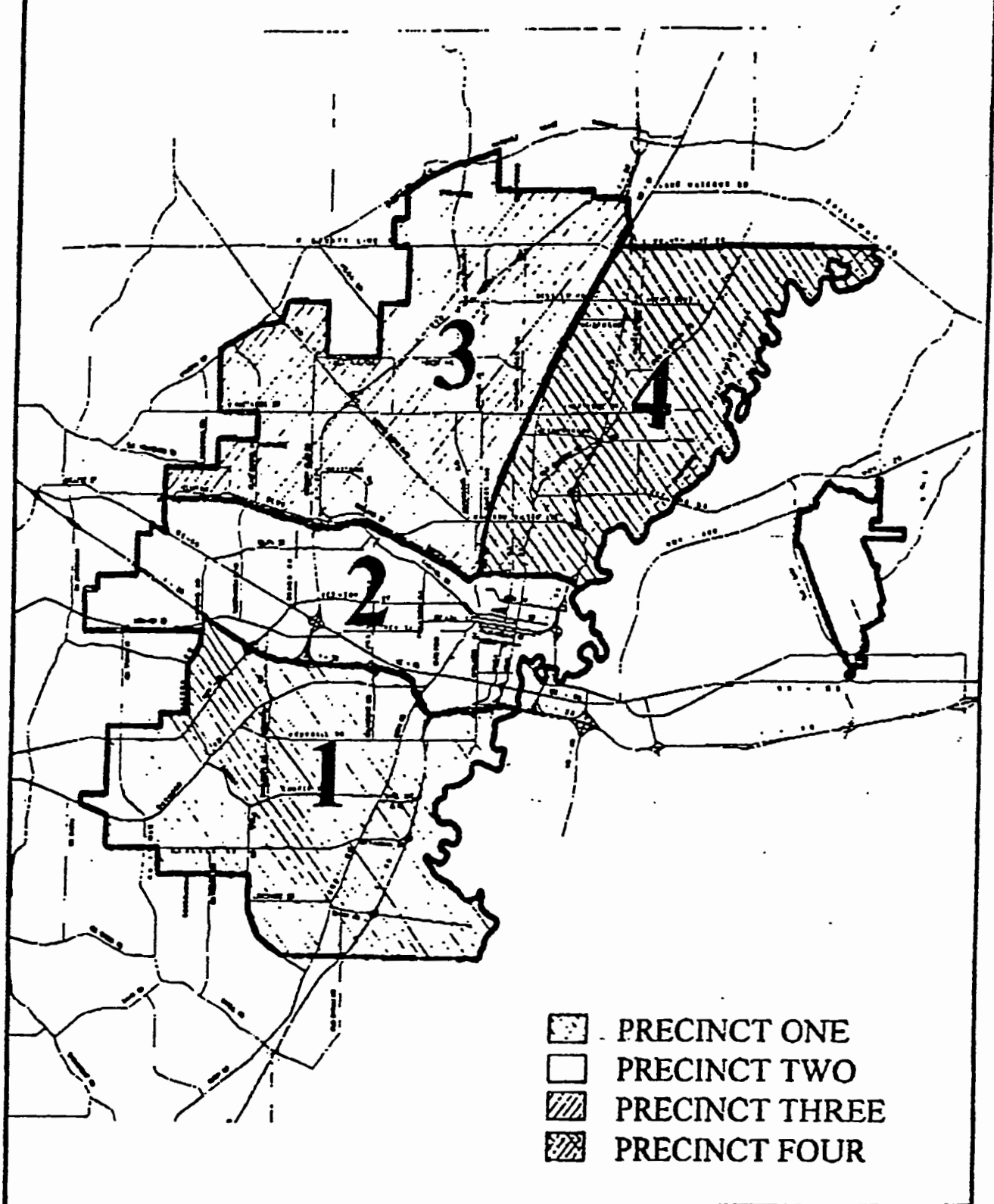
8:45 p.m. - 9:15 p.m.

OPEN SESSION

9:15 p.m.

ADJOURNMENT

CITY OF JACKSON PROPOSED POLICE PRECINCTS/BEATS



Appendix C

The following are a survey of opinions, perspectives and recommendations made by interviewees about police-community relations and race relations in Jackson. Interviews conducted from August 1992 to April 1995.

Interviews

A. Law Enforcement Officials/Agencies

- Admitted that there are some corrupt police officers who may be involved in drug trafficking. (interview)
- The Hinds County Sheriff's Department is being diversified to recruit and promote more blacks as department heads. Most blacks were employed in the jail.
- The Sheriff's Department is not perceived as negatively as Jackson Police Department. Leadership maintains contact with the different communities has good relations with the media, but there is not as much contact with Jackson residents as Jackson Police Department.
- Other law enforcement agencies view the Jackson Police Department as lacking leadership for the last 4 years.
- Jackson Police Department personnel needs to be upgraded.
- Processing of citizen complaints by Jackson Police Department is not good. Most complaints about police are verbal abuse and excessive force.
- Biggest problem in black neighborhoods is delivery of police service. Response time is low due to lack of manpower.
- Jackson police officers need promotions. No promotions since 1979.

B. Community Groups and Anti-Crime Organizations

- Crime is the most important issue in Jackson. Jackson Police Department is doing all it can to solve crime.
- State of the Jackson Police Department is chaotic and unresponsive at best, and near collapse at worst.
- Some citizens of Jackson are frustrated with a dysfunctional police department that has the mayor as the chief of police.
- Some citizens view the department as misguided, inept and unresponsive to the needs of the community. What was quickly becoming a community oriented police department was effective crime fighting strategies has deteriorated to a leaderless group of salaried city employees who care little about the community or the jobs they were hired to perform. (Perry Robinson, letter from Georgetown Community Association to U.S. Commission on Civil Rights, Aug. 11, 1994 (hereafter cited as Georgetown Letter.)
- There is a general lack of patrols and drug enforcement in inner city neighborhoods which has caused the murder rate to triple in the 90-day period since the mayor dismissed the last chief of police.

- Elderly blacks are fearful of the police. They ask that no uniform police officers come to their homes for fear of retaliation by drug dealers/criminals.
- Jackson Police Department and the district attorney know who the drug dealers are, but fail to obtain evidence to arrest and prosecute. (interview)
- The 911 problem was caused by a deliberate slow down by white police officers.
- The Jackson Association of Neighborhood (JAN) is needed but could better serve the public if taken out of the jurisdiction of the mayor's office.
- Many residents of black neighborhoods do not trust white officers and will not cooperate with them regarding information on crime activity.
- JAN does not deal in an open and honest way with community problems. Discussion on community issues are soft and non-controversial. There has not been substantial dialogue about crime.
- Some neighborhood representatives rate police response as fair. There is limited contact with police outside of crime concerns. Police need more visibility in community in the absence of a crime situation. Need to take youngsters on tours of the police academy and the police department or ride alongs. Would be good public relations, and alleviate fears. Most people don't understand how the department operates.
- Police officers could be more friendly, get to know the neighbors and how courtesy.
- Jackson's form of government, strong mayor should be reevaluated.
- Major complaints in black community are drugs/crime.
- The Jackson Police Department has no leadership. The department should be out of the mayor's jurisdiction—too much politics.
- There is no community policing in Jackson. People are afraid of the police. Within the police department there is racial polarization.
- There is a perception within the black community that police think any black male from 15-18 are all criminals, on drugs, etc.
- Police contact and sensitivity did improve under the last police chief's administration.
- A number of white neighborhoods have hired private security patrols because of their dissatisfaction with police service. Most homes are linked with a monitor to the police department. In most instances, the private patrol response time is quicker than the police.
- Police-community relations is at an all time low. There is distrust by blacks of white leadership and vice versa. Whites believe black leadership tend to focus too much on side issues and not get to the point.
- There is an overall distrust by whites of the government's ability to deliver services.
- There is a desire of many whites to establish relationships with black counterparts (same socioeconomic level). However, there are no black families in their neighborhood, church, or social clubs.
- The tolerance for crime is so low in white communities that unlike blacks, they are able to exist.
- Police-community relations in Jackson have improved over the years, particularly since blacks are represented on the police force.
- Black residents should be more proactive in asking for help from the police and city government.

- Many black residents are uninvolved in their communities. People will complain but will not participate.
- JAN is looking at ways to empower residents and obtain more resources (funding, staff) for crime prevention.
- Race is not a factor in the hiring or firing of the Jackson police chief.
- Jackson is a very racist town, a significant portion of whites believe blacks are inferior. This is their point of reference for all decisionmaking. Whites will not vote for blacks, will not do business with blacks, and will not list with black realtors.
- Within the black community there is a class schism. The middle class does not help other blacks and they do not invest economically in the black community.
- Overall, police officers, both black and white, are indifferent to their work—low morale.
- A number of Jackson Police Department officers are corrupt. They are seen with known felons. These officers are known by name and that they are involved in crime. They will arrest the drug user but not the drug dealer. (interview)
- There is a strong belief in the black community that there are forces at work to maintain drug activity in the community.
- There is a need for better pay and improved working conditions for police officers. Jackson Police Department's recruitment and hiring practices should be upgraded to better screen police candidates—psychological examinations are needed.
- Although blacks in Jackson view all law enforcement agencies with suspicion, the Sheriff's Department is perceived as less controversial.
- Race relations in Jackson have improved to the extent that black and white people are much more sophisticated in how they deal with each other. On the surface level, there is a better mix of who sits at the decisionmaking table.
- Through community organizations, there are some very conscious efforts to improve racial interaction such as Leadership Jackson, the Chamber of Commerce and events such as the Friendship Ball. The perception of the Chamber of Commerce is changing because of its outreach.
- White police officers were not supportive of the two former black police chiefs.
- Even though there were a faction of blacks who thought the last police chief was ineffective, the push for his resignation came primarily from the white community.
- Crime has increased and expanded into areas that in the past had been unaffected by crime. Location is no longer a safeguard against crime.
- Citizens in Jackson need to be educated about police procedure and culture.
- There is a perception in Jackson that in white neighborhoods tolerance for crime is very low, while in black neighborhoods, residents allow it to go on. Blacks do not report crime because they do not believe they will be protected by the police.
- There are black neighborhoods with high crime rates and the residents are afraid to report crime because of retaliation by the criminals coupled with their suspicion of the police.
- There are senior citizens who refuse to report crime, fearful of the police and the criminals.
- The Jackson Police Department has been demoralized by the lack of promotions, hiring and training.

- The blacks who have made it have abandoned the cause to help other blacks.
- A variety of community/civic groups such as the NAACP, Urban League, and Chamber of Commerce have established law enforcement or public safety committees.
- Although a number of community organizations are discussing crime there is no coordinated effort of dialogue between the various groups.
- The media in Jackson have been insensitive on how they report crime, causing more racial polarization.
- The former black police chiefs have been treated unfairly by press. They both were threatening to the power structure. The establishment was unable to use them or the police department to cover up illegal activities.
- There is a strong belief that there is a conspiracy to get rid of any black person that is in a high profile position.
- Black police officers are more brutal to black suspects than they are to whites.
- There is a concern about crime among black citizens, but blacks believe the police care less about protecting them than they do whites.
- Community policing in Jackson has not taken affect or either it has not been implemented. You see private patrols policing areas (Rent-a-Cop) but not the Jackson Police Department.
- There was a negative response in the black community to Clean Sweep operation. There were complaints of abuse.
- Clean Sweep is not a long lasting remedy, if anything it has more effect upon public relations than crime.
- Race relations are better than it has ever been. There are still problems and opportunities for further growth, but there are also growing feelings of trust between the races.
- There is a strong schism between the local law enforcement agencies in Jackson.
- Media has major influence on shaping views but could do more to reduce tensions.

C Concerned Citizens and/or Victims of Alleged Police Brutality

- Jackson has had a long standing record for police brutality. There have been police officers in the department with the sole purpose of exerting brutality. The new black leadership interferes with that ability to continue police brutality/harassment against blacks. In the State of Mississippi the police department is closely aligned with the local FBI and other law enforcement agencies whereby corruptness and coverups can be easily hidden...Mississippi's criminal justice is a closed society. (interview)
- Relations between whites/blacks are very distant. Most of the contact are in the workplace but people's attitudes and true character are suppressed.
- There are two police departments in Jackson, the white department and black department.
- There is no mutual respect between the races.
- Since the police department has been under the leadership of a black chief, whites view the department negatively. You see an increased dissatisfaction. They become more vocal in their dissatisfaction because of black leadership.

- There is a general belief that the Jackson Police Department is corrupt. There are double standards in how one is treated depending on who you are.
- The concerns about 911 were exaggerated and politically influenced.
- The 911 fiasco was media hype.
- Race is always an underlying issue in Jackson.
- There are grave distortions about the crime issue.
- There had been some improvement in race relations until the controversies over the two black police chiefs.
- The black middle class in Jackson is complacent.
- There needs to be more constructive relations between whites and blacks.
- There is a general disrespect of black citizens by the police.
- There is a strong need for a citizen review board. Membership should be inclusive of ordinary citizens.
- Media is partly responsible for Jackson's negative police-community relations.
- The local black newspaper incites racial division.
- There continues to be ongoing rumors of corrupt police officers.
- There is different treatment of white suspects versus black. In the case of a black who is drunk, they will jail him but if you are white they may take you home.
- Trust in the Jackson Police Department is low.
- The Sheriff's Department is viewed far better by the community than the Jackson Police Department.
- Many interviewees had never heard of the Police Advisory Board.
- There is a major problem in the State of Mississippi regarding the incarceration of young black males.
- Law enforcement in Jackson is viewed by blacks as the protector of whites.
- Blacks believe that there is a conspiracy and planned strategy to get rid of the black police chiefs.... We will not get another black chief until there is a black mayor.
- The FBI, the district attorney's office and the media were involved in the strategy to get rid of the last black police chief. (interview)
- There is a need for more representation of blacks in high level positions in the sheriff's department.
- Since the first black police chief resigned, police-community relations have gotten worse.
- Selected members of the chamber of commerce have been involved in the ouster of the last police chief.
- The Jackson Police Department needs a civilian review board.
- The turmoil surrounding the juvenile detention center affects the image of the Jackson Police Department.
- The real cause of poor police-community relations is a corrupt political system.
- The real issue surrounding police-community relations in Jackson is not how fairly the police treats blacks, but whether or not the department is effective in doing its job.
- Business community is concerned about crime as it relates to the economy and its impact upon job growth.

- There is a perception that the district attorney's office is corrupt and that blacks get off easier when they commit a crime against another black. (interview)

D. Academicians and/or Experts in Law Enforcement

- More than 80 percent of the crime committed in Jackson go unsolved. Ninety percent of the crime committed in Hinds County are in the city of Jackson.
- The criminal justice system in Hinds County is overloaded, insufficient facilities, and alternative methods of punishment are needed.
- Jackson and Hinds County law enforcement agencies should be tightly connected but they are not.
- There are difficulties and lack of cooperation between the various law enforcement officials (prosecutor, FBI, Jackson Police Department, and Sheriff's Department).
- Strong concern about the lack of law enforcement prosecution and punishment.
- More police officers are needed.
- All of the problems cited above undermine citizen confidence in law enforcement.
- A system of punishment and rehabilitation is needed. The current system does not provide for this.
- Sixty-five percent of crime is committed by juveniles but there is no rehabilitation. Inadequate system to deal with juveniles....no education, psychological evaluation, etc.
- The Jackson Police Department is in shambles.
- Investigative police reports are not adequate. Police officers cannot write, read, et. Cannot properly document reports, quality of police recruitment and training is poor.
- Jackson Police Department does not have state of the art technology or facilities.
- One newspaper and three television stations are shaping the views of the citizens about the police.
- No leadership on the police department. The last police chief was very autocratic and bureaucratic. (interview)
- One good thing about the current situation is that whites/blacks are unanimous in their concern about crime. This is not racial.
- There is a real significant problem between the city and the county in managing the criminal justice system....Inability to work together....There is a need for a united effort.
- The rank and file citizen wants law enforcement. They don't understand why it does not work, they don't know the process and who to blame for its ineffectiveness.
- The police are low-paid.
- There is not adequate data available to make appropriate decisions about the criminal justice system. Facts and figures are not maintained routinely or consistently. There is no monitoring or tracking of persons who enter and leave the system. The State and local officials do not know who is in the system, how many or when they leave.
- There is a need for a information management systems to manage criminal justice data at all levels of government.
- There is strong support among citizens for community-based law enforcement.

- Current police training used by police officers in Jackson and the State of Mississippi is designed to oppress.
- There is a growth industry in law and order matters. Private police, rent-a-cop, private security guards, etc. But these people are not adequately trained.
- The two former black police chiefs were set up to fail.
- There has been no leadership in the police department for the last 20 years.
- The mayor plays too great a role in the Jackson Police Department. Politics in the situation should be neutralized. Need to establish a civilian or citizen review board.
- Major complaints by black residents about the police is their attitude, disrespect and indifference.
- Reports of adverse jail conditions, suicides, etc. affect the public perception of the police department.
- The Mayor Police Advisory Committee is only a rubber stamp for the mayor. The mayor makes the appointments. The mayor has never taken any advise from the board, therefore, they are not effective.
- Instead of the mayor, there is a need for a police commission to oversee the police department's daily operations.
- There is a need for a new cultural diversity training model for police officers.

Appendix D

Neighborhood Group: Richwood Estates Homeowners Association

Location: Subdivision of approximately 120 homes in Northwest Jackson¹

Ward: 2

Police Precinct: 3

Demographics: Predominately black middle income neighborhood with well maintained homes. Area is described as a low crime area.²

Background: The Richwood Estates Homeowners Association is a well established neighborhood group. The Association was formed to ensure the beautification and upkeep of the neighborhood. The president is also past president of JAN. Residents relationship with JPD is described as good. Most of the officers who patrol the area are black. Upon invitation, a police representative have attended neighborhood meetings to visit and share information. The Association requested and received monthly reports on crime activity in the area.³

Problem Areas/Concerns: No problems and/or concerns about the police department. According to the president, whenever JPD is contacted for assistance they are responsive. Ms. Tripplett stated that some of the blame for poor community police relations is due in part to apathetic citizens and poor communications. She stated:

If people would ask they would be surprised at what help and assistance they can get from the police. People complain but they never ask for help or get involved until there is a crisis.⁴

Representative: Mrs. Agnes Tripplett, President, Richwood Estates Homeowners Association

¹ Agnes Tripplett, *Transcript*, vol. I, pp. 137-48, interview, Aug. 11, 1994.

² Ibid.

³ Ibid.

⁴ Ibid.

Neighborhood Group: Georgetown Community Association (GCA)

Location: The area is located in Northwest Jackson, bordered by Rivers Drive on the north, Vacation Street on the south, Bailey Street on the east and Way and Center Streets on the west.⁵

Ward: 3

Police Precinct: 3

Demographics: Approximately 15,000 residents in the area. Predominately black, elderly and low-income. The area is a mixture of residential, rental and apartment housing stock.⁶

Background: Georgetown was the place to live for well established blacks many years ago. However, as blacks made economic progress there was a movement of the middle class to the suburbs and to newer housing stock in Jackson. Over the years the area has declined. Now there are empty buildings where once businesses thrived and housing stock that in many cases are dilapidated and vacant and/or occupied by drug dealers.⁷

Despite the aggressive efforts of neighborhood residents to reduce crime in Georgetown, it remains a high crime area. In 1993, 20 percent (17) of the city's homicides occurred in Georgetown. In 1994, 21 percent (20) of the city's homicides were in Georgetown and in 1996, 18 (14) percent of the homicides occurred in Georgetown. Ninety-five percent of the homicides were drug related. According to Perry Robinson, president of GCA, there are still upstanding residents in the area but the drug dealers, gang members and prostitutes have taken control.⁸ In 1992 the police and residents of the Maple Street Apartments clashed. Residents threw rocks and bottles at police during the arrest of a drug suspect. That same year, the neighborhood park, Fair Park was closed due to intense drug activity. One resident described Georgetown as "drugtown."⁹ Perry Robinson stated:

Drug trafficking is the main problem and police know it. I have written to the Mayor, Sheriff, Drug Enforcement Administration and others identifying drug sites, but they're still there....The District Attorney turns the drug dealers

⁵ Perry Robinson, *Transcript*, vol. 1, p. 204.

⁶ Ibid.; "Blacks Killing Blacks Trend Grows in 1994," *Clarion Ledger*, Jan. 2, 1995, p. 13.

⁷ Ibid.; Perry Robinson, interview, Aug. 11, 1994.

⁸ Ibid., pp. 204-10; "Crisis of Confidence, Challenge of Leadership," *Jackson Advocate*, June 7, 1995, p. 1A; Perry Robinson, letter to U.S. Commission on Civil Rights, Mar. 3, 1997.

⁹ "Block Party Reintroduces Police in Area," *Clarion Ledger*, Aug. 23, 1992, p. 1B; "Fighting for Fair Park," *Clarion Ledger*, Aug. 23, 1992, p. 1A.

loose and fail to prosecute, then blames JPD. Officials point fingers at one another while the community suffers.¹⁰

GCA through its members have been aggressive and vigilant in trying to reduce crime. The following are some of their proactive efforts:

- Homeowners have met with JPD and provided addresses where there is known drug activity. This included information on license tags of drug users and dealers.
- Worked closely with the Direct Action Response Team (DART). (DART was a special operations street level vice and drug unit.)
- Sent letters to the Mayor and other law enforcement agencies to report on crime and other neighborhood problems.
- Maintains ongoing contacts with the media to report crime and other neighborhood problems.¹¹

The records show that JPD and elected officials have been informed about crime problems in Georgetown and to some extent have responded to GCA's concerns. DART targeted Georgetown for drug sweeps called Operation Clean. Arrests were made based on the information provided by GCA. JPD launched a crackdown on drugs and crime in the neighborhood.¹²

In letters to the U.S. Commission on Civil Rights in August 1994 and July 1995, the president of GCA, Perry Robinson, cited the following concerns:

- There is a general lack of patrols and a drug enforcement in inner city neighborhoods which has caused the murder rate to triple in the 90 day period since the Mayor dismissed Police Chief Wilson.
- Citizens view the department as misguided, inept and unresponsive to the needs of the community. The Mayor terminated the employment of the Chief Wilson for what appeared to be purely political reasons and named himself as the interim chief. What was quickly becoming a community oriented police department with effective crime fighting strategies has deteriorated to a leaderless group of salaried city employees who care little about the community or the jobs they were hired to perform.
- The Mayor/Interim Chief has caused the removal or departure of all African-Americans except two from command level positions within the department and cut off crucial police protection to black neighborhoods. The Special

¹⁰ Perry Robinson, *Transcript*, vol. I, pp. 204-10; "Crisis of Confidence, Challenge of Leadership," *Jackson Advocate*, June 7, 1995, p. 1A.

¹¹ Letter to U.S. Commission on Civil Rights, from Perry Robinson, Georgetown Community Association, August 1994; Letter to Farella E. Robinson, USCCR, from Perry Robinson, Georgetown Community Association, July 5, 1995; Letter to Cleon Butler, JPD, from Perry Robinson, Georgetown Community Association, Sept. 28, 1994.

¹² *Ibid.*

Operations Division had been assigned the primary responsibility for patrolling high crime inner city neighborhoods before the Chief was fired. Immediately, thereafter, the Mayor disbanded the Special Operations Division and left black neighborhoods defenseless. Even though a strong community outcry rings out on a daily basis for the Mayor to reinstate the Chief and to reestablish the Special Operations Division, he turns a deaf ear and more children become murder victims every day.

- The citizens of Jackson from all walks of life are frustrated with a dysfunctional police department that has the Mayor as the Chief of Police. Law enforcement no longer seems to have as its objective to serve and protect its citizens. Without Federal intervention to investigate corruption and bring back police leaders who truly have the city's best interest at heart the citizens of Jackson are doomed to a life without hope and filled with despair.
- The city is spending too much money on detention and not prevention/rehabilitation services. The Federal funds received by the city should be spent on crime prevention programs that will affect African-American males between the ages of 12-21. Also emphasis should be placed on fighting the drug problems.¹³
- Although GCA had established ongoing relations with JPD through the now defunct drug unit DART, some residents were not and still are not satisfied with the JPD and their efforts to reduce crime in the area.¹⁴

Representative: Perry Robinson, President, Georgetown Community Association

¹³ Ibid.; "High Presence, More Aggressive Police Work Needed," *Clarion Ledger*, July 1, 1996, p. 6A;

"Crisis of Confidence, Challenge of Leadership," *Clarion Ledger*, June 7, 1995, p. 1A.

¹⁴ Ibid.

Neighborhood Group: Eastover Neighborhood Association

Location: The Eastover community is located in northeastern Jackson. It consists of approximately 360 residential homes situated around three lakes.¹⁵

Ward: 1

Police Precinct: 4

Demographics: The most affluent area in Jackson, with a median household income of almost \$90,000. Residents are mostly professionals, business owners, and corporate executives. The racial composition of the area is predominantly white with a scattering of persons of East Indian, Middle Eastern, Greek, Asian and Hispanic ancestry. There are no blacks in the neighborhood.¹⁶

Background: The Eastover subdivision was developed by then-Mayor Leland Speed in the late 1940s. It is now almost completely "built out" and a second generation of houses is now being built to make way for newer and larger houses. This is interpreted as a very favorable sign of the long-term health of the neighborhood.¹⁷

The residents generally do not fear abuse at the hands of the police and do not view the police negatively in any significant way. Law enforcement is viewed as a friendly force and serve as partners with the community in maintaining a safe and orderly environment. However, according to Mr. David Sanders, president of the Eastover Neighborhood Association, over the years (1970s-1990s) crime increased not only in frequency but took on new qualities of viciousness and randomness, and became more mobile—not only in certain areas of town but striking anywhere.¹⁸ As a result, although the rate of crime was very low in Eastover, the fear of crime increased. Residents became concerned that JPD was not dedicated to low level policing needs in their community because of the rampant crime wave in other parts of the city. After a rash of burglaries in the area, in 1993 the Association contracted with a security firm for patrol services. Currently 250 households or 75 percent of the residents subscribe for services.¹⁹ The security service has been a success and has been involved in the apprehension or tracking of criminal suspects. They almost always arrive at the scene of burglar alarms in the neighborhood ahead of the police.²⁰

Because of the private security patrols Mr. Sanders believes crime has declined in the area. From 1993-94 felony crime in the areas covered by Precinct 4 declined from 593

¹⁵ R. David Sanders (hereafter cited as Sanders), president, Eastover Neighborhood Association, *Transcript*, vol. I, p. 120.

¹⁶ *Ibid.*, pp. 120-21, 135.

¹⁷ *Ibid.*, p. 120.

¹⁸ *Ibid.*, pp. 121-22.

¹⁹ *Ibid.*, pp. 122-25.

²⁰ *Ibid.*, pp. 126, 128.

to 204, a decline of 65 percent while felony crimes in Jackson increased 11 percent. House burglaries declined from 90 to 21 and auto burglaries from 137 to 31. Also, over the last 12 months there has been only one house burglary.²¹

David Sanders said:

The patrol fills the gap between the level of security and service desired by an affluent neighborhood located nervously close to a high crime area and the level of service that JPD can realistically be expected to provide. The patrol reduces the frustration and criticism that otherwise would be directed toward the police for their failure to provide the desired level of service.²²

The Association does not view their use of a patrol service as being a racial issue in any way. Mr. Sanders indicated that five other neighborhoods have private patrol service. He says affluent, mostly black neighborhoods in northwest Jackson have also discussed the possibility of private patrol service.²³

Problem Areas/Concerns:

- Police community relations is in a dismal state.
- Widespread concern about police morale and whether JPD is dedicated to low level policing that Eastover needs.
- They see very little of the police in the area. There was a feeling that if there was a crime, JPD would not be able to respond.
- The crimes that occurred most often and concerned residents in Eastover were nighttime burglaries and the possibility of violence and injury.²⁴

Representative: R. David Sanders, president, Eastover Neighborhood Association

²¹ Ibid., pp. 127-28.

²² Ibid., pp. 128-29.

²³ Ibid., p. 127.

²⁴ Ibid., pp. 120-29; Sanders, interview, Aug. 11, 1994.

Neighborhood Group: Mid-City Business Association

Location: Close proximity to downtown and located on a major thoroughfare with good business potential. Midtown area bordered by West Capital Street on the south, Woodrow Wilson Avenue on the north, Longino and Maple Streets to Town Creek on the east, and the ICRR Railroad on the east. Some call this area central Jackson.²⁵

Ward: 3

Police Precinct: 3

Demographics: Approximately 90 percent black and 10 percent white. Residents are primarily working class, blue collar. Of the businesses located in the area about 65 percent are white-owned, 34 percent black-owned and one percent Hispanic/Asian owned. Before crime and white flight set in, residents were predominately white.²⁶

Background: The Mid-City Business Association was established in 1978. Its membership is composed of about 90 businesses in the midtown area. These businesses generate 350 jobs into the local economy. Sixty-eight percent of its membership are also members of the Metro-Jackson Chamber of Commerce. The constitution and by-laws of the Association state that its purpose is to organize the businesses in the midtown area and to protect members' lives, property and customers against criminal acts.²⁷

According to Wydett Hawkins, president of the Mid-City Business Association, the organization has been aggressively trying to reduce crime in the area since 1991. He reported that area businesses have suffered tremendous business losses due to crime. In 1993-94 his companies (6), Wasco-Town Enterprises were burglarized and vandalized at least 30 times causing a loss of over \$30,000. He said other businesses in the area have also suffered similar losses.²⁸

Police reports, letters and telephone calls were made to city and elected officials indicating the enormous financial drain crime was having on midtown businesses. Although JPD conducted drug raids in response to the Association's complaints, area businesses continue to be dissatisfied with the level of police protection.²⁹

Problem Areas/Concerns: According to Mr. Hawkins, the business community supports the police but JPD has failed to meet the needs of the area. He states that the

²⁵ Wydett Hawkins, president, Mid-City Business Association (hereafter cited Hawkins), *Transcript*, vol. I, p. 225-26; interview, Jan. 26, 1995.

²⁶ *Ibid.*, pp. 235-36.

²⁷ *Ibid.*, pp. 224-25; Mid-City Business Association Constitution and By-Laws.

²⁸ *Ibid.*, pp. 225-27; Letters to JPD from Wydett Hawkins, Mar. 25, 1994, Feb. 12, 1994.

²⁹ *Ibid.*; Letter to Kane Ditto, Mayor from Bennie Thompson, Hinds County Supervisor, Aug. 6, 1991; Memo to Mid-City Business Association from Joseph Weston, Sept. 27, 1991.

police do not provide enough patrols. The criminals know this and take advantage of the situation. The following concerns were noted:

- Although midtown is the anchor to downtown and has the most businesses, the downtown area gets more police protection.
- Precinct #3 needs more police officers and command supervisors to properly protect and serve the areas it is responsible for.
- City leaders have been unresponsive to revitalizing the midtown area.³⁰

Representative: Wydett Hawkins, president, Mid-City Business Association

³⁰ Hawkins, *Transcript*, vol. I, pp. 224-30; interview, Jan. 26, 1995.

Appendix E

Citizen Perceptions of JPD¹

The following are a survey of opinions, perspectives and recommendations made by interviews about police-community relations and race relations in Jackson from August 1992 to April 1995.

- Some citizens view the department as misguided, inept and unresponsive to the needs of the community. What was quickly becoming a community oriented police department with effective crime fighting strategies, has deteriorated to a leaderless group of salaried city employees who care little about the community or the jobs they were hired to perform. (Perry Robinson, letter from Georgetown Community Association to U.S. Commission on Civil Rights, Aug. 11, 1994 (hereafter cited as Georgetown Letter.)
- There are two police departments in Jackson, the white department and the black department.
- Elderly blacks are fearful of the police. They ask that no uniform police officers come to their homes for fear of retaliation by drug dealers/criminals.
- The real cause of poor police-community relations is a corrupt political system.
- Police officers could be more friendly, get to know the neighbors and show courtesy.
- There is a perception within the black community that the police think any black male from 15-18 are all criminals, on drugs, etc.
- The rank and file citizen wants law enforcement. They do not understand why it does not work, they do not know the process and who is to blame for its ineffectiveness.
- The Jackson Youth Detention Center has been plagued for years with problems ranging from civil rights violations to allegations of rape.
- Blacks view law enforcement as the protector of whites.
- There is a general belief that the Jackson Police Department is corrupt.
- Blacks believe that there is a conspiracy and planned strategy to get rid of the black police chiefs...We will not get another black chief until there is a black mayor.
- There is no relationship between the police department and my community. We do not know the names of officers who work the beat. Knowing them would make it easier to work with them.

¹ See Appendix C.

- Investigative police reports are not adequate. Police officers cannot write, read, etc. Cannot properly document reports; police recruitment and training is poor.
- Since the first black police chief resigned, police-community relations have gotten worse.
- The Jackson Police Department needs a civilian review board.
- Major complaints by black residents about the police is their attitude of disrespect and indifference.
- No leadership on the police department. The last police chief was very autocratic and bureaucratic.
- Overall, police officers, both black and white, are indifferent to their work—low morale.
- The police are low-paid.
- There continues to be ongoing rumors of corrupt police officers.
- There has been no leadership in the police department for the last 20 years.
- Instead of the Mayor, there is a need for a police commission to oversee the police department's daily operations.
- The Clean Sweep operation was negative. There were complaints of abuse in the black community.
- More police officers are needed.
- Black police officers are more brutal to black suspects than they are to whites.
- A number of Jackson Police Department officers are corrupt. They are seen with known felons. These officers are known by name and they are involved in crime. They will arrest the drug user but not the drug dealer. (interview)
- The real issue surrounding police-community relations in Jackson is not how fairly the police treats blacks, but whether or not the department is effective in doing its job.
- There is a strong belief in the black community that there are forces at work to maintain drug activity in our neighborhoods.
- Assign minority officers to all precincts. The current duty-assignment system gives the impression of segregation.
- Trust in the Jackson Police Department is low.
- We are frustrated with a dysfunctional police department and the Mayor playing police chief.
- There is a need for better pay and improved working conditions for police officers. Jackson Police Department's recruitment and hiring practices should be upgraded to better screen police candidates—psychological examinations are needed.
- There are senior citizens who refuse to report crime because they are afraid of the police and the criminals.
- The Jackson Police Department is in shambles.
- The police disrespect black citizens.

- A citizen review board should be established.
- The Jackson Police Department is chaotic and unresponsive at best, and near collapse at worse.
- Black suspects are treated differently from white suspects. In the case of a black who is drunk, they will jail him, but if you are white they may take you home.
- The Jackson Police Department has been demoralized by the lack of promotions, hiring and training.
- Jackson has a long standing record of police brutality. There have been police officers in the department with the sole purpose of exerting brutality. (interview)
- Residents in black neighborhoods with high crime rates are afraid to report crime because they do not trust the police and are afraid of retaliation by the criminals.
- Some white neighborhoods have hired private security patrols because they are dissatisfied with police service. Most homes are linked with a monitor to the police department. In most instances, the private patrol response time is quicker than the police.
- There is a general lack of patrols and drug enforcement in inner city neighborhoods.
- Jackson Police Department does not have state of the art technology or facilities.
- There is no community policing in Jackson. People are afraid of the police. The police department is racially polarized.
- There is a perception in Jackson that in white neighborhoods tolerance for crime is very low, while in black neighborhoods, residents allow it to go on. Blacks do not report crime because they do not believe they will be protected by the police.
- There is a concern about crime among black citizens, but blacks believe the police care less about protecting them than they do whites.
- Community policing in Jackson has not been implemented. You see private patrols policing areas (Rent-A-Cop) but not the Jackson Police Department.
- White residents see the police as a friendly force in their neighborhoods and to help maintain an orderly environment.
- White police officers were not supportive of the last two black police chiefs.
- There is limited contact with police except when there is a crime. Police need more visibility. Need to take youngsters on tours of the police academy and the police department or ride alongs. Would be good public relations and alleviate fears. Most people do not understand how the department operates.
- Processing of citizen complaints by Jackson Police Department is not good. Most complaints about police are verbal abuse and use of excessive force.

- Many residents of black neighborhoods do not trust white officers and will not cooperate with them.
- Biggest problem in black neighborhoods is delivery of police service; response time is not good.²

² Ibid.

Appendix F

The Office of the Mayor
Kane Dittie, Mayor of the City of Jackson



219 South President Street
Post Office Box 17
Jackson, Mississippi 39205-0017
Telephone 601-960-1084

Kane Dittie
Mayor of the City of Jackson

MEMORANDUM

Jackson City Council
Dont Anglin, Ward 1
Lennie E. Armstrong, Ward 2
Kenneth I. Steinhilber, Ward 3
Cordell Calhoun, Ward 4
E. C. Foster, Ward 5
Marcia Weaver, Ward 6
Margaret Carroll Barrett, Ward 7

TO: Ms. Farella Robinson
U.S. Commission on Civil Rights

FROM: Robert Lesley, Communications Director *R. Lesley*
Mayor's Office

DATE: March 11, 1997

RE: *Civic Crisis, Civic Challenge, Police/Community Relations in Jackson*

=====

I have reviewed the pages from the U.S. Commission on Civil Rights report sent to our office and they are, for the most part, accurate. I would like to bring one item to your attention, however, and submit documents to clarify the situation.

The item is a sentence at the bottom of page 56. It reads, "There was no real effort to comply with the (hiring consent) decree until 1993, when the city council hired a consultant and." The remainder of the sentence is apparently on page 57, which was not sent.

After being elected in 1989, Mayor Kane Dittie made compliance with the consent decree a high priority of his first term. I am sending you a memo, dated September 11, 1991 from City Attorney Leslie Scott, as well as a letter she wrote to the Lawyer's Committee for Civil Rights dated June 23, 1992. Both of these documents discuss what we had been doing to bring the City of Jackson into compliance with the decree.

If you need any more information on this or any other part of the report, please call me at (601) 960-1084.

/rl

~~Sept - Fire - Consent Decree~~
~~Sept - Police - Consent Decree~~

MEMORANDUM

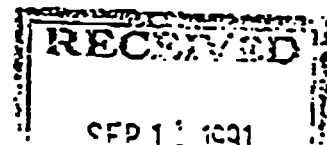
TO: Mayor Kane Ditto
FROM: Leslie Scott, City Attorney
DATE: September 11, 1991
RE: Consent Decrees

As you know, the City of Jackson has a long history dating back to the early 1970's of federal court consent decree involvement. At present, the City is moving forward to comply with two (2) outstanding consent decrees involving the Police Department and the Fire Department. Under those decrees, the City may implement hiring and promotional procedures with the permission and approval of those procedures by the respective parties in the cases.

With regard to the Fire Department, on August 2, 1991, Judge Henry Wingate entered a Supplemental Consent Decree which provided the Fire Department with a blue print for the future. That decree allows for the use of certain interim procedures for hiring and promotions if those procedures do not adversely impact minorities and women. It also provides for the establishment of permanent hiring and promotional procedures with the same criteria. In each instance, however, the Justice Department and the Lawyers' Committee for Civil Rights, representing a class of black plaintiffs, must actually approve of the procedures prior to our implementing any of them. A separate class of intervenors in this case, the Chandler intervenors, consist of a group of white firefighters, predominately union members. That group does not have "sign-off" authority in terms of approving the selection and promotional procedures we wish to implement, however, they do have the right under the supplemental decree to petition the court to enjoin us from implementing our procedures if they are not satisfactory to them.

With regard to the Police Department, the Consent Decree requires us to similarly seek the approval of the Justice Department for any procedures for hiring or promotion that we may propose to implement.

At present we are moving very aggressively with both the Police and the Fire Departments to comply with existing consent decree provisions, and are particularly optimistic that procedures for the selection or hiring of police officers and firefighters will be implemented soon. According to the schedule



Mayor Kane Ditto
September 11, 1991
Page Two

developed in conjunction with the Personnel office, your office and the Fire and Police Departments, we have sought proposals from consultants to develop fire and/or police selection procedures and set a deadline for the receipt of those proposals of yesterday, September 10, 1991. Several proposals were received at that time and Dr. Terry in the Personnel Department is circulating those to a committee of individuals consisting of representatives from the Legal Department, Police and Fire Departments, the Mayor's office and Personnel Department. This committee is to evaluate the proposals and meet on or about September 17 to narrow the proposals down to a small group of finalists. In the period of time between September 10 and September 17, the Justice Department will also be provided these proposals for review, input and comment. With regard to the Fire Department proposals, these will be shared with the Bell intervenors represented by the Lawyers' Committee for Civil Rights as well. Our schedule calls for us to interview proposal finalists in Jackson on September 26 and recommend a consultant or consultants, as necessary, to the governing bodies by October 1.


We do feel that some flexibility is necessary with regard to this schedule in that many factors could necessitate extensions. However, we are committed to moving as fast as possible to retain the experts that we need for purposes of preparing the selection procedures. As soon as procedures are accepted by the City, the Justice Department and, in the case of the Fire Department, the Bell plaintiffs, we will be able to move forward with the actual hiring process.

At present the City has a large number of applicants for both firefighter and police officer positions. Our most current data indicates that we have received a total of 1,830 applicants with 79 percentage of those being black and 21 percentage being white. Of those total applicants, 17 percentage are female and 83 percentage of them are male.

I think the City has made an excellent and concerted effort to attract minorities, both racial and gender, to positions in our Police and Fire Departments. The Consent Decrees are encumbrances but ones that I feel we will certainly handle as we move very swiftly toward our hiring goals for the first of next year.

Mayor Kane Ditto
September 11, 1991
Page Three

Should you need additional information on this subject,
please do not hesitate to contact me.


Leslie Scott

LS/jmc

cc: Jean Shaw, Operations Coordinator

JLS/C462g/jmc

Office of the City Attorney



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Post Office Box 17
Jackson, Mississippi 39201-0017
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Kenn Dills
Mayor of the City of Jackson

Jackson City Council
Dorwood L. Boyles, Ward 1
Louis E. Armstrong, Ward 2
Kenneth L. Scales, Ward 3
Marion Walker, Ward 4
E C Foster, Ward 5
President
Luther L. Ross, Jr., Ward 6
Maryann Carroll Barnes, Ward 7
Vice-President

June 23, 1992

Frank Parker, Esq.
Lawyers' Committee for Civil Rights
Under Law
Suite 400
1400 Eye Street, N.W.
Washington, D.C. 20006

Re: Corley-Carter vs. City of Jackson
C.A. No. 73J-4(C)

USA vs. City of Jackson
C.A. No. 74-J-0066(W)

Dear Mr. Parker:

I am the City Attorney for the City of Jackson, Mississippi. I have served in this capacity since June 1, 1991. In my capacity as City Attorney, I have been supervising attempts of the City to comply with various Consent Decrees, including those entered which affect the hiring of Police Department personnel. Under the terms of the Consent Decree in the Corley-Carter vs. City of Jackson case, it is the City's obligation to share with you certain information that has been generated as a part of the City's activities in compliance with that decree and in effectuating the lawful hiring of Police Department personnel.

Since June of 1991, the City has set out on a course to develop a lawful selection procedure for the hiring of police officers. The development of this procedure has involved the purchase by the City of a written examination developed by Richardson, Bellows, Henry & Co. (RBH) of Washington, D.C., an exam which has been approved by the Justice Department in terms of its job relatedness. The City has also developed an overall selection process which it has coordinated with the Department of Justice and Ms. Barbara Thawley, an attorney in the Civil Rights Division of that department.

Frank Parker, Esq.
June 23, 1992
Page 2

At present, the City has taken applications of prospective police recruits, has conducted an initial examination of appropriate documentation to meet minimum qualifications, has administered the RBH test and has forwarded those completed examinations to RBH for scoring. We have received a scoring report from RBH which indicates a minimum adverse impact and one which is capable of validation due to the test's proven job relatedness. (A copy of the test report is attached for your review.)

In the very near future, we anticipate moving forward consistent with the City's proposed selection procedure to complete background investigations of all candidates passing the RBH examination. After completion of that process, the City will hire a class of 50 police recruits. We anticipate completing this process within the next month if at all possible. Thereafter, we intend to reinitiate this process for the hiring of at least another 50-100 officers.

The City of Jackson is experiencing very critical manpower shortages within the ranks of its Police Department at the present time. It is of critical importance to the City and to the Police Department itself that we move forward to conduct a hiring process which is fair and impartial, and which complies with the legal requirements of the Corley-Carter and USA consent decrees.

Pursuant to paragraph 9 of the Corley-Carter decree, I am providing to you the entry level selection procedures of the Jackson Police Department which were recently presented to the Justice Department. I am also enclosing a copy of a Technical Report (DRAFT) prepared by a former consultant hired by the City of Jackson, Dr. Lawrence O'Leary. Because of Dr. O'Leary's unsatisfactory work on preparation of a written examination, he is no longer on contract with the City. However, in an abundance of caution, the City wishes to supply you with this report. This same information has been provided to the Justice Department.

I can assure you, as I have assured the Department of Justice, that the present administration of city government, along with the Chief of Police, the Director of Personnel Management, and myself, are all committed to the conduct of a legal selection process. As a result of this commitment, I believe that the City has set out on a course which will enable

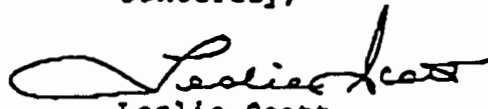
Frank Parker, Esq.
June 23, 1992
Page 3

us to give fair and equal consideration to all applicants for entry level positions with the Police Department. I am confident that when this process is complete, it will yield a very balanced recruit class both in terms of race and gender mixes.

If you have any questions concerning this matter, please do not hesitate to contact me, and I will endeavor to answer any and all questions you have.

With kind regards, I am

Sincerely,

A handwritten signature in cursive script, appearing to read "Leslie Scott".

Leslie Scott
City Attorney

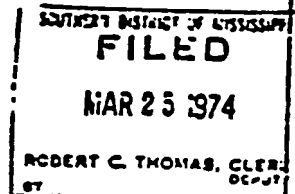
LS/jmc

Enclosures

cc: Barbara Thawley, Esq.
✓ Mayor Kane Ditto

JLS/C-463v/jmc

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



-----X
CHARLIE CORLEY and LEVAUGHN CARTER,
individually and on behalf of all
others similarly situated,

Plaintiffs,

CIVIL ACTION
NO. 73J-4 (C)

-vs-

JACKSON POLICE DEPARTMENT, an official
agency of the City of Jackson, Mississippi;
LAVELL TULLOS, Chief of Police of the City
of Jackson; CITY OF JACKSON, a municipal
corporation; RUSSELL C. DAVIS, Mayor;
DOUGLAS W. SHANKS and THOMAS B. KELLEY,
Members of the Jackson City Commission,
governing body of the City of Jackson;
JACKSON CIVIL SERVICE COMMISSION, an
official agency of the City of Jackson;
GENE A. WILKINSON, Chairman; WILLIAM K.
DEASE and WEAVER E. GORE, JR., Members
of the Jackson Civil Service Commission,

Defendants.
-----X

CONSENT DECREE

Plaintiffs filed this action as a class action on
January 11, 1973, and alleged in their complaint that the
defendants have engaged in racial discrimination against black
applicants and black employees in the Jackson Police Department
in violation of the Fourteenth Amendment to the United States
Constitution and 42 U.S.C. §§ 1981 and 1983. The defendants
have admitted (Answer, par. 2) that this Court has jurisdiction
of this action pursuant to 28 U.S.C. §§ 1331 and 1343. The two
named plaintiffs are black and they are former police officers
who were discharged from the Jackson Police Department on
December 4, 1972.

The pleadings and discovery taken in this case contain evidence of the following:

(a) From its formation in 1885 until 1963, the Jackson Police Department was all-white, and no black persons were employed as sworn officers, as members of the professional staff, or on the secretarial or clerical staff of the Jackson Police Department. In 1963, the first black persons were hired by the Jackson Police Department as sworn officers. (Answer, pars. 10, 11)

(b) According to the 1970 U. S. Census of Population, the City of Jackson is 39.7 percent black.

(c) As of December 1, 1972, just prior to the filing of this action, the Jackson Police Department employed 302 sworn officers, and of these only 21 sworn officers were black (6.95 percent). The discharge of the named plaintiffs left only 19 black sworn officers in the Jackson Police Department as of December 4, 1972. (Answer, par. 22)

(d) The following table indicates the race of the persons hired by the Jackson Police Department as sworn officers from 1963 (Defs. Answer to Interrog. 8):

	<u>Patrolmen</u>			<u>Police Cadets</u>		
	<u>Total Hired</u>	<u>White</u>	<u>Black</u>	<u>Total Hired</u>	<u>White</u>	<u>Black</u>
1963	43	37	6			
1964	34	28	6			
1965	3	1	2			
1966	11	10	1			
1967	19	19	0			
1968	17	12	5			
1969	22	22	0			
1970	22	20	2			
1971	1	1	0	33	27	6
1972	1	1	0	29	29	0
1973	<u>3</u>	<u>3</u>	<u>0</u>	<u>54</u>	<u>41</u>	<u>13</u>
Totals	176	154	22	116	97	19

(e) From 1966 to present, the Jackson Police Department has used entrance examinations for the position of patrolman published by the Public Personnel Association, now the International Personnel Management Association. These examinations were used as screening tests as a prerequisite to employment to test the suitability of applicants for the position of patrolman. As indicated on the chart which appears on the next page, over the eight year period, the pass rate for whites taking the patrolman entrance examination was 67 percent and the pass rate for blacks was 14 percent. There have been no scientific studies conducted locally to determine whether the tests used are significantly related to successful job performance. (Defs. Answers to Interrogs. 16, 17, 22)

(f) From 1970 to 1973 at least 318 blacks applied for patrolmen positions in the Jackson Police Department, and of that number 278 black applicants, or 87 percent of the black applicants, were rejected for employment as patrolmen for failing to obtain a passing score on the patrolman examination. Of the 40 black applicants who made a passing score, only 14 were hired during this period. (Defs. Answer to Interrogs. 17 and 22)

(g) As of December 1, 1972, the Jackson Police Department employed in excess of 50 secretarial and clerical personnel, and of these only three were black. (Answer, par. 22)

(h) As of August, 1973, there were 30 job classifications in the Jackson Police Department in which blacks had never been employed, including advanced secretarial and clerical positions, technician positions, supervisory positions, and the ranks of lieutenant and above. Whites had never been employed in the positions of maid, cook, and training academy custodian. Also, as of August, 1973, there were at least seven bureaus in the Jackson Police Department in which no blacks were employed as sworn officers, or above menial or laborer positions. (Defs. Answers to Interrogs. 9, 10, and 11)

WHITES					BLACKS					CHINESE					
Taking Test	Passed	Failed	Hired	Passed/ Not Hired	Taking Test	Passed	Failed	Hired	Passed/ Not Hired	Taking Test	Passed	Failed	Hired	Passed/ Not Hired	
12	12	0	12	0	1	1		1		27	9	19	0	9	
67	13	0	13	0	0	0	0	0	0	22	7	15	3	4	
68	30	18	12	14	4	5	5	0	5	0	21	3	18	0	3
69	85	47	38	33	14	13	1	12	0	1	0	0	0	0	0
70	86	49	37	19	30	44	4	40	2	2	0	0	0	0	0
71	83	51	32	23	28	47	9	38	5	4	0	0	0	0	0
72	182	133	49	48	85	94	15	79	5	10	0	3	0	0	0
73	200	138	62	15	123	123	12	111	2	10	0	0	0	0	0
	691	461 (67%)	230	177	284	327	47 (14%)	280	19	27	70	19 (27%)	52	5	16

(i) As of December 1, 1972, the Jackson Police Department employed 106 police officers in supervisory positions, including the ranks of sergeant and above, and of these only 1 supervisory police officer (less than 1 percent) was black. (Answer, par. 22)

(j) Since 1971, the Jackson Police Department has used promotional examinations for the purpose of determining the suitability of officers for promotion to the rank of sergeant and above, obtained from the International Personnel Management Association. From September, 1967, to February, 1974, the Jackson Police Department has administered 25 separate promotional examinations and black officers have taken 4 of these examinations. The following table indicates the results of these examinations, by race, on occasions on which such examinations were taken by black officers (Defs. Answer to Interrog. 20):

<u>Name of Test</u>	<u>Date of Test</u>	<u>Number Tested</u>		<u>Number Passed</u>		<u>Number Promoted</u>	
		<u>White</u>	<u>Black</u>	<u>White</u>	<u>Black</u>	<u>White</u>	<u>Blk</u>
Juvenile Officer II, Det. Div.	6-2-70	5	1	3	1	3	1
Police Sergeant	9-17-71	130	7	103	1	51	0
Police Lieutenant	11-1-73	48	1	37	1	data not available	
Police Sergeant	12-5-73	90	9	60	0	"	

The parties to this action hereby waive a hearing, adjudication, and findings of fact and conclusions of law on the factual and legal class issues raised in the complaint and presented in this lawsuit, exclusive of the individual claims and requests for relief of the named plaintiffs, and have mutually agreed to the entry of this Consent Decree, which shall not constitute an adjudication or an admission by the defendants of any violation of the law.

It is therefore ORDERED, ADJUDGED and DECREED:

That all provisions of the Consent Decree in United States of America v. City of Jackson, attached, hereto as Appendix 1, are hereby incorporated by reference in this Decree as if set forth fully herein, except those provisions which are inconsistent with the relief hereinafter ordered.

2. Defendants shall recontact, by Registered Mail, Return Receipt Requested, all black applicants for positions with the Jackson Police Department who have applied since January, 1970, who were rejected for employment for failing to pass the entrance examination, and by individual communication urge each such person to reapply for the position formerly applied for, and inform each such person that the entrance requirements have been revised pursuant to the terms of this Decree and Appendix 1, and that such applicant's new application will be accepted and processed without discrimination, and that if that person succeeds in passing the new entrance requirements, such person will be given priority in new hires. All such applicants shall have 30 days after receipt of such letter to respond. Defendants shall give all such applicants (blacks who have applied since January, 1970, and failed the entrance examination) who respond within 30 days and who successfully meet the entrance requirements devised by defendants in accordance with the terms of this Decree first priority in the filling of new vacancies in the Jackson Police Department, and shall provide such successful applicants with the requisite training needed to fill such positions.

3. Defendants shall affirmatively use their best efforts to increase the black distribution rate in job classifications in which black persons are statistically underrepresented, and to employ black persons in job classifications and/or divisions, department, and bureaus in which no black person has ever been employed and/or in which no black persons are currently employed as of the date of this Decree.

4. When any vacancy or opening occurs as a result of the resignation, retirement, discharge or other termination of a black employee of the Jackson Police Department, defendants shall fill any such vacancy or opening with a person of the same race in addition to the hiring ratio provided in this Decree or in Appendix 1.

5. In making promotions to supervisory positions and to the ranks above patrolman in the Jackson Police Department,

defendants shall establish separate promotion eligibility lists for white and black employees on the basis of objective, reviewable, and nondiscriminatory standards provided in this Decree and Appendix 1. Time in grade requirements may be retained if the defendants have shown that they are substantially related to successful job performance, but in no event may the defendants consider seniority beyond January, 1964. Subject to the availability of qualified black candidates, defendants shall make future promotions within the Jackson Police Department alternately from each such list in a one-to-one ratio until the proportion of black persons in supervisory positions and in the ranks above patrolman is substantially equal to the proportion of blacks to whites in the working age population of the City of Jackson.

6. Defendants shall provide Jackson Police Department applicants Marvin Grizzell, Tommie L. Grant, Eugene Bowen, Sr., Stanley E. Wright, and David Lock, an opportunity to be re-tested for psychological fitness by a psychologist or psychologists in compliance with the terms of this Decree and Appendix 1 for employment in patrolman positions with the Jackson Police Department. Defendants shall pay to the above-named applicants upon satisfactory completion of the psychological testing and entrance requirements described herein and of the Police Department training program back pay in the amount equal to what each would have earned had he been employed at the time of his initial application to the Police Department less the amount in fact earned in other employment during this period, to a maximum of \$500 each.

7. This decree is being entered on behalf of a class defined as all black applicants who made application for a position in the Jackson Police Department and were refused employment from and after January 1, 1970 and all current black employees of the Jackson Police Department; moreover, the class defined is herein being represented for the purpose of obtaining satisfactory relief relating to employment in the Jackson Police Department only; no member of the class--except the applicant members of the plaintiff

class named in paragraph 6 above--is herein being represented for the purpose of obtaining any monetary award or settlement for back pay.

8. By consenting and agreeing to this Decree, the parties and signatories herein do not purport to settle or affect, and expressly reserve for future determination, the individual claims and requests for individual relief of the individual named plaintiffs herein.

9. Defendants shall serve upon counsel for the plaintiffs herein copies of all reports, validation studies, tests, standards, plans, and criteria affecting employment in the Jackson Police Department required to be filed with the Department of Justice and required pursuant to this Decree and Appendix 1.

10. Defendants shall post or cause to be posted this Decree on regular informational bulletin boards in the Jackson Police Department for a period of 30 days immediately after entry of this Decree, and the defendants shall meet with all department, division, and bureau heads and inform them of the requirements of this Decree, and instruct them to instruct all employees under their supervision to familiarize themselves with the terms of this Decree.

11. Defendants shall appoint within the Jackson Police Department an Equal Employment Opportunity officer, preferably a black person, who shall report to the Chief of Police, and shall publicize this appointment, address and office hours among employees of the Department. This EEO officer shall be designated to receive and conciliate complaints of discrimination filed by employees of the Department.

ORDERED, ADJUDGED and DECREED on this the 25th day of March 1974.


UNITED STATES DISTRICT JUDGE

Consented and agreed to by:

Frank R. Parker

For the Plaintiffs

John B. Lee

Edward J. Kelly

For the Defendants

Appendix G

[As provided by Bracy Coleman, Assistant Chief of Police, Jackson, April 7, 1995]

HIRING PROCEDURE FOR ENTRY LEVEL POLICE OFFICERS JACKSON, MISSISSIPPI POLICE DEPARTMENT

PURPOSE

The Jackson Police Department is empowered by law to preserve the peace, protect life and property and arrest violators of the law within the City of Jackson, Mississippi. To achieve this goal, the Department is required to maintain a sufficient force of qualified police officers. Due to attrition and increased demands for law enforcement services, it is necessary to establish and maintain an efficient, effective, and fair selection process for personnel at the position of entry level police officer.

POLICY

It shall be the policy of the Jackson Police Department and the City of Jackson, Mississippi, to establish and maintain a fair and impartial personnel selection process which is designed to identify and employ well qualified candidates for the position of entry level police officer. The process shall include application appraisals; written, oral, or practical exams; background investigations; drug tests; and a medical examination. The selection process is designed to test applicants' knowledge, skills, and abilities which would indicate their potential to perform

the duties of an entry level police officer. This process shall ensure equal opportunities for employment by utilizing validity, utility, and minimum adverse impact standards.

PROCEDURE

The selection process for entry level police officer in the Jackson Police Department includes various stages. Each step is designed to identify and to verify the qualities of candidates. As the candidate is processed successfully through one stage, he/she is advanced to the next until all portions of the process have been completed. If, however, a candidate does not satisfy the requirements of a given stage, his/her case shall be reviewed by an appropriate level of authority to determine whether the candidate can meet the requirements by conducting a more critical and intensive review of his/her case.

If a determination is made that sufficient disqualifiers exist which would preclude the candidate from receiving further consideration for employment as an entry level police officer, the applicant's file shall be forwarded to the Chief of Police who will review it and make a recommendation that the candidate be declared qualified or not qualified and forward the file to the Director of Personnel for approval.

If the applicant is declared qualified, the applicant shall continue to be considered in the same manner as other

applicants. If the applicant is declared not qualified, the applicant shall receive no further consideration. Provided, however, that an applicant who has been declared not qualified may reapply and/or receive additional skills, knowledge, and abilities have been acquired by the applicant to meet minimum qualifications.

The required steps in the selection process along with minimum qualifications are described below:

- I. Four file categories shall be established and maintained as means of grouping candidates according to their hiring potential.

- A. QUALIFIED

Each application received during the period specified in the job bulletin (before the expiration date) shall be placed in the file of qualified applicants.

- B. NOT QUALIFIED

A candidate may be declared not qualified at any stage of the selection process if a determination is made that the applicant has not and can not meet the minimum qualifications of an entry level police officer as established in the Announcement Bulletin. When a recommendation is made by the Chief of Police and approved by the

Director, Department of Personnel, that a candidate is declared not qualified, the candidate's application along with a signed and dated written explanation shall be placed in the not qualified file. Applications maintained in this file shall receive no further consideration, unless, the candidate meets the minimum qualifications within the time frame established for the selection of officers to be appointed and begin recruit class.

C. INCOMPLETE

The applications of those candidates who have not submitted all required information and/or documents shall be placed in the incomplete file along with a written report which specifies the outstanding information required for the file to be complete. All applications in the incomplete file shall be assigned to a Jackson city employee who shall make every effort to assist the candidate to obtain the required information and documents to make the application complete. When the material is received, the application shall be removed from the incomplete file and

placed in the qualified file. Processing of this application shall be removed from the incomplete file and placed in the qualified file. In the event that an application file remains incomplete up to the date of selection of persons to be appointed to begin recruit class, the file shall be placed in the not qualified file and treated the same as other applications in that file.

D. FURTHER CONSIDERATION

In some instances it may be apparent that measures may be taken to bring the applicant up to the minimum qualification. An example is - an applicant may be waiting to take the GED to meet the educational standard. In cases such as this, the candidate shall not be disqualified at that point. The application shall be placed in the further consideration file until such time as the minimum qualifications have been met. If the minimum qualifications are not met prior to the date of selection of officers to be appointed and begin recruit class, the application shall be filed in the not qualified file along with a written report containing the reasons therefor.

[Page 6 not provided by Jackson Police Department.]

III. APPLICATIONS

- A. The City of Jackson opened the application process for entry level police officer on June 13, 1991 and continued to receive applications until February 24, 1992 with a final total of 1,251 individuals expressing a desire to become an entry level police officer.
- B. Letters instructing all 1,251 applicants' to provide specific documents and other information were sent which established the two document verification days, March 13, 1992 and March 14, 1992.
 - 1. A total of 652 individuals responded in person those two days.
 - 2. A total of individuals responded in writing via Mail and are still ~~a~~ viable candidates for consideration for entry level employment as a police officer.
- C. Those applicants who fail to respond to the request for documentation verification on the above dates and those who fail to meet documentation verification standards shall be contacted by sending a letter to their last

one 25-

known address. The applicants shall be advised that they have failed to submit the required documentation to qualify for the position of entry level police officer. The correspondence shall contain necessary information to assist the applicant to meet minimum requirements.

IV. MINIMUM QUALIFICATIONS

The entry level for police officer shall require minimum qualifications based upon national standards and as recommended by the International Association of Chiefs of Police and the National Organization of Black Law Enforcement Executives.

The requirements are:

- A. U.S. Citizenship
- B. High School graduate or equivalent
- C. Resident of Jackson, MS. or Hinds County, MS. (must become a resident within six (6) months of appointment)
- D. 21 years old
- E. No conviction record or dishonorable discharge (Felony or serious misdemeanor. Less serious misdemeanor and traffic records will be viewed critically and on a case-by-case basis.
- F. ~~Visual Acuity 20/150 uncorrected, corrected to 20/20 etc.~~ *See attachment*
- G. Good Moral Character

The following conditions may be causes for rejection: Tumors, ulcerations, fistula, Tic Douloureux paralysis of central nervous system origin, ununited fractures of the maxillary bones, deformities of jaw interfering with speech, neurosis, or osseous cysts, chronic arthritis of temporomaxillary articulation or a history of recurrent dislocation of this joint.

The Mouth, Nose, Face, Pharynx, Larynx, Trachea, and Esophagus

These parts will be inspected by good light and if necessary reflected light in a dark room. When considered necessary. applicants will be required to have X-Ray of sinuses.

The following conditions may be causes for rejection: Malformations or loss of part of tongue or other defect of tongue interfering with speech, malignancy of tongue, marked stomatitis, salivary fistula, loss of nose or malformation or deformities thereof that interfere with speech or breathing, perforated nasal septum, nasal obstruction due to septal deviations, hypertrophic rhinitis, or other causes if sufficient to produce mouth breathing acute or chronic inflammation of the accessory sinuses of the nose, chronic atrophic rhinitis if marked and/or accompanied by ozena, malformation and deformities of the pharynx or sufficient degree to interfere with function, postnasal adenoids. interfering with respiration or associated with progressive middle ear disease, chronic laryngitis from any cause, aphonia, tracheotomy structure or dilatation of esophagus as determined by history of dysphagia???, perforated ear drums, chronic discharging ears, or a history of the latter of such intensity as to require extensive or prolonged treatment.

EYES

The applicant must be free from color blindness (minimum requirements reading primary color).

The eyes must be normal. Applicants must be able to read at least 20/60 in each eye without the use of glasses and must be able to read at least 20/20 in each eye with the use of glasses. Acceptable recognized visual tests will be used.

Applicants must be free from chronic or congenital diseases of the eye.

The following conditions may be causes for rejection: Chronic trachoma, chronic conjunctivitis, pterygium encroaching upon the cornea, complete or extensive destruction of the eyelids disfiguring cicatrices, adhesions of the lids to each other or to the eyeball, inversion or eversion of the lids, chronic blepharitis, chronic dacryocyst, chronic keratitis, ulcers of the cornea, corneal opacities sufficient to reduce visual acuity below

- H. Auditory Acuity (American National Standards Institute's scale)
- I. Current Drivers License - must obtain Mississippi license
- J. Background
- K. Pass Written Test
- L. Drug Test
- M. Oral Interview
- N. Physical Examination (Accepted National Standard)
- O. Psychological Exam

V. WRITTEN EXAMINATION

- A. All persons who submitted applications for the position of entry level police officer shall be permitted to take the written test.
- B. The written examination for entry level police officer was developed by Richardson, Bellows, Henry & Co., Inc. and is known as the Law Enforcement Candidate Record or LECR. This examination is the result of a multi-phase, multi-organization validation research investigation conducted by RBH which was performed to determine the relationship between scores achieved on the LECR and law enforcement officer job performance. This research is designed to be consistent to the fullest extent feasible with all documentation

requirements of the 1978 Uniform Guidelines on Employee Selection Procedures.

- C. Since use of this specific research program's unique design calls for the aggregation of data from multiple consortia of law enforcement organizations responding to the need for improved selection procedures as well as the provisions of the Uniform Guidelines, the Jackson Police Department shall become a member of one of the largest sample subgroups ever assembled for the purpose of law enforcement officer selection instrument development research.
- D. The Law Enforcement Candidate Record was designed to permit an investigation into the job-relatedness of scores on six tests as follows:
1. LECR Part I is a 70 item, timed test of verbal comprehension.
 2. LECR Part II is a timed test containing 45 multiple-choice arithmetic reasoning problems.
 3. LECR Part III is a 45 item, spatial analysis, or reasoning test.
 4. LECR Part IV is a number scanning test.
 5. LECR Part V is a memory, or recall, test in which applicants' review material in a

booklet and are then scored upon the most correct answers given in a timed situation.

6. LECR Part VI is an autobiographical questionnaire form specifically designed for this program which includes 185 items.

VI. BACKGROUND INVESTIGATION

Trained Sworn members of the Jackson Police Department are responsible for conducting well-documented thorough background investigations. The investigators are regular members of the Major Investigations Division and Special Investigations Division. Members of other units within the department who have received specialized training as background investigators also may be used. A refresher course will be given to all officers who will be conducting the investigations prior to beginning this assignment in order to ensure that the investigators are knowledgeable of current investigative procedures and to standardize their approaches to their inquiries. The background investigation is an objective, fact-finding process which results in an accurate record of the applicant's past conduct and behavior. This primarily will be accomplished by attempting to substantiate every major item on the application and personal history forms.

Another major part of the background investigation is to verify the candidate's qualifying credentials. The remaining portion of the investigation will include a comparison of the applicant's fingerprints by the FBI, a criminal records search, traffic records search, personal history review and interviews of references, relatives, and others who may share information relative to the applicant's qualifications. Specific elements of the background investigation which center upon the verification of documents and other data provided by the applicant include:

A. Education:

Applicants must possess either a high school diploma or GED certificate prior to appointment to the academy. Lack of such certification at the time of the initial application is not a disqualifier. However, the applicant is required under state law to have either a high school diploma or GED certificate before entering the training as an entry-level police officer.

B. Citizenship:

Applicants must provide documentation which verifies that he/she is a citizen of the United States. The background shall indicate if anything was discovered to indicate renunciation or

forfeiture of citizenship. Non evidence of citizenship would be a disqualifier.

C. Residence:

Applicants must reside within Hinds County or the City of Jackson at the time of appointment to the academy or move within the County or City within six (6) months after beginning employment.

D. Birth Verification

Applicants must provide a certified copy of their birth certificate prior to being appointed to the academy. Failure to do so would be a disqualifier.

E. Employment Inquiry:

Applicants' employment history will play a vital role in developing an indication as to their character, reputation, integrity, emotional stability, and work ethic. Substantiated records of disciplinary problems or verified evidence of repeated firings will be investigated and may be considered as a disqualifier.

F. Military Service:

Applicants must provide evidence of an honorable discharge from military service if applicable. Any report of a dishonorable or less than honorable discharge will be handled on a case-by-case basis to determine if there is evidence of

anything which might provide a direct bearing on the individual's character, truth, and veracity. This "may not" be a disqualifier.

G. Credit Reputation:

While not a disqualifier, the applicant's credit reputation is a vital indication of his/her ability to live within their means based upon their level of income. Further, this serves to disclose an applicant's credit problems prior to entry into the academy.

H. Name Change:

While not a disqualifier, the applicant's legal name is of importance in the proper conduct of further background investigative process and procedures.

I. Marital Status:

While not a disqualifier, the applicant's marital status is investigated to substantiate the data provided on the initial application form and to determine accuracy in terms of the applicant's reporting of personal history.

J. Family History:

The applicant's family history serves as a basis for determining if there are any incidents in the past relating to the applicant, or relatives, that would reflect adversely of the City of Jackson or

the Police Department.

K. Police and Criminal Records:

Both City policy and State prohibit the hiring of anyone convicted of a felony as a law enforcement officer. Further, State Law prohibits the hiring of someone with any record of crime or misdemeanor which reflects evidence of any infraction involving moral turpitude which in and of itself represents the act of baseness, vileness, or the depravity in private and social duties which man owes to his fellow man, or to society in general. Evidence of felony convictions, as well as specific misdemeanor infractions, are disqualifiers under the law.

L. Neighborhood Investigation:

Applicant's reputation within their home neighborhood is generally accepted as a means to measure integrity, loyalty, evidence of good character, and whether or not individuals residing within the applicant's home neighborhood would recommend the individual for a responsible position with the Jackson Police Department.

M. References:

References listed on the application will be interviewed to determine the applicant's

character, reputation, integrity, associates, and loyalty. Negative reports may serve as a disqualifier on a case-by-case basis. When and where possible, investigators conducting the background investigations shall attempt to locate a minimum of one (1) unreported reference to be developed by the investigator.

VI. DRUG TEST

Applicants for police recruit positions shall be subject to drug testing which will be conducted by a licensed medical facility. Such facility will be selected by the City of Jackson (City). The City will also pay for the cost of the initial drug test. The drug testing shall comply with the standards, procedures, provisions, and guidelines pursuant to the authority expressly conferred by the laws of the State of Mississippi in Senate Bill No. 2172 of 1991, hereinafter referred to as "the Act".

At this time, it appears highly likely that drug testing of police recruit applicants will be done prior to -- and independent of -- the medical evaluations which will be conducted after offers of employment have been made to police recruit candidates. However, the City does reserve the right to make drug testing a part of the medical evaluation process. Once the City has satisfied all of the drug testing requirements specified in "the Act", those police recruit candidates who fail the drug test will be ineligible for further consideration in the upcoming police recruit class. They will be sent written notice to that effect.

APPLICANT INTERVIEW:

Members of the Jackson Police Department have been trained to conduct interviews for candidates applying for the positions of Police Officers. The members selected will receive refresher courses on interviewing techniques prior to the beginning of the applicant interview process.

All interviewers will adhere to the same general format with all applicants during the interview process to ensure the appropriate questions are asked and to clarify questions that are related to the applicants' qualifications. Such clarification will be appropriate to provide the most accurate rating of each individual interviewed. Interviewers will not ask questions that are not related to the job requirements.

Interviewers will be required to become thoroughly familiar with the applicant's file before the process begin. This will allow for the availability of a greater depth of information on the incoming applicant.

A. General Guidelines

The general guidelines of the Applicant Interview will include:

1. Training

Each interviewer will be properly trained prior to the interview process.

2. Questions

The use of standard questions will be used to make meaningful comparisons between applicants.

3. Panel

A panel of interviewers will be utilized to lessen the opportunity for personal prejudices and personality conflicts to interfere with selections.

During this process, it is important not to ask questions or make inquiries into areas that could give the implication of discrimination. Such areas are race, color, religion, sex, national origin, age, marital status, handicap, financial status (credit rating, ownership of home or car), or any questions that are not job related. Only questions pertaining to qualifications that can be equated to a bona fide occupational qualification (BFOQ) will be entertained.

VII. ELIGIBILITY LIST

VIII. TENTATIVE SELECTION

IX. MEDICAL EXAMINATION

Subsequent to an employment offer, each police recruit candidate will be required to undergo and successfully pass a medical evaluation. The medical evaluation will be conducted by a licensed medical physician whom will be chosen by the City of Jackson (City). The City will pay for the cost of the initial medical evaluation. Police recruit candidates who fail the medical evaluation will be ineligible for further consideration as a viable candidate in the upcoming police recruit class. Such candidates will be sent written notice to that effect.

The physician will also be responsible for developing pass/fail standards, medical evaluation form, medical history questionnaire, and any other necessary document to be used in this process. In achieving this objective, the physician will use the minimum standards and medical history questionnaire which were developed by the Board on Law Enforcement Officer Standards and Training as a guide. Additionally, all applicable provisions of the Americans With Disabilities Act of 1990 (ADA) will be considered by the physician in developing the standards and documents to be used.

X. UPDATE BACKGROUND & APPOINTMENT

This is a most important stage of the pre-employment process for all entry level police officers. Phase I will consist of a final review and update of all background information and an investigation into the applicant's suitability for further consideration based upon an inquiry to be conducted within two (2) days prior to the actual academy posting and appointment. An emphasis will be placed on conducting another NCIC search and a criminal records check to determine whether or not any activities or actions by the applicant would disqualify him/her at this time. Once the update background has been conducted to the satisfaction of the Chief of Police, Phase II shall be appointment of the applicant to the recruit training class at the Police Academy.

Adopted 5-27-92

The following proposal to amend Civil Service Rule VI, Section 7--Eligible Lists and Section 8--Vacancies pertaining to the entry-level procedures in the Police Department and Fire Department was introduced to the Commission. The proposed changes are identified below as the portions which are underlined:

***Section 7--Eligible Lists**

1.2 As soon as practicable each formal, structured examination procedure for entrance or promotion, an eligible list shall be established by the Commission of candidates who have been duly qualified in order of merit and fitness. When two or more eligible applicants/candidates shall have the same final scores, priority of filing applications shall determine their respective standing on the eligible list; and if this is the same, then alphabetically.

1.2A Composition of the eligibility list with regards to the Police and Fire Departments entrance requirements to fill vacancies will be as follows:

Those applicants who satisfactorily complete the selection system will be placed on the eligibility list in the order of their lottery numbers which were assigned to them. The first candidate on the eligibility list will be the candidate's name drawn first and, therefore, for whom the number one (1) was assigned, or the number closest to one in numerical order in the event candidate number one (1) was disqualified earlier in the selection process. Each subsequent candidate on the eligibility list will occupy a position based on the ascending numerical order of the number drawn for him/her in the lottery.

Section 8--Vacancies

1.1 When vacancies occur, the appointing authority shall, in the manner prescribed in Rule VII, select the employee to be considered for the position from the names of the three (3) eligibles with the highest standing on the appropriate eligible list. Should the appointing authority be of the opinion that neither of the top three (3) should be considered, he may select from the fourth and fifth after a written explanation has been finished to and accepted by the Commission detailing justification as to why neither of the top three (3) eligibles were acceptable.

This rule applies to all departments with the exception of the Fire and Police Department entrance requirements to fill vacancies. The City of Jackson will implement a random selection system commonly referred to as a "lottery". In the lottery system, the names of firefighter or police officer candidates will be placed in a secure container. One name at a time will then be blindly drawn under the supervision of the Commission in a public setting. A number will be assigned to each name drawn in ascending numerical order, beginning with number one (1). The candidate will maintain this number throughout the selection process until the eligibility list expires. As the City of Jackson executes the various components of the system, each candidate will be processed based on his/her assigned number. In the event a candidate is disqualified, his/her name and number will be withdrawn. All appointments to vacant entrance positions in the fire and police departments shall be made from the remaining candidates on the list in the ascending numerical order of the list.

1.2 If more than one vacancy is to be filled, the Commission shall certify an additional eligible for

I. POLICE KNOWLEDGE

1.1	<u>Patrol Operations</u>	<u>Current Requirements</u>	<u>JPD</u>
1.1.1	History of the Criminal Justice System	3	3
1.1.2	Ethics	1	3
1.1.3	Law Enforcement Officer Rights	2	3
1.1.4	Police Image	1	1
1.1.5	Crime Prevention	2	2
1.1.6	Stop and Approach	12	12
1.1.7	Radio Communications	2	9
1.1.8	Reporting Incident, Use of Force, Etc.	18	34
1.1.9	Service of Process	2	2
1.1.10	Cultural Awareness, Human Relations	10	12
1.1.11	Handling the Mentally Ill	3	3
TOTALS		56	82

1.2	<u>Basic Criminal Investigation</u>	<u>Current Requirements</u>	<u>JPD</u>
1.2.1	Crime Scene and Forensic Services	20	32
1.2.2	Basic Investigative Matters	8	8
1.2.3	Narcotics Investigation	3	3
TOTALS		31	43

1.3	<u>Traffic</u>	<u>Current Requirements</u>	<u>JPD</u>
1.3.1	Rules of the Road	6	6
1.3.2	DUI Law, Detection, Field Sobriety	6	6
1.3.3	Accident Investigation	16	18
1.3.4	Traffic Control, Roadblocks	6	6
1.3.5	Intoxilyzer Certification	8	8
1.3.6	Radar Certification	16	16
TOTALS		58	60

1.4	<u>Basic Law for Law Enforcement Officers</u>	<u>Current Requirements</u>	<u>JPD</u>
1.4.1	Evidence, Arrest, Search and Seizure	18	18
1.4.2	Mississippi Criminal Statutes	20	20
1.4.3	Juvenile Law and Procedure	6	6
1.4.4	Civil Liability and Use of Force	6	9
TOTALS		50	53

2. POLICE SKILLS

2.1	<u>Mechanics of Arrest</u>	<u>Current Requirements</u>	<u>JPD</u>
2.1.1	Physical Fitness and Conditioning	22	22
2.1.2	Subject Control Techniques	44	44
2.1.3	Officer Survival/Crisis Intervention	32	32
TOTALS		98	98

2.2	<u>Testimony In Court</u>	<u>Current Requirements</u>	<u>JPD</u>
2.2.1	Courtroom Procedures and Techniques	2	2
2.2.2	Moot Court	4	4
TOTALS		6	6

2.3	<u>Firearms Training</u>	<u>Current Requirements</u>	<u>JPD</u>
		52	52
2.4	<u>First Aid, CPR, HIV/AIDS</u>		
		14	14
2.5	<u>Driver Training</u>		
		22	22
2.6	<u>Administrative Time</u>		
		13	13

SUB TOTALS	400 HOURS	440 HOURS
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The Jackson Police Department not only meets and exceeds the state mandated curriculum, but offers the following courses in addition to the previously listed requirements:

3. ADDITIONAL CURRENTLY OFFERED COURSES

<u>3.1</u>	<u>Courses</u>	<u>Hours</u>
3.1.1	Oral and Written Communications (Taught by Hinds Community College)	48
3.1.2	Domestic Violence and Assault	8
3.1.3	OC Spray Certification	4
3.1.4	Precinct Commander Time	2
3.1.5	Computers Procedures	4
3.1.6	City Safety/Driver's License	4
3.1.7	Critical Incident Management	6
3.1.8	Equipment Issues	4
3.1.9	Public Speaking	6
TOTAL		78 HOURS
CUMULATIVE TOTAL		518 HOURS

4. SUGGESTED COURSE ADDITIONS

<u>4.1</u>	<u>Courses</u>	<u>Hours</u>
4.1.1	Additional Administrative Time	8
4.1.2	Community Policing	16
4.1.3	Sudden In-Custody Death Syndrome	4
4.1.4	Stress Management	4
4.1.5	Family Day (Financial Mgmt., Career Benefits, Etc.)	6
4.1.6	Ethics and Professionalism	4
TOTALS		42 HOURS
GRAND TOTAL (14 WEEKS)		560 HOURS

BASIC LAW ENFORCEMENT TRAINING CURRICULUM

ADOPTED - July 1981; REVISION HISTORY - January 1989 & November 1993

1 POLICE KNOWLEDGE		HOURS
1.1 <u>Patrol Operations</u>		
	1.1.1 History of the Criminal Justice System	3
	1.1.2 Ethics	1
##	1.1.3 Law Enforcement Officer Rights	2
	1.1.4 Police Image	1
	1.1.5 Crime and its Prevention	2
##	1.1.6 Stop and Approach	12
	1.1.7 Basic Radio Communications	2
##	1.1.8 Use of Force and Incident Reporting and Documentation	18
	1.1.9 Service of Process	2
##	1.1.10 Cultural Awareness and Human Relations	10
##	1.1.11 Handling the Mentally Ill	3
		<u>56</u>
1.2 <u>Basic Criminal Investigation</u>		
##	1.2.1 Crime Scene and Forensic Services	20
	1.2.2 Basic Investigative Matters	8
	1.2.3 Narcotics Investigation	3
		<u>31</u>
1.3 <u>Traffic</u>		
##	1.3.1 Rules of the Road	6
##	1.3.2 DUI Law, Detection and Field Sobriety	6
	1.3.3 Accident Investigation	16
	1.3.4 Traffic Control and Roadblocks	6

††	1.3.5	Intoxilyzer	8
	1.3.6	Radar	<u>16</u>
			58
	1.4	<u>Basic Law for Law Enforcement Officers</u>	
	1.4.1	Evidence, Arrest, Search and Seizure	18
	1.4.2	Mississippi Criminal Statutes	20
	1.4.3	Juvenile Law and Procedure	6
	1.4.4	Civil Liability and Use of Force	<u>6</u>
			50
	2	<u>POLICE SKILLS</u>	
	2.1	<u>Mechanics of Arrest</u>	
	2.1.1	Physical Fitness and Conditioning	22
††	2.1.2	Subject Control Techniques	44
††	2.1.3	Officer Survival and Crisis Intervention	<u>32</u>
††			98
	2.2	<u>Testimony in Court</u>	
	2.2.1	Courtroom Procedures and Techniques	2
	2.2.2	Moot Court	<u>4</u>
			6
††	2.3	<u>Firearms Training</u>	52
††	2.4	<u>First Aid, HIV/AIDS Awareness and CPR</u>	14
††	2.5	<u>Driver Training</u>	22
	2.6	<u>Administrative Time</u>	<u>13</u>
††††		TOTAL CLASS LENGTH (ten weeks)	<u>400</u>

Appendix I

Survey of Training Complaints

- * There is no budget planning for training. Would like to be a part of process.¹
- * Some officers are deficient in basic law enforcement procedures and report writing.²
- * JPD overall is an untrained and undertrained police force. There are some officers who have not had training for 15-20 years since they received their basic training.³
- * There are no procedures in place to routinely assess the training needs of officers.⁴
- * JPD's police training is designed to oppress. It is traditional and outdated. The city's increase in crime and citizen complaints is directly related to JPD's outdated mode of operation and the department's inability to solve crime.⁵
- * JPD officers have not been trained to solve crime.⁶
- * Training program places too much emphasis on physical fitness.⁷
- * Training programs needs to address cultural and diversity training strategies and establish community oriented policing training.⁸
- * Veteran police and upper level management need extensive training.⁹
- * Officers need more report writing classes.¹⁰
- * Ongoing inservice training needs to be provided and expanded.¹¹
- * Very dissatisfied with FTO training; there is no coordination between what is learned in recruit training and FTO training, and there is not enough knowledgeable veterans to train and mentor younger recruits during FTO.¹²
- * Training staff is not qualified.¹³
- * City officials have no real commitment to training.¹⁴
- * Training curricula should be evaluated routinely.¹⁵

¹ G B. Cumberland, captain, Jackson Police Department, Apr. 5, 1996.

² John Moore, police officer, interview, Apr. 24, 1995.

³ Jimmy Wilson, interview, Jan. 23, 1995.

⁴ Joe Austin, interview, Apr. 5, 1995.

⁵ Dr. Jimmy Bell, interview, Aug. 28, 1992 and Mar. 21, 1994.

⁶ Ibid.

⁷ Jessie Lumpkins, patrol officer, interview, Apr. 5, 1995; John Moore, interview, Apr. 24, 1995.

⁸ Bracy Coleman, deputy chief, interview, Apr. 6, 1995; Dr. Jimmy Bell, interview, Mar. 21, 1994.

⁹ Robert Johnson, Police Chief, interview, Apr. 6, 1995.

¹⁰ John Moore, interview, Apr. 24, 1995.

¹¹ Terry Hensley, city administrator, interview, Apr. 4, 1995.

¹² John Moore, interview, Apr. 24, 1995.

¹³ Dr. Jimmy Bell, interview, Aug. 28, 1992; Mar. 21, 1994; Jimmy Wilson, interview, Jan. 23, 1995.

¹⁴ Jimmy Wilson, interview, Jan. 23, 1995.

¹⁵ Cleon Butler, deputy chief, Investigative Operations, interview, Apr. 5, 1995.

- * Officers need more financial incentives from the city to go back to school. The department does not encourage officers to continue their education, they will pay only up to \$500 for tuition.¹⁶

¹⁶ John Moore, interview, Apr. 24, 1995.

Appendix J

MEMO

To: Farella Robinson
From: Gary Hill
Subject: Jackson, MS
Date: April 7, 1995

As you know, one does not spend less than two days in a city and become anointed with instant knowledge of what the problems, needs, strengths or weaknesses are. Therefore, what follows is a brief summary of my thoughts and some suggested activities and questions for the Advisory Committee to consider.

My general feelings (most of which you already know) break down as follows:

I. Police Department Training

- A. Though the general curriculum is dictated by the State, the specific subject matter and way it is taught is left up to the Department. In visiting with the officer who has written or acquired most of the material (Austin) I got the impression that he has generally worked in a vacuum and has not been able to explore different approaches to presenting the material nor even different types of material to present.
- B. I was most concerned with the fact that with the exception of the Chief, few (including the Deputy in Charge of Training - Cumberlin) knew much of the details of what was taught and how or even what the overall goal of the training was. Though most indicated that "the Chief felt training was a priority," few seemed to have done their homework to help the process along.
- C. The training department (like the rest of the department) had no apparent control over their budget and no input in its development. There was, at all levels except the new Chief, a seeming fatal acceptance of this to the point that it did not seem to be a big deal. Though the desire for more resources was mentioned, the Training Academy turned about \$130,000 back to the general fund (money received from training others from jurisdictions outside of Jackson).
- D. Individual officers (I talked to six different ones about this) could not relate the Academy training they received to specific skills on the street. They could relate other training they had received to things like knowledge of laws, etc. but not the practical aspects of their work such as proper use of the PR24 (baton). In cases where they talked about initial training, the manner of presentation left little time for practice and some items that called for re-certification were not re-certified later when the officers were on the street.
- E. Even those officers I visited with who had been out of the Academy only a short period of time could not answer fairly simple questions about the mission of the department or their place in it or any details of the Consent Decree or what the

new administration saw as priorities. That means that either these subjects were covered very quickly, or poorly, or they were not covered. Even items as to pay ranges, which were in a booklet handed to us and labeled as basic information for the Trainees, seemed beyond the knowledge of most officers -- including administrative personnel.

- F. Though the Command staff talked about Community Policing (or "Impact Policing"), which they generally explained in terms that meant knowing the people on the beat or "providing services," only the Chief tied it into a total concept of an officer not only saying "hi" and offering help, but being allowed to help insure that the service was provided or at least getting back to the citizen letting them know what happened.
- G. The process of coaching (use of Field Training Officers "FTO") to involve trained, senior officers in helping new personnel learn the job has been introduced, but the formal class has not yet been given. What concerned me in this very useful and important area was that even the Command staff did not seem to understand the concept and some officers had already been filling out paperwork associated with the process -- but had no idea what the process was. This is another indication of a lack of training, and also a lack of communications among senior personnel who will have the ultimate responsibility of making sure it is properly implemented.
- H. One of the most important issues from a training standpoint was not mentioned by staff nor even the officers directly. They may not have been aware of it as a training issue. That is the amount of times officers (especially in Divisions 2 and 3) are involved in physical struggles with those they wish to arrest or question. Four (I believe) officers have been shot and one killed during the last year -- that is an unacceptable number and that number did not come from drug dealers lying in ambush. I will not speculate on the number of homicides for the city this size being part of a training/response/enforcement issue -- but it does need to be looked at. Officers who worked Division 3 (the only one I spent much time with) were very clear of their pride that they were hand picked and young "with young legs" so they could chase down suspects. Just about every officer I talked to had been in a fight with suspects, and most officers indicated several such incidents. It seemed almost the accepted mode of operation. Though some felt that when they got pepper gas they would be better able to handle potentially difficult situations without having to fight, few indicated they had received adequate training in sizing up the situation or communications away from violence (what the Sheriff's Department called "Verbal Judo").

II. General Personnel Issues

- A. Few officers seemed to know how the hiring, promotion or screening process took place. Even senior staff were quick to point out that the last process was flawed but each indicated that "they were not involved in it." Senior staff and officers alike seemed to blame the "Consent Decree." Black officers thought the process

was flawed but necessary, but even they had no idea how the process worked or what the Consent Decree demanded. White officers seemed to feel the process was very unfair and also blamed the Consent Decree, but could not say what the Consent Decree demanded. Ignorance, in this case, is not bliss -- it is what seems to be sabotaging the process and the staff morale along with it. It was interesting that some of the white officers I was with felt very threatened by having to be on the streets "with unqualified" personnel who were promoted or hired above "qualified" personnel -- yet the specific black officer they were working with was the "exception" and was OK to work with and to have protecting your back. The major complaint seemed to be general rather than about specific, unqualified people who had been hired.

- B. The lack of knowledge of individual benefits, salary ranges, etc. is troubling in any organization. In the Jackson Police Department it is devastating. All talked about the need for more money, but few could compare their wages with those of comparable positions in the community.
- C. There was no apparent systematic process for evaluating the work of an officer. Though Internal Affairs could be called to find fault and officers could have negative items placed in their personnel file, only by accident could they have good reports filed about their work by a superior officer. With no evaluation process, it was difficult for officers to figure out any way other than good connections for getting promoted.

III. Communications

- A. From top to bottom, communications seemed very problematic. Though all could explain how information was passed from the top down and from the bottom up, it was generally informal, performed by happenstance and, from the above observations, not very effective. It must be noted that the political leadership, let alone the general public, cannot be expected to support new directions or to react fairly to situations if the officers and command staff cannot even explain them.
- B. It would be helpful if some very simple, preferably one-page sheets, could be made up for distribution to the officers (and the public) which explain:
 - 1. The purpose of the Consent Decree and how it is being implemented and also what it does not mean or do
 - 2. The mission statement of the Jackson Police Department
 - 3. The philosophy of and plans for operation of community policing
 - 4. The Code of Ethics of the department

IV. Juvenile Detention

- A. Without going into detail, let me summarize by saying that from both appearances and in talking to the staff, there is no understanding of how to do their job or even what their job is. I can only suggest that until such time as the facility is taken over and operated by another entity (i.e. the Sheriff's Department) the entire staff be sent to the 160 training course of the Sheriff's Department and that they be

involved in the on-going training available through them. I would further suggest that management personnel from the Sheriff's Department be contracted to help establish the Standard Operating Procedures, supervision of staff protocols and general inmate rules.

V. Downtown and Raymond Jails

A. The process is in place to self-inspect and correct and/or improve. From a human rights standpoint I will only mention two items (both of which the Sheriff's personnel are aware of):

1. That in the Raymond facility some solution be found as quickly as possible to holding women in initial intake cells where they are only seen by a staff person once every 45 minutes or so. This is a very critical time, emotionally, for many people -- the trauma and shame of arrest, etc. -- and is a prime time for attempted suicide or self-injury or to suffer the effects of some diseases or drugs. Visual contact should be maintained at intervals of no less than 15 minutes.
2. The contract (by the County Supervisors) for the provision of phone services could be the source of lawsuits. Without checking, I have the impression that calls are expensive and the charge borne by families of inmates who are least able to pay much beyond the normal cost of phone service. For example, I think a local call from the downtown jail is about 85¢ and my hotel (the best in Jacksonville) only charged me 50¢. In addition, the profit goes back to the general fund controlled by the County Supervisors and not into any type of inmate welfare fund.

Again, let me reiterate that the majority of the above came from some very quick observations and some very superficial conversations. Also, I have listed only the negatives and none of the positives, of which there were many. My *gut level* on the Jackson Police Department is that the new Chief is very capable and experienced and when given the cooperation of the Mayor and Council and control (within sound administrative oversight) over the establishment of his budget, that he can help bring the Police Department to the professional level the citizens would like to see.

It is my suggestion that, the Advisory Council during the hearings ask some of the following questions:

To the Mayor, City Council and Non-Police Administrative Officials:

1. Besides general oversight, who has Administrative and Operational Control over the Police Department? (I am hoping that the answer is the Chief).
2. If the Chief, is he and his staff involved in the budget process and how much control do they have over the funds allocated to them?
3. Can you directly intervene in causing action to be taken on an individual police officer, such as having him or her fired, removed from specific duties, promoted, transferred? If

no, how do you make your concerns known if you have received complaints against a specific officer?

4. Can you explain the Consent Decree and how it is being implemented?
5. Do you have any personal feelings about the Consent Decree and how it is being implemented?

To the County Supervisors:

1. Can you explain the contract the jail has for inmate phone service and how much profit is made from that service and how the profit is used?

To the Police Officials:

1. Can you tell us the overall mission statement of the department?
2. From a financial standpoint, can you tell us what portion of the budget is currently allocated to training and whether you feel it is adequate?
3. Can you describe what is meant by Community Policing and if you intend to implement it in Jackson?
4. Can you tell us how many officers are involved in physical scuffles with suspects and what training and procedures you have to minimize the risk of physical confrontation to both officers and citizens?
5. Can you tell us the procedure for evaluating the performance of an officer?

General Questions for any witness:

1. What do you think the public perception is of the police department?
2. What do you think the average police officer's perception is of public support for them and the job they do?
3. Explain the process a citizen follows to file a complaint involving police personnel and how that complaint is tracked and the citizen informed of the results. How is the accused police officer informed of the complaint, the investigation of that complaint and the result?
4. How has the media reporting of crime been? (i.e. accurate, good, negative, biased, etc.)
5. How has the media reporting of police activities and changes been?
6. Who gives the police recruits their initial orientation lecture -- i.e. "Welcome to the force, etc."-- and what are they told about the mission, importance of the job, responsibilities, etc.? Is that lecture written so all recruits are given the same message?
7. What is the primary job of a police officer?
8. Can you give us a brief summary of the refresher training that all officers are given on an annual basis?
9. Can you tell us what type of specific support you get from citizen groups?
10. Can you tell us what types of training or information exchange on training and police techniques you get from law enforcement agencies within the State of Mississippi? What about from outside the State?

Appendix K

Police Department
Robert L. Johnson, Chief of Police



327 East Pascagoula Street
Post Office Box 17
Jackson, Mississippi 39205-0017
Telephone 601-960-1234

Kare Delle
Mayor of the City of Jackson

Jackson City Council
Demi Anglin, Ward 1
Louis E. Armstrong, Ward 2
President
Kenneth L. Stokes, Ward 3
Credell Calhoun, Ward 4
E.C. Foster, Ward 5
Marcia Weaver, Ward 6
Vice-President
Margaret Carroll Barrett, Ward 7

May 26, 1995

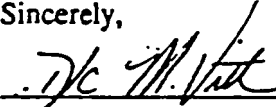
Ms. Faylia Robinson
U. S. Commission on Civil Rights
Central Regional Office
Gateway Tower II
400 State Avenue, Suite 908
Kansas City, KS. 66101-2406

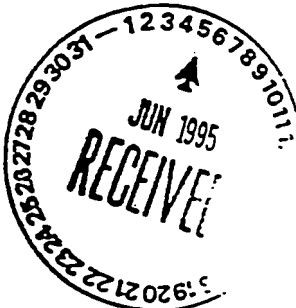
Dear Ms. Robinson

Per your request, please find enclosed copies of the documents that you requested from me. I should inform you that these documents come from this department's general orders and from training material obtained by me from the training school that I attended on Internal Affairs investigations.

If I can be of further assistance, please feel free to call on me.

Sincerely,


Deputy Chief Michael A. Vitt
Special Investigations
Technical Services Divisions



HANDLING OFFICER MISCONDUCT DEPARTMENT'S PURPOSE

The purpose of this policy is to improve the quality of police services. This is accomplished in three ways.

1. First, through the provision of meaningful and effective complaint procedures, citizens confidence in the integrity of police actions increases and this engenders community support and confidence in the police department.

Improving the relationship between the police and the citizens they serve facilitates police-citizen cooperation, an element vital to the department's ability to achieve its goals.

2. Disciplinary procedures permit police officials to monitor officers' compliance with departmental procedures. Adherence to departmental procedures assists officers in meeting departmental objectives and a monitoring system permits managers to identify problem areas in which increased training or directions is necessary.

3. The third purpose is to clarify rights and ensure due process protection to citizens and officers alike. Heightening officer awareness of the rights afforded them when charged with misconduct will increase the appreciation of the comparable rights afforded citizens accused of a crime.

In light of these purposes, the objective of this policy is to provide the citizens with a fair and effective avenue for redress of their legitimate grievances against law enforcement officers, and by the same token, to protect officers from false charges of misconduct or wrongdoing and provide accused officers with due process safeguards.

GENERAL ORDER

JACKSON POLICE DEPARTMENT



ISSUE DATE:

JULY 1, 1992

NO.

200-3

REFERENCE:

Supercedes all prior departmental directives on this subject.

SUBJECT: INVESTIGATION OF EMPLOYEE MISCONDUCT

POLICY

The department will investigate all incidents of alleged misconduct brought to its attention. In addition, all officers and employees, regardless of rank, assignment or function, are required to cooperate in the investigation of complaints.

1 TYPES, CLASSES AND DISPOSITIONS OF COMPLAINTS

Types of Complaints

- a. Formal Complaints: Complaints in writing, signed and notarized by a complainant or made by a peace officer.
- b. Informal Complaints: Oral complaints, or written complaints that are not signed by a complainant.

Classes of Complaints

- a. Class I: Complaints that allege violations of federal or state laws or local ordinances, as well as allegations of excessive force (i.e., allegations of being hit, slapped, kicked or struck with any object, causing pain and/or visible signs of bodily injury).
- b. Class II: Complaints that include allegations of a less serious nature but which concern violations of departmental policy.

Dispositions of Complaints

- a. Unfounded: Allegation is false or not factual.
- b. Exonerated: Incident occurred but was lawful and proper.
- c. Not Sustained: Insufficient evidence to either prove or disprove the allegation.

- d. Sustained: Evidence is sufficient to prove the allegation.

Each allegation listed in a complaint will receive one of the above disposition designations. Any sustained allegation, regardless of its classification, may form the basis for disciplinary action.

2 PROCEDURES

Officers

All complaints coming to the attention of an officer will be brought to the attention of the officer's immediate supervisor, who will then notify the division commander. The Officer's immediate supervisor will then contact the Internal Affairs Unit.

Officers who receive information about or observe incidents involving unnecessary or excessive use of force, violations of criminal statutes, misconduct or abuse of authority by any other officer will first take immediate actions to protect the citizen. All such incidents will be reported through the chain of command to the Internal Affairs Unit. If there is a need to protect the confidentiality of the information, the reporting officer may bring the matter directly to the Internal Affairs Unit.

SUPERVISORS

All complaints (except as provided below) will be referred to a supervisor, who will record all such complaints and forward them as provided by this General Order. When receiving complaints, supervisors shall follow the steps given below:

- a. Supervisors should accept complaints on incidents that occurred within the preceding 30 days. For complaints older than 30 days, the complainant will be referred to the Internal Affairs Unit. The Chief of Police will decide whether or not to accept a complaint that is more than 30 days old.
- b. Supervisors will accept complaints from persons other than the aggrieved party to an incident. Any question about the acceptance of a complaint from such a third party should be referred to the Internal Affairs Unit. The officer in charge of the Internal Affairs Unit or the Chief of Police may decide whether or not to accept a complaint from persons other than the aggrieved party to an incident.

- c. Supervisors will record complaints on the Jackson Police Department Record of Complaint form. Upon receipt and recording of complaints, supervisors will immediately forward them to their division commander, who will then forward them to the Internal Affairs Unit.
- d. Upon receipt of a serious Class I complaint or a complaint in which a lapse of time would hinder the investigation, a supervisor will immediately notify Internal Affairs Unit or the Internal Affairs Division duty officer, either by telephone or in person.
- e. After completing an assigned complaint-investigation, supervisors will forward all gathered facts stated clearly and concisely in their written report to the next level of supervision which will assign a classification recommendation.

Internal Affairs UNIT

- a. The Internal Affairs Unit will record, classify and coordinate records of all types and classes of complaints made to the department. Any type or class of complaint may be made to and taken by the Internal Affairs Unit.
- b. The Chief of Police, or the commander of the Internal Affairs Unit may designate a complaint as "confidential" and may restrict access to the file of the investigation to only those persons he deems necessary. The Chief of Police will be notified when a complaint is designated confidential and may review any file at his discretion. All Internal Affairs reports and records will be maintained in the office of Internal Affairs and kept locked in a fire proof file when not being worked on or reviewed.
- c. All Class I allegations against a departmental employee (civilian or classified) will be investigated by Internal Affairs unless otherwise deemed appropriate by the Chief of Police.

- d. All Class II allegations against a departmental employee (civilian or classified) will be investigated by the division to which the employee is assigned unless otherwise deemed appropriate by the Chief of Police or the commander of Internal Affairs.
- e. If an officer or employee is the subject of a complaint the employee will be notified that a complaint has been received. If the complaint is designated "confidential," the officer or employee will not be notified.
- f. Internal Affairs will serve as a fact-finding unit when so designated by the Chief of Police. In addition to its fact-finding role, the Internal Affairs will assist in the determination of whether policy or procedures were violated.
- g. The Internal Affairs Unit will notify all complainants of the final disposition of all complaints received by the department.
- h. The Internal Affairs Unit will notify an officer of the disposition of a complaint against him upon receiving the final decision from the Chief of Police. If a complaint had been deemed "confidential," notification will be made at the discretion of the officer in charge of the Internal Affairs Unit or the Chief of Police.
- i. All internal affairs investigations will be completed within (30) days. A status report shall be made at least every seven (7) days. The Chief of Police or Commander of the Internal Affairs Unit may require progress reports regarding any investigations of a complaint being conducted by a functional unit of the department be submitted to him at any frequency he desires.
- j. The Chief of Police or the commander of the Internal Affairs Unit may, at his discretion, order the transfer of any investigation regarding alleged-misconduct complaints against officers or employees to the Internal Affairs Unit.

- k. The Chief of Police may temporarily transfer to the Internal Affairs Unit any officer or employee to work on or aid in the investigation when special investigative skills, knowledge or abilities are possessed by that person. After the temporary assignment, the officer or employee will return to his previous assignment or an assignment agreed upon by the officer or employee and the Chief of Police if returning to the original assignment would have an adverse effect on the career or welfare of the transferred officer or employee.
- l. The Deputy Chief of Professional Standards is responsible for a weekly case status report to the Chief of Police unless circumstances require earlier notification, cases involving significant damage, injury, or death will require immediate notification. Cases alleging involvement of employees in criminal violations will require immediate notification.

3 INVESTIGATION OF OFFICER MISCONDUCT

Requirement to Answer Questions

An officer can be required to answer questions relating to his duties and can be disciplined with measures up to and including dismissal for refusal to answer such questions. Any such required statements may be used against the officer in a disciplinary action or other civil proceeding. If the officer inquires, he must be told the identities of all investigators taking part in an interview. The investigator may not threaten the officer with punitive action during an interview but may inform the officer that failure to truthfully answer reasonable questions directly related to the investigation or to fully cooperate in the conduct of the investigation may result in punitive action. If either the investigator or the officer intends to record the investigation, prior notification must be given to the other party.

Time and Place

The officer may be interviewed only during his normal duty-hours; unless the Chief of Police or his designee determines that the seriousness of the investigation requires interrogation at another time. The officer is paid overtime for that period. The Chief of Police may not hold the officer responsible for normal duty-time missed because of

his participation in an investigation. The officer may not be interviewed at his home without the officer's permission. Nor may any portion of a noncriminal investigation be held at the officer's home without his permission. The interrogation may not be unreasonably long, and provision must be made for physical necessities.

Preinterview Requirements

If an officer under investigation requests, the nature of the investigation and the name of the person who filed the complaint, the investigator handling the case will provide this information in writing. Before an investigator interviews an officer who is the subject of a complaint made by a person claiming to be a victim of a police misconduct, the investigator must inform the officer, in writing, of the nature of the investigation and the name of each person who complained. If this limitation would unreasonably hinder an investigation at the scene immediately after the incident occurred, the investigator may proceed with the investigation and furnish a written statement as soon as possible. If the complainant to an incident does not verify his complaint in writing, an investigation must still be conducted. If a witness (third party) files a complaint of police misconduct, the complaint must be investigated. The officer who is the subject of the complaint is required to respond to an interview. The investigator does not have to identify the witness to the officer during the investigation.

Supervisor's Presence during Interview

The accused officer will have the option of having his immediate supervisor present during an interview regarding an investigation of noncriminal conduct. During interviews regarding criminal conduct, the section regarding counsel's presence will be followed.

Counsel's Presence during Interview

The accused officer will not be permitted to have counsel present during an interview regarding an investigation of noncriminal conduct. The accused officer will be permitted to have counsel present during an interview regarding an investigation of criminal conduct.

Reprimand/Punitive Action

If the investigation does not result in punitive action against the officer, but does result in a reprimand recorded in writing or an adverse finding regarding the officer, it may not be placed in a personnel file maintained on the officer unless the officer is first given an opportunity to read and sign the reprimand, finding or determination. If the officer refuses to sign the reprimand, finding or determination, it may be placed in the officer's personnel file with a notation that the officer refused to sign.

Financial Disclosure

An employee may be required to submit financial disclosure statements as part of an internal affairs investigation.

Photographs and Line Up of Employees

Any employee may be required to be photographed or participate in a line up to aid in conducting internal affairs investigations where the identity of the employee is in question or when necessary to be used for comparison with other photographs or persons.

Submission to Medical or Laboratory Examination

Any employee may be required to submit to a medical or laboratory examination, at the department's expense, when necessary as part of a particular internal investigation.

Polygraph Examinations in Internal Investigations

The Chief of Police may order an officer to submit to a polygraph examination when, in the exercise of his discretion, he considers the circumstances necessary.

4 INVESTIGATION OF CRIMINAL VIOLATIONS

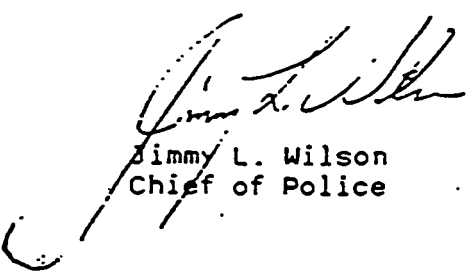
→ ALL INVESTIGATIONS
REQUIRE
ID'S

All allegations of violations of criminal statutes by officers or employees will be investigated by the Internal Affairs Unit.

5 RELIEF FROM DUTY AND RETURN TO DUTY

Based upon instructions from the Chief of Police, the Internal Affairs Unit relieves employees of duty in conjunction with allegations of misconduct. An employee shall be relieved of duty at any point during the course of an employee misconduct investigation, when the resumption of

duty may compromise the integrity or general order of the department. If any departmental supervisor becomes aware of a situation which necessitates relief of an employee from duty, he should immediately contact the Internal Affairs Unit. The Internal Affairs Unit will make the determination as to the proper course of action to be taken. ~~When an Internal Affairs Unit supervisor places an employee on relief of duty status, a letter explaining what is expected of the employee should, when practical, be signed by the Internal Affairs Unit supervisor and the employee, with a copy given to the employee.~~ It is incumbent upon the Internal Affairs Unit supervisor to notify the employee's Division Commander and take custody of a civilian employee's identification or a classified employee's official identification, badge, hat shield and any department issued weapon. These articles will be stored in the Internal Affairs Unit, along with a copy of the Relief of Duty letter. Whenever an employee is relieved of duty, any vacation days, overtime or sick days requested by the employee must be scheduled and approved by the commander of the Internal Affairs Unit. The commander of the Internal Affairs Unit will then notify the officer's division commander so that the officer's attendance record will be maintained properly. Additionally, the Internal Affairs Unit will formally return to duty an employee who has been relieved of duty, after first receiving notification from the Chief of Police as to the disposition of a particular case involving an allegation of employee misconduct. The Internal Affairs Unit supervisor receiving the information will prepare a Return To Duty letter informing the affected employee of his status. The employee will then be contacted and advised to come to the Internal Affairs Division. The employee will be presented with the reinstatement letter and directed to obtain his badge, hat shield, official identification and department issued weapon. A copy of the reinstatement letter will be forwarded to the employee's Division Commander informing him that he is authorized to return to work.



Jimmy L. Wilson
Chief of Police

[Code of Conduct, as provided by Deputy Chief Michael Vitt, May 26, 1995]

Code of Conduct

Specific categories of misconduct that are subject to disciplinary action are precisely defined. These include:

Crime: Complaint regarding the involvement in illegal behavior, such as bribery, theft, perjury or narcotics violations.

Excessive Force: Complaint regarding the use or threatened use of force against a person.

Arrest: Complaint that the restraint of a person's liberty was improper or unjustified.

Entry: Complaint that entry into a building or onto property was improper and/or that excessive force was used against property to gain entry.

Search:	Complaint that the search of a person or his property was improper, in violation of established police procedure or unjustified.
Harrassment:	Complaint that the taking, failing to take, or method of police action was predicated upon factors irrelevant, such as race, attire, sex, age, etc.
Demeanor:	Complaint regarding a department member's bearing, gestures, language or other action which are offensive or of doubtful social propriety or gives the appearance of conflict of interest, misuse of influence or lack of jurisdiction or authority.
Serious Rule Infractions:	Complaint such as disrespect toward supervisor, drunkenness on duty, sleeping on duty, neglect of duty, false statements or malingering.
Minor Rule Infractions:	Complaint such as untidiness, tardiness, faulty driving, or failure to follow procedures.

CONDUCT UNBECOMING AN OFFICER - EXPLANATION
DERELICTION OF DUTY - EXPLANATION

Penalties

A scale of progressive penalties permitted by law and/or bargaining agreements is used by the agency to punish guilty officers. These are:

- counseling
- verbal reprimand
- letter of reprimand
- ~~loss of vacation time~~
- ~~imposition of extra duty~~
- ~~monetary fine~~
- transfer
- suspension without pay
- loss of promotion opportunity
- demotion
- discharge from employment
- criminal prosecution

~~The Disciplinary Process~~

~~Receipt and Processing of Complaints~~

~~Complaints shall be accepted from any source, whether made in person, by mail or over the telephone. Individuals are encouraged to submit their complaints in person in order to obtain as complete a report as soon as possible after the incident. In cases in which the complainant cannot file the report in person,~~

Appendix L

Summary of Use of Force - Class I Complaint Procedure

1. Complaints that allege violations of Federal or State laws or local ordinances, as well as allegations of excessive force (i.e., allegations of being hit, slapped, kicked or struck with any object, causing pain and/or visible signs of bodily injury).
2. Officers of the Jackson Police Department shall use only the amount necessary to effect an arrest or to control a person. The objective is to overcome resistance offered by an offender or violator, to secure the offender, prevent escape, effect recapture, or protect the officer or others from serious bodily harm. The amount of force used must be weighed against the totality of the circumstances in determining whether the use of force is objectively reasonable.
3. In any case which results in serious bodily injury or death of another person the Chief of Police shall place the officer on administrative leave for an appropriate period of time, if deemed appropriate; cause an internal investigation to be made of the incident; and require the officer to attend stress counseling.
4. All Class I complaints with the exception of complaints regarding illegal behavior that is in violation of local, State, or Federal laws will be investigated by IA unless otherwise deemed appropriate by the Chief of Police. Illegal behavior complaints will be investigated by the Investigation Division.
5. Reporting of use of force requires the officer to immediately notify his/her immediate supervisor. The supervisor is responsible for conducting the initial investigation at the scene. In a case of serious bodily harm or death the supervisor shall make immediate notifications to appropriate department officials. The investigating supervisor shall make a thorough written report through the chain of command to the Chief of Police. All use of force reports will be maintained and filed in Internal Affairs. The officer shall complete the Use of Force report form and submit to his/her immediate supervisor prior to the end of the tour of duty. The supervisor shall forward the report to IA, Division Commander and the Chief of Police.
6. Once notified the supervisor shall proceed, without delay, to the scene and initiate an investigation of the incident involving the use of force.
7. Prior to the end of the tour of duty, the investigating supervisor shall forward a preliminary report through the chain of command within five (5) days of the incident.

**JACKSON POLICE DEPARTMENT
SPECIAL INVESTIGATIONS DIVISION
INTERNAL AFFAIRS SECTION**

M E M O R A N D U M

TO: Chief Bracy Coleman
Assistant Chief of Police

FROM: Lt. H. E. Williams
Internal Affairs

DATE: April 5, 1995

SUBJECT: Information for Advisory Committee

1. Copy of police department's standard operation procedures. This should include, but not limited to:

B. Internal Affairs and citizen complaint procedures.

Please see attached General Orders regarding Internal Affairs complaints and procedures.

8. Number of citizen complaints filed and disposition for alleged police misconduct from 1993-95.

1993 - Number of complaints - 142

Dispositions:

Sustained -	<u>16</u>
Not Sustained -	<u>18</u>
Unfounded -	<u>11</u>
Exonerated -	<u>15</u>
RBO/Information -	<u>11</u>
Remanded -	<u>30</u>
Incomplete -	<u>27</u>
Exonerated/Unfounded -	<u>06</u>
Resignations -	<u>01</u>
Exonerated/Not Sustained	<u>01</u>
Justified -	<u>01</u>
Complaint Withdrawn -	<u>02</u>
Forwarded to Division -	<u>03</u>

GENERAL ORDER

JACKSON POLICE DEPARTMENT



Use of Force
12.

ISSUE DATE:

July 16, 1993

NO.

600-10

REFERENCE:

Supercedes all prior departmental directives on this subject

SUBJECT:

USE OF FORCE

PURPOSE:

This General Order establishes the guidelines for use of deadly and non-deadly force by officers of the Jackson Police Department acting in their official capacity.

DEFINITION:

- a. "deadly force" is defined as any force which the officer uses that may result in death or serious bodily harm.
- b. "serious bodily harm" is a bodily harm that:
 - 1. creates a substantial risk of death.
 - 2. causes serious or permanent disfigurement; or
 - 3. results in long-term loss or impairment of the functioning of any bodily member or organ.
- c. "probable cause" is reasonable cause which would induce a reasonably intelligent and prudent man to believe that a cause of action existed.
- d. "non-deadly force" is any use of force other than deadly force.

This directive shall consist of the following sections:

I. Non-Deadly Force

- 1. Rules

II. Deadly Force

- 1. Rules
- 2. Department Action
- 3. Post Incident Administrative Procedures
- 4. Post-Incident Debriefing/Counseling

III. Reporting Use of Force

IV.. References C.A.L.E.A. Standards 1.3.1-1.3.5, 1.3.7, 1.3.9, 1.3.13-16. Black's Law Dictionary 5th edition.

V. Use of Force Report.

I. POLICY--Non-Deadly Force:

Officers of the Jackson Police Department shall use only the amount necessary to effect an arrest or to control a person. The objective is to overcome resistance offered by an offender or violator, to secure the offender, prevent escape, effect recapture, or protect the officer or others from serious bodily harm. The amount of force used must be weighed against the totality of the circumstances in determining whether the use of force is objectively reasonable.

1. RULES:

- a. When the need for force arises, an officer should demonstrate sensitivity, sound judgment, and knowledge of the law in using that amount of force required in the discharge of his/her duties.
- b. In making a lawful felony arrest, an officer may use only that amount of force necessary to overcome resistance, secure the prisoner, prevent escape, effect recapture, or protect him/herself or others from serious bodily harm.
- c. In making a lawful misdemeanor arrest, the officer may use only that force necessary to consummate the arrest, short of deadly force.
- d. Officers are prohibited from carrying slapjacks-sap gloves or any other offensive type of instrument which is not Department issued or authorized by the Chief of Police.
- e. Officers certified to carry the Department issued "PR 24 ST" baton shall use the baton only in accordance with techniques taught in the "PR 24 ST" certification course.
- f. Any officer who employs the use of force or takes any action that results in or is alleged to have

resulted in injury or death of another person shall complete the Use of Force Report and other required reports and submit them to their immediate supervisor prior to the end of their tour of duty.

II. POLICY--Deadly Force

Officers of the Jackson Police Department may use deadly force only when the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious bodily harm.

1. RULES:

- a. An officer may use "deadly force" only when he/she has probable cause to believe that:
 1. deadly force is necessary to prevent imminent death or serious bodily harm to him/herself or to others, or
 2. the person to be arrested is a fleeing felon who presents an imminent threat of death or the infliction of serious bodily harm to the officer or any other person.
- b.
 - 1) Officers shall not fire at those suspected of committing misdemeanors, nor fire upon persons caught in suspicious circumstances who are not armed and who are not resisting or confronting the officer or any other persons, but are merely fleeing from the officer.
 - 2) Officers shall not draw or display their weapon unless:
 - a) there is a threat or probable cause to believe there is a threat of serious bodily harm or death to the officer or others,
 - b) for qualification at the firing range,
 - c) for inspection, or
 - d) other law enforcement purposes
- c. Officers are prohibited from discharging their firearms in the following situations:

1. firing into or over the heads of crowds,
 2. as warning shots,
 3. to subdue an escaping suspect who presents no imminent threat of death or serious bodily injury,
 4. to fire toward or from a moving vehicle except when every reasonable means of defense has been exhausted and the officer's life or the life of innocent citizens would be in imminent danger if the threat is not immediately halted,
 5. when doing so will injure innocent persons.
- d. Officers are authorized to discharge their weapon at a dangerous animal when:
1. it is an act of self-defense,
 2. when the animal is creating a potentially life threatening hazard to the officer or others, or
 3. when the animal is so badly injured that humanity requires its relief from further suffering.
- e. Any officer who employs non-deadly or deadly force shall:
1. Immediately take all measures to render the situation safe and provide/summon medical assistance for the injured.
 2. Notify communications of the situation.
 3. Request additional units to assist in protecting the scene and detain witnesses.
 4. Contact a supervisor to respond to the scene.
- f. The Homicide/Robbery Unit and the Internal Affairs Unit shall conduct simultaneous investigations in all incidents where deadly force is employed.

2. DEPARTMENT ACTION:

In any case where a Jackson Police Officer, in the line of duty, takes action which results in serious bodily injury or death of another person the Chief of Police shall:

- *a. Place the officer on administrative leave for an appropriate period of time, if deemed appropriate.
- *b. Cause an internal affairs investigation to be made of the incident either separate from or parallel to any other investigation being made.
- *c. Require the officer to attend stress counseling from a qualified, licensed professional experienced in the area of psychiatric and/or psychological evaluations. Evaluation results, comments, and recommendations made therein shall be considered by the Chief of Police before allowing the officer to return to active enforcement duties.
- d. Any other action deemed appropriate for the protection of the officer, the department, or the City.

3. POST-INCIDENT ADMINISTRATIVE PROCEDURES:

- a. Any officer directly involved in a "deadly force" incident, which has resulted in the loss of life, may be placed on administrative leave after investigators have determined that the officer's assistance is no longer required and he/she has completed the required reports.
- b. While on administrative leave, the officer shall remain available at all times for official department interviews and statements regarding the shooting incident. The officer is subject to recall to duty at any time after being placed on administrative leave, and is subject to all orders, policies and procedures of this Department.
- c. The officer should not discuss the incident with anyone except his or her attorney, departmental personnel who are assigned to the investigation, the officers psychologist, the officers chosen clergy, and his or her immediate family members.

4. POST-INCIDENT DEBRIEFING/COUNSELING:

- a. In all cases where any person has been injured or killed as a result of firearms discharged by a Jackson Police Officer, the officer involved will be required

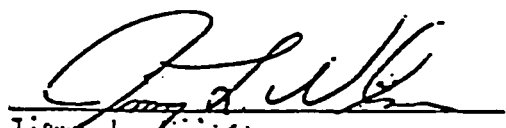
to undergo a debriefing with the Employee Assistance Program (EAP) Counselor as soon as possible or within 48 hours of the incident.

- b. The purpose of this debriefing will be to allow the officer to express his or her feelings and to effectively deal with the moral, ethical, and/or psychological after-effects of this incident. The debriefing shall not be related to any departmental investigation of the incident and nothing discussed in the debriefing will be reported to this agency by the staff psychologist.

III. REPORTING USE OF FORCE:

- a. When an officer uses force of any kind or degree that results in or is alleged to have resulted in injury of another person during the discharge of his/her duties he/she shall immediately notify his/her immediate supervisor and request said supervisor's presence at the scene. The officer shall complete the Use of Force Report and submit it to his/her immediate supervisor prior to the end of the tour of duty.
- b. The supervisor shall review the officer's Use of Force Report for completeness and compliance with departmental policy and procedures. The supervisor shall then forward the report to the Internal Affairs Unit as well as copies to the Division Commander of the involved officer(s) and the Chief of Police.
- c. Once notified the supervisor shall proceed, without delay, to the scene and initiate an investigation of the incident involving the use of force. The supervisor shall.
 - 1) make every possible effort to see that adequate medical attention is provided to all injured parties,
 - 2) Coordinate protection of the scene and identification of the witnesses,
 - 3) secure written statements concerning the entire incident from the officer(s) involved, other participating officers, and witnesses,

- 4) view, question and photograph the subject's injuries against whom the force was used and acquire a written statement from said individual if possible,
 - 5) photograph injuries of officers involved.
- d. In a case of serious bodily injury or death the supervisors shall:
- 1) Summon a Homicide/Robbery Unit to the scene.
 - 2) Summon an Internal Affairs Unit to the scene.
 - 3) Notify the Commanding Officer of the precinct in which the incident occurred.
 - 4) Notify the Police Information Officer.
 - 5) Notify the commanding officer of the officer involved.
 - 6) Make notification as required by General Order 200-11.
- f. Prior to the end of the tour of duty, the investigating supervisor shall forward a preliminary report through the chain of command to the Chief of Police.
- 1) Within five (5) days of the incident, the investigating supervisor shall make a thorough written report through the chain of command to the Chief of Police.
 - 2) Said report shall include findings of facts, conclusions drawn from same, and any appropriate recommendations.
- g. The investigating supervisor shall forward a copy of the preliminary report to the Internal Affairs Unit.
- h. All Use of Force reports will be maintained and filed in the Internal Affairs unit.


James L. Wilson
Chief of Police

USE OF FORCE REPORT

1. CASE NUMBER

1. OFFICER'S NAME-IBM- Last,First, Middle	2. PARTNER'S NAME-IBM- Last,First, Middle	4. TYPE OF FORCE USED
3. DIVISION or PRECINCT ASSIGNED	5. UNIT or WATCH ASSIGNED	7. BEAT ASSIGNED
6. INDIVIDUAL INVOLVED Last,First, Middle	8. Race & Sex	10. Age
11. Height	12. Weight	13. Hair & Eyes
14. JPD ID Number or DOB	15. Social Security Number	16. Arrested (YES or NO)
17. Address		
18. SECOND INDIVIDUAL Last,First, Middle	19. Race & Sex	20. Age
21. Height	22. Weight	23. Hair & Eyes
JPD ID Number or DOB	24. Social Security Number	26. Arrested (YES or NO)
27. Address		

28. DESCRIBE IN DETAIL How and Why Force Was Used and List Names and Addresses of All Witnesses

29. Copies To: Chief-Legal Officer-Division or Precinct	30. Medical Attention?	Typed By	Date & Time
Reviewed By	REPORTING OFFICER SIGN HERE		Date

Appendix M

List of Police Abuse Reported to and Monitored by Advisory Committee

Incident #1

Alleged Victim: Black male community activist

Date of Incident: April 7, 1990

Allegations/Circumstances: Victim fatally shot by white undercover officer. Shot and killed after allegedly failing to drop a gun.

Complaint Filed: Yes

Disposition: Officer cleared of wrongdoing.¹

Incident #2

Alleged Victim: Two Black males

Date of Incident: July 1990

Allegations/Circumstances: Wrongful arrest, beaten after resisting.

Complaint Filed: Unknown

Disposition: Unknown²

Incident #3

Alleged Victim: Black Male

Date of Incident: February 13, 1991

Allegations/Circumstances: Four Black officers roused and then beat the complainant.

Complaint Filed: Yes

Disposition: IA investigation supported brutality charges. The Civil Service Commission overturned the decision and reinstated officers.³

Incident #4

Alleged Victim: Black Male

Date of Incident: August 1992

Allegations/Circumstances: Following a drug arrest, victim was beaten. This incident started a melee in which about 200 residents of a central Jackson apartment complex threw rocks at police.

Complaint Filed: Unknown

Disposition: JPD organized a block party with residents to improve relations.⁴

¹ "Latest Incident of Brutality Indicates Trend is Increasing," *Jackson Advocate*, July 22, 1992, p. 1A.

² "Wrongful Arrest and Beaten," *Jackson Advocate*, July 9, 1990, p. 1A.

³ "Police Brutality," *Clarion Ledger*, Mar. 8, 1992, p. 1A.

⁴ "Residents Throw Rocks, Bottles at Police During Confrontation," *Clarion Ledger*, Aug. 7, 1992, p. 1A.

Incident #5

Alleged Victim: Black Male

Date of Incident: August 1993

Allegations/Circumstances: Harassed and physically abused by Direct Action Response Team Officers (DART).

Complaint Filed: Yes

Disposition: Unknown⁵

Incident #6

Alleged Victim: Black Male

Date of Incident: August 1993

Allegations/Circumstances: Harassed and physically abused by DART officers.

Complaint Filed: Yes

Disposition: Unknown⁶

Incident #7

Alleged Victim: Black Male

Date of Incident: August 1993

Allegations/Circumstances: Beaten unjustly by four officers after being charged with drunk driving.

Complaint Filed: Unknown

Disposition: Unknown⁷

Incident #8

Alleged Victim: Racially mixed couple

Date of Incident: June 1993

Allegations/Circumstances: Black male and white female stopped without provocation and harassed. Black male beaten.

Complaint Filed: Yes

Disposition: Unknown⁸

Incident #9

Alleged Victim: White Female

Date of Incident: August 1993

Allegations/Circumstances: Stopped without provocation. Questioned because she was a white woman driving in a black area.

Complaint Filed: Yes

Disposition: Unknown⁹

⁵ "Police Rookies Accused of Harassment," *Clarion Ledger*, Aug. 9, 1993, p. 1A.

⁶ Ibid.

⁷ "Four Policemen Beat Him, Says Man Jailed for DUI," *Clarion Ledger*, Aug. 8, 1993, p. 1B.

⁸ "NAACP Airs Police Brutality Complaints," *Clarion Ledger*, June 24, 1993, p. 2A.

⁹ Ibid.

Incident #10

Alleged Victim: Two Black Males

Date of Incident: February 1993

Allegations/Circumstances: Harassed and falsely arrested for disturbing the peace outside apartment complex.

Complaint Filed: Unknown

Disposition: Unknown¹⁰

Incident #11

Alleged Victim: Black Male

Date of Incident: February 8, 1994

Allegations/Circumstances: Police unlawfully detained and physically abused victim.

Complaint Filed: Yes. Filed with IA and lawsuit filed in Hinds County Circuit Court.

Disposition: Unknown¹¹

Incident #12

Alleged Victim: Black Male

Date of Incident: November 1994

Allegations/Circumstances: Beaten and ordered to kiss the boots of two white officers. Incident witnessed by other officers.

Complaint Filed: Complaint filed by fellow officer on behalf of victim...

Disposition: Unknown¹²

Incident #13

Alleged Victim: Black Male

Date of Incident: October 6, 1994

Allegations/Circumstances: Stopped by police for breaking car window and possible theft. Beaten/racial slurs.

Complaint Filed: Unknown

Disposition: Unknown¹³

Incident #14

Alleged Victim: Black Male

Date of Incident: October 1995

Allegations/Circumstances: Car stopped for no license plates and physically abused while handcuffed .

Complaint Filed: Yes

Disposition: Unknown¹⁴

¹⁰ "Local Residents File Complaints Against Jackson Police Officer," *Jackson Advocate*, Feb. 4, 1993, p. 1A.

¹¹ "Man Mistaken for Suspect Sues Jackson Police Officers," *Clarion Ledger*, Apr. 8, 1994, p. 2B.

¹² "Handicapped, Jailed Youth, Told to Kiss White Cops' Boots," *Jackson Advocate*, Nov. 23, 1994, p. 1A.

¹³ "Police Beats Youth After Lengthy Chase," *Jackson Advocate*, Jan. 26, 1995, p. 1A.

¹⁴ "Chief Johnson: Brutality Caused By Thugs, Yahoos," *Jackson Advocate*, Nov. 1, 1995, p. 1C.

Incident #15

Alleged Victim: Black Male

Date of Incident: December 30, 1995

Allegations/Circumstances: Personal domestic dispute, attacked by black police officer whose sister was dating victim.

Complaint Filed: Yes

Disposition: Unknown¹⁵

Incident #16

Alleged Victim: Two Black Females

Date of Incident: March 25, 1995

Allegations/Circumstances: Stopped in car without provocation. Physically, verbally and sexually assaulted by black officers. Charged with resisting arrest and assaulting police.

Complaint Filed: Yes

Disposition: Unknown¹⁶

Incident #17

Alleged Victim: Black Male

Date of Incident: May 27, 1995

Allegations/Circumstances: Mother filed complaint on behalf of teenage son. Verbally and physically abused by two white officers.

Complaint Filed: Yes

Disposition: Unknown¹⁷

Incident #18

Alleged Victim: Two Black Males

Date of Incident: September 1995

Allegations/Circumstances: Mother filed complaint on behalf of sons. Physically abused by two officers and allowed white male resident who reported teens for loud music to slap victims..

Complaint Filed: Yes

Disposition: Unknown¹⁸

¹⁵ "Jackson Police Investigating Charge of Brutality Lodged Against Patrolman," *Clarion Ledger*, Jan. 6, 1996, p. 3B.

¹⁶ "Female Study Attacked by Jackson Policeman," *Jackson Advocate*, Apr. 5, 1995, p. 1A.

¹⁷ "Mother Says Son Slapped While in Police Custody," *Jackson Advocate*, June 28, 1995, p. 1A.

¹⁸ "Fear of Reprisals Keep Residents Quiet on Police Brutality Case," *Jackson Advocate*, Sept. 20, 1995, p. 1A.

Incident #19

Alleged Victim: Black Female

Date of Incident: August 13, 1996

Allegations/Circumstances: Illegal search of house; used abusive language and threatened the victim with physical abuse; handcuffed and threatened other occupants of home.

Complaint Filed: Yes

Disposition: Unknown¹⁹

Incident #20

Alleged Victim: Black Female

Date of Incident: August 1996

Allegations/Circumstances: Physically abused by two police officers.

Complaint Filed: Yes

Disposition: Unknown²⁰

¹⁹ "Second Woman in Two Weeks Cries Police Brutality," *Jackson Advocate*, Aug. 21, 1996, p. 1A.

²⁰ Ibid.; "Chief Johnson Responds to Complaints of Brutality," *Jackson Advocate*, Sept. 4, 1996, p. 1A.

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