

UNITED STATES COMMISSION ON CIVIL RIGHTS

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**HEARING HELD ON JULY 18, 1986,
BEFORE THE ALABAMA ADVISORY COMMITTEE, taken by
Jackie Parham, Certified Shorthand Reporter and
Commissioner for the State of Alabama at Large.**

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1 P R O C E E D I N G S

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4 Ladies and Gentlemen: I want to welcome
5 each and every one of you to our meeting this
6 morning. This is an open meeting on
7 Police/Community Relations in Montgomery
8 conducted by the Alabama Advisory Committee to
9 the United States Commission on Civil Rights.
10 The meeting will now come to order.

11 I am Rodney Max. I am the Chair of the
12 Alabama Advisory Committee. We are pleased to
13 have as observers this morning Commissioner
14 Frances Guess of Nashville, Chair Commissioner
15 Pendleton. Clarence Pendleton is on his way,
16 the Chairman of the Civil Rights Commission.
17 He is not here as of yet and we expect him
18 momentarily. Other members of our Advisory
19 Committee or Alabama State Advisory Committee
20 are William Varner, Richard Pizitz, Judy
21 Thompson could not be with us, Vanessa
22 Woolfolk, Jerome Gray, Lawrence Hanks could not
23 be with us this morning, nor could Barbara

1 Lucero, Bob Mants, Windell Paris could not be
2 with us, and Abigail Turner.

3 The staff of the United States Commission
4 on Civil Rights, Southern Regional Office in
5 Atlanta will assist the Advisory Committee with
6 this meeting and they consist of Regional
7 Director Bobby Doctor and Civil Rights Anaylist
8 Courtney Sicheloff, Acting General Counsel,
9 William Howard of Washington is here to observe
10 the meeting with us.

11 This meeting is being held pursuant to
12 rules applicable to State Advisory Committees
13 to the Federal Agencies and Administrative
14 policies established by the United States
15 Commission on Civil Rights. The United States
16 Commission on Civil Rights is an independent,
17 bipartisan, factfinding agency established by
18 Congress under the Civil Rights Act of 1957 and
19 reconstituted in 1983. The Commission
20 establishes State Advisory Committees in each
21 state and the District of Columbia to assist in
22 its factfinding, investigative and
23 clearinghouse functions. The Alabama Advisory



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Committee is one of those fifty-one Committees composed of citizens who serve without compensation and who are familiar with local and State Civil Rights problems. Among its mandates, the Alabama Advisory Committee is authorized to study developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, national origin, age or disabilities, or in the Administration of Justice.

I wish to relate at this time some background leading up to this meeting today. The Alabama Advisory Committee in January of 1983 voted to conduct a study into the status of Police/Community Relations in Montgomery with the assistance of staff from the Southern Regional Office. It is significant to note that the Advisory Committee voted to undertake this study prior to the incident on Todd Road and other 1983 occasions in which Police were allegedly involved in wounding or killing civilians. A factfinding meeting was held in

1 this hotel September 26, 1983 on perceptions of
2 Police/Community Relations and Police policies
3 and practices which impact upon that
4 perception. A draft report together with
5 findings and recommendations was drafted then
6 modified by the Advisory Committee members and
7 forwarded to the Commission in Washington.
8 Following some delay in expediting the report,
9 the Commissioners approved the report for
10 publication at their meeting a week ago on July
11 11, 1986.

12 However the Commissioners stipulated that
13 the report's findings and recommendations based
14 on the 1983 information should be updated to
15 account for changes in the Police Department's
16 procedures. For one thing, two Supreme Court
17 decisions have impinged on the Police
18 Department's policies, modification of the
19 Fleeing Felon Law and Field Interview
20 Practices. There is a different Police Chief
21 and several division Supervisors. Thus, our
22 factfinding here today is limited to
23 developments which have occurred since 1983.

1 From this meeting and from interviews with
2 City and Police Department personnel, and with
3 Montgomery Community Leadership, the Alabama
4 Advisory Committee will make findings and
5 recommendations. These will be attached to the
6 1983 study on Police/Community Relations and
7 will be released next month, that is, in
8 September. At this meeting, it is being
9 conducted by our Committee and it will report
10 and share its findings with the Commission,
11 appropriate Montgomery Officials and with the
12 general Public.

13 Persons invited to speak today at the
14 opening meeting include City Officials, Police
15 personnel, business and community leaders.
16 Every effort has been made to invite persons
17 who are knowledgable about Montgomery and its
18 Department so that a well balanced picture of
19 Police/Community Relations in Montgomery will
20 evolve.

21 I would like to emphasize at this time
22 that this is an informal hearing and not an
23 advasarial proceeding. Each person who will

1 appear today is doing so voluntarily and
2 without obligation to do so. Although we are
3 determined to get all the information relating
4 to matters under inquiry, we will permit no
5 individual to become the victim of slander or
6 libelous statements.

7 As a precaution against slander, each
8 person today has been interviewed prior to this
9 meeting. However, in an event a situation
10 involving possible defamation should
11 development, I will call this to the attention
12 of the person making the statement and direct
13 that he or she desist in making his or her
14 statement.

15 However, if the testimony of that person
16 is of such sufficient importance to the
17 inquiry, it maybe necessary for the Advisory
18 Committee to hear the information in closed
19 session. In addition, should anyone not
20 presently scheduled to speak at today's open
21 meeting desire to address the Committee, that
22 person should conduct Civil Rights Anaylist
23 Courtney Siceloff.

1 Lastly, I must inform you of the United
2 States Commission on Civil Rights' policy
3 regarding tape recordings and cameras used by
4 media and others during this open meeting. It
5 maybe necessary in the event we have someone
6 appearing before the Advisory Committee who
7 does not wish to be recorded or photographed,
8 to request that you do not record that
9 statement of that person, or photograph that
10 person. With those exceptions, these
11 proceedings are open in full to the public
12 and of course to the media.

13 The Alabama Advisory Committee is grateful
14 for the cooperation we have received from the
15 Montgomery citizens, from the City Officials,
16 and the Montgomery Police Department. Your
17 views on the status of Police/Community
18 Relations in Montgomery, together with
19 information gathered by the Advisory Committee
20 and staff, together I'm confident we will
21 ensure a report that will make a constructive
22 contribution to improving Police/Community
23 Relations in Montgomery.

1 Before calling on the first participant, I
2 would like to offer the opportunity to
3 Commissioner Frances Guess to make a few
4 remarks.

5 MR. GUESS:

6 Thank you, Mr. Chairman, Members of the
7 State Advisory Committee: In the absence of
8 the Chair who I understand is in route, I think
9 we would like to reserve any comments at the
10 present time other than to note our purpose
11 here today as you've indicated, Mr. Chairman,
12 is to observe, first of all, and secondly, to
13 demonstrate the Commission's ongoing and
14 continuing support for the work of our State
15 Advisory Committees in general and that of the
16 Alabama Advisory Committee in particular. And
17 with your leave, Mr. Chairman, we will reserve
18 any other observations until the Chair arrives.

19 MR. MAX:

20 Thank you, Commissioner Guess. With that,
21 we will begin our program with the Honorable
22 Emory Polmar, Mayor of the City of Montgomery.

23 MR. POLMAR:

1 Thank you, Mr. Chairman. I sincerely
2 welcome you to the City of Montgomery and I
3 mean that. But when I first heard that you
4 were coming, I viewed it like I would a notice
5 that the IRS was coming to audit my books for
6 the last five years or something.

7 But I want to say this in the open
8 meeting, and to you, and to everybody. You
9 have approached this meeting and this updating,
10 the 1983 report, with an openness and a
11 fairness and approach to it that we appreciate.
12 We have tried our best to provide you with the
13 information that you wanted and probably a lot
14 more than you wanted. But we have tried our
15 best to provide you with everything with which
16 you can make an objective judgment. I hope
17 that is the case. I say again, I am pleasantly
18 surprised at the approach that the Commission
19 has been taking and we appreciate that.

20 Now, my views on the report, of the
21 1983-84 report, are clearly known and I won't
22 elaborate on those. I have a letter on file as
23 to my views on that. I think any update or

1 revision is clearly in order.

2 Now, the noise level in the City of
3 Montgomery in 1983 was high and it was caused
4 by many shrill voices. First, it was the Todd
5 Road incident. That was debated to the point
6 of absurdity. It was interesting to note that
7 when all the sand sifted out, two facts stood
8 undisputed. That the only people who were
9 injured were the Montgomery Police Officers and
10 that the assailants of the officers pled
11 guilty to the assault and made restitution to
12 the officers. The second cause of the high
13 noise level in 1983 was the fact that 1983 was
14 an election year in Montgomery for the Mayor
15 and the City Council. Most of the seemingly
16 endless debate at Council meeting and the media
17 were, in my opinion, due to a political problem
18 and not a race problem.

19 When the 1983 elections were concluded, I
20 had been reelected as Mayor, but the then
21 Council was then defeated and the most vocal
22 Council Member did not seek reelection. With
23 the new Council in place under the leadership

1 of Council President Alice Reynolds, meetings
2 are now efficient and more noted for courtesy
3 and humor than drama. While I'm not ready to
4 describe our Council meetings as a love-in, I
5 do say that there is more of a spirit of
6 cooperation there than ever before. And I
7 attribute this to the absence of the Council
8 Member, Mr. Watkins, who week after week tried
9 to make a race issue out of everything from a
10 valentine to a weather report, and the defeat
11 of the Council President who permitted this
12 debate to go on.

13 Now, politics is a noisy business. All we
14 have to do is look about in Alabama as the
15 Democrats try to decide who their candidate
16 will be. We see that. Here you have sharply
17 divided groups competing for media coverage and
18 for public opinion. Does this noise level have
19 anything to do with race relations? We don't
20 think so and we don't think so in 1983. We
21 think there was a political problem, not a race
22 problem. Mr. Watkins and I have absolute
23 unreconcilable political points of view. But

1 with the end of the political problem in 1983,
2 race relations improved tremendously.

3 What I would like to talk a minute today
4 about is a word that's very much in fashion and
5 that's the word perception. People perceive
6 this, people perceive that. Your report deals
7 extensively with perceptions of
8 Police/Community Relations. Prominent attorney
9 who will testify here today is quoted July
10 the seventeenth in the Advertiser as follows: It
11 seems to me that Police/Community Relations is
12 an area where it is just as important what the
13 public perceives as is to actually what
14 happens. Now, I respect this lady and she
15 knows it. But I disagree because I believe
16 substance is more important than ceremony.
17 Now, it is true that everyone wants a good
18 imagine. Everyone wants to be perceived as a
19 nice guy and all that. But perceptions do not
20 violate someone's Civil Rights. Civil rights
21 have only been violated only when such has been
22 proven in a Court of Law.

23 One incident that I want to mention in the

1 other report, in your report to the Civil
2 Rights Commission you quote, Mrs. Katy Brown,
3 as follows: They, the young ones, the Police
4 Officers are completely radical. They are way
5 off, they don't have any respect, no manners.
6 They talk to you like animals, they make you
7 feel like you are not of part this City. Now,
8 Mrs. Brown perceived that her Civil Rights have
9 been violated. She went to court and sued the
10 City of Montgomery. She lost in court and so
11 her perception must have been wrong because the
12 City of Montgomery was sustained in its
13 position and we don't think that her remarks
14 and her perception should be given any credence
15 because the only forum where that should be
16 debated was in the court and the court held for
17 the City of Montgomery.

18 Perceptions are what sell cars. They sell
19 cosmetics and designer jeans. Perceptions
20 belong in the market place and the political
21 arena. If the majority of the people in
22 Montgomery perceive that we have poor
23 Police/Community Relations and that I am a poor

1 Mayor as a result of that, then the people will
2 get themselves a new Mayor. That's politics,
3 and it has nothing to do with the violation of
4 someone's Civil Rights.

5 Mr. Doctor's letter to me dated July the
6 11th, 1986, he states that among other
7 responsibilities the Commission is charged with
8 getting information regarding denials of equal
9 protections under the Law. I think it would be
10 fitting today if we dealt with hard facts.

11 Show us where someone's Civil Rights have been
12 violated and we will deal with that immediately
13 and swiftly and I believe to everyone's
14 satisfaction. But I do believe that the
15 Montgomery Police Department should be given
16 the same rights enjoyed by criminals, namely,
17 to be innocent of perceptions and charges until
18 such has been proven. Thank you, Mr. Chairman.
19 I await your questions.

20 MR. MAX:

21 As you know, this is a factfinding meeting
22 and we will now proceed with questions from the
23 Panel of the Mayor.

1 MR. BARNARD:

2 Mayor Folmar, I understand your point
3 about perception and substance and I think we
4 can agree with you in a large part. On the
5 other hand, perceptions can sometimes color the
6 way people act or respond and thus can create
7 situations. You've indicated that there has
8 been a decrease in the noise level and that's
9 been an improvement in the City. Have there
10 been other factors? I assume you agree that
11 there has been some improvement in
12 Community/Police Relations.

13 MR. FOLMAR:

14 Yes.

15 MR. BARNARD:

16 What degree would you attribute that
17 improvement to the change in the leadership of
18 the department?

19 MR. FOLMAR:

20 Mr. Chairman, Mr. Barnard, and Members: I
21 think that, as Chief Wilson will testify later,
22 that many changes have been made, many changes
23 were already in the mill, many changes that we

1 have been working on are now coming to prove
2 issue, and I think all of those have a bearing
3 and a good bearing on better community
4 relations. There is always the danger in the
5 world we live in that an incident gets
6 notoriety and publicity, and a perception, if
7 you will, creates some bad problems. But we
8 have worked extremely hard. We, a total city,
9 Council. The cooperation in the Council now is
10 to such an extent that Council meetings are
11 boring. But we work hard at trying to make
12 sure that we cooperate and don't have the big
13 World War III's that we had in 1983. But I
14 think we have worked hard to change for the
15 better some of the things that we were working
16 on, and those things have been in the mill.
17 But they are hard to change -- a lot of things
18 are hard to change when the voices are so
19 shrill that politics won't let you change them
20 until there is a cessation of hostilities.

21 MR. BARNARD:

22 Our primary purpose here today, I think, is
23 to update our findings and

1 recommendations of '83 that are included in
2 that report. One of the first ones had to do
3 with the level of employment of women in
4 minorities in the Police Department. And going
5 over the figures last night I noticed there had
6 been some improvement -- some significant
7 improvement in percentage of black sworn
8 officers -- actually been a decrease in women
9 but that puzzled me at first. I looked at the
10 figures and that's apparently because many of
11 the school patrol officers previously sworn are
12 not now. There has also been some degree -- an
13 increase in the number of blacks who hold the
14 rank of Sergeant or above and the significant
15 degree of women who hold that position though
16 there still remains -- Are you satisfied with
17 the rate of progress you been able to make in
18 the employment of blacks and women?

19 MR. POLMAR:

20 Every six months the City of Montgomery
21 files with the Federal Court a detailed report
22 of the number of females, blacks, whites, by
23 position with the Federal Court. And this has

1 been going on before I became Mayor and the
2 Federal Court has accepted our position each
3 time as being satisfactory. In and of itself,
4 that was not satisfactory with me. We have
5 made extensive efforts in recruiting. All of
6 our recruiting advertisements show blacks,
7 females, all in prominent positions, to lend
8 credence to the idea that we want them as a
9 part of the Montgomery Police Department. We
10 do. The Commander of the academy will speak
11 later about recruiting efforts in high schools
12 and colleges, where we go and actively recruit
13 minorities to come and be a part of the Police
14 Department. Police rank has been earned as you
15 see before you. We have a black Major, which I
16 noted with great interest the other day and I
17 started to send a Chairman a copy of the
18 clipping, they made much ado in Birmingham
19 about having a female having reached the rank
20 of Captain. We have had a female Major for
21 quite sometime. We have had a black Major for
22 a long, long time. We have the Commander of
23 our Community Relations Bureau is a Captain, is

1 black. There sit two officers right there,
2 black officers, one is Leutenant, one is a
3 Sergeant. They are on the first shift patrol.
4 We made a lot of strides, but I'm not
5 satisfactory, Mr. Barnard. We keep working at
6 it.

7 MR. BARNARD:

8 Let me ask you about one other
9 recommendation that was included in the initial
10 report. Over the last twenty or thirty years
11 there has been a real effort to increase the
12 professionalization of police departments
13 around the country, more intensive training
14 programs, FBI schools, your own academy here,
15 the building in and many department incentives
16 for higher education for Police Officers, and
17 yet there seems to be some resistance on that
18 one point here in the department. I know we
19 are going over some material that we talked
20 about before.

21 MR. FOLMAR:

22 Mr. Chairman and Members of the
23 Commission: Our policy is first of all

1 establish that we have a Police Academy that is
2 nearly three times in duration in length as to
3 the minimum standards to be a Police Officer in
4 the State of Alabama. Our Police Academy
5 requires a great deal more training to begin
6 with than is required by State standards,
7 nearly three times more. In that academy there
8 is a great deal more training that will be
9 spoken to later. We make a tremendous effort
10 to send officers to the FBI Academy. We are quite
11 an alumni group in our department from the FBI.
12 We have quite and alumni from the Northwestern
13 University. We send people to all Police
14 related schools just as fast as week absorb
15 them in the budget and the manpower
16 requirements will let us. We send them to
17 specialty school for rape counseling, for bomb
18 demolition, for VIP treatment if the President
19 or the Vice-President or dignitaries come to
20 town, every kind of school we can think of that
21 we can afford, we sent Police Officers to
22 police related schools. The standards for
23 entrance into the Montgomery police Department

1 require high school diploma and/or an
2 equivalent. If someone has education that
3 bears directly on police related work, it is
4 certainly taken into consideration. But a
5 degree that is in non-related Police work, we
6 do not give credence to that. And I stand on
7 that position and will continue to stand on it.

8 MS. WOOLFOLK:

9 Mr. Mayor, I noticed -- just a follow-up
10 on the last question of Bill Barnard's -- that
11 you did increase last year or the year before
12 the number of hours that your officers take in
13 what I think you call Human Relations in the
14 document. Would you comment on whether there
15 has been any measureable effect of having them
16 take more credit hours in Human Relations than
17 before.

18 MR. FOLMAR:

19 I would be glad to answer that. Mr.
20 Chairman: Yes. I think there is more a
21 sensativity to the Police officers
22 understanding Human Relations. And we have
23 worked hard on humanities. We have got a large

1 course in our academy to that effect. And it's
2 constantly stressed to our Police Officers. I
3 do it personally at roll call, the shift
4 Commanders do, everybody I think will
5 understand that I always stress that we treat
6 everybody with dignity and courtesy and as a
7 citizen of the United States first in this
8 community as long as we can. There are times
9 when you cannot treat a person with dignity and
10 courtesy when you are forced into an arrest
11 posture and they resist arrest. Up until that
12 point, we have stressed that everybody is to be
13 addressed with the proper titles, that they are
14 to be addressed as human beings, they are to be
15 addressed with dignity and courtesy to the
16 point where they can. We stress that in the
17 academy, we stress that on a daily basis as
18 units go out to take the street for the patrol,
19 investigative, youth aid division, et cetera.

20 MR. PIZITZ:

21 Mayor Folmar, I'm curious about two
22 statements you made. One, if I quote you
23 correctly, you said Civil Rights are violated

1 only when proven in a Court of Law. That seems
2 to me a very properly legal description. But
3 I'm concerned if that's really the feeling of a
4 community, it does come to what you are saying
5 about perceptions. Are you really not
6 concerned if there is a perception in the
7 community that Police/Community relations
8 support, forgetting legally whether they are
9 proven or not? If the perception is that,
10 wouldn't the City Administration want to do
11 something to change that perception?

12 MR. POLMAR:

13 Mr. Chairman, Mr. Pizitz, and others:
14 Yes, we most certainly do and we are working
15 hard at it. But what I hate is the continual
16 uproar in town over perceptions. Now, we had a
17 gentleman come to town the other day from the
18 Atlanta Office of the Justice Department, Mr.
19 Sutton, and he interviewed a lot of people into
20 a case that has been cause celebre made out of
21 an incident where a black women was arrested,
22 she resisted arrest, assaulted a Police Officer
23 and was beaten and required seven stitches in

1 her head. He came over to investigate this and
2 he said he was making an assessment, stayed in
3 my office for two hours and ten minutes. He
4 said he had not concluded his remarks -- his
5 study and he was studying everything. The next
6 day in the paper it comes out, Black Community
7 Distrust Police Department. We go down the
8 list with that. I call Mr. Sutton because Mr.
9 Sutton and I -- we have known each other
10 through the years and I said, I'm distressed
11 that you said this. He said, I didn't say any
12 such thing, and went on. But nevertheless, the
13 perception, Mr. Pizitz, crucified us in the
14 paper when it was not so. No amount of denials
15 after that will do any good. I am concerned
16 about perceptions. I am very concerned that
17 people think that we have an efficient and a
18 courteous and a serving Police Department. But
19 at the same time I don't think that the Police
20 Department should be castigated as some do on
21 what somebody perceives. Now, if we have done
22 something wrong, I think if someone will
23 address that question, then -- we frequently

1 do. Punishment is swift and sudden in the
2 Police Department for somebody doing something
3 wrong and we can address that to whatever
4 length. But, yes, I agree that perception is
5 important but at the same time people are led
6 into their perceptions by inflammatory remarks
7 that probably would be best left unsaid.

8 MR. MAX:

9 Mayor, it seems to me that in talking
10 about relations between Community and Police,
11 we are talking about communication, the lines
12 of communication, the amount of visibility, and
13 I know when the report was done in '83 there
14 were questions concerning the Biracial
15 Committee. Could you tell us what changes have
16 been made with that and what, in terms of
17 communications, what better communications we
18 are seeing with its replacement.

19 MR. FOLMAR:

20 I would be glad to. I attempted in 1983
21 to form a Biracial Committee inasmuch as nobody
22 else had done one and it was a need for one.
23 And I asked the Council Members, of which there

1 are nine, to each appoint three and the Mayor
2 would appoint six to get a balance. At the
3 time the Council -- three members of the
4 Council, black members of the Council, refused
5 to participate in that. The Committee met --
6 it met and I think did a good service. But it
7 was found that probably it would have been
8 better if it had been started outside of City
9 Hall and I agree with that. Nobody else did
10 it. I took the first step. They desolved that.
11 And in a group of interested citizens, many of
12 whom had served on this original Biracial
13 Committee, got together, they meet on a regular
14 basis early in the morning, they bring in
15 speakers from other communities, they are very
16 informal with each other, they addressed the
17 issues, real or imaginative, in this Biracial
18 Committee. They had me there, they had many
19 Police officers, they had people from
20 Birmingham, Atlanta, Mobile, other people come
21 and speak to them, and I think that it is a
22 good forum now for an exchange of ideas and
23 communications. My only problem with it is

1 that it does not get enough "perception" in the
2 community because it is a good organization and
3 therefore gets no media coverage.

4 MR. MAX:

5 You are referring to Montgomery One?

6 MR. POLMAR:

7 That's correct, sir.

8 MR. MAX:

9 In our discussions with Montgomery One it
10 seems to be their intent at this time is not to
11 be in the public. I guess for whatever their
12 purpose maybe, it would seem that in the area
13 of communication, if there were some, whether
14 it's Montgomery One or some other instrument,
15 to be out in the community and help with these
16 perceptions, for instance -- and I'm aware of
17 the recent incident with the women who was
18 allegedly beaten.

19 MR. POLMAR:

20 Right.

21 MR. MAX:

22 Is there any effort in the Police
23 Department or is there a organization within

1 the department to do a self-investigation so
2 that the perception of the community would be
3 that the Police Department is looking into its
4 own so that the Federal Government doesn't have
5 to be on your back?

6 MR. POLMAR:

7 Again, the lady that assaulted the Police
8 officer, I don't think there is any question in
9 anybody's mind that she infact did grab the
10 Police Officer. I think everybody stipulates
11 to that. The only question then arises, was
12 excess force used. I don't think so. Whenever
13 there is a situation like that, one must deal
14 with it as they see. If they thought they
15 needed to do it because one of the officers
16 felt that the person was trying to grab a gun,
17 real or imaginative, it doesn't matter, you've
18 got a split second to make the decision. Yes,
19 we have tried our best to convey to the
20 community that we don't like that. In other
21 words, I've got a lot more to do than a lot of
22 other people, you included, than to spend our
23 time in basically this mold instead of trying

1 to figure out how to do something else more
2 productive. We work hard at trying to get the
3 message out. We don't want to hurt anybody.
4 That's not our goal. But at the same time, we
5 don't want our Police Officers beaten, nor do
6 we want them shot and killed. It must be a
7 balance of perception in the community that
8 they cannot assault a Police Officer with
9 impunity and we try to say that. Please, if we
10 have a problem, let's go solve it in the proper
11 forum. When an arrest is made and a warrant
12 has been issued or crime has been committed in
13 the presence of Police Officer and they have to
14 make an arrest, then if someone resists that
15 arrest, the Police Officer must use that force
16 which is necessary to effect the arrest. We
17 try to tell people this. We tell it at Council
18 meetings, we go to community meetings in the
19 black community and say, we don't want to do
20 this, but we are forced into this confrontation
21 and please, let's go peacefully and tell
22 everybody to do that. We have made an effort
23 to try to state to the Record, wherever, the

1 exact circumstances of this incident. It
2 doesn't please us to have to devote a lot of
3 time and be the subject of a great deal of
4 media criticism about this. No, sir, we don't
5 enjoy it.

6 MR. MAX:

7 Any other particular questions?

8 MR. SICLOFF:

9 Mr. Mayor, following up on that, in terms
10 of where there has been a perception of
11 excessive force used whether discharge of a gun
12 or the use of the nighth sticks, on what
13 occasions -- or is there a policy in terms
14 of suspending an officer or the period of time
15 to investigate the case and then making a decision
16 before the person is returned to duty?

17 MR. FOLMAR:

18 Mr. Chairman: It depends on the
19 circumstances. If -- on any shooting incident,
20 the officer is relieved of his weapon
21 immediately and placed on Administrative duty
22 or leave until such time as a factfinding group
23 can be assembled and deal with it. We don't

1 investigate our own shootings. The Alabama
2 State Troopers do that for us. We have an
3 agreement with them that they investigate any
4 time a person is shot. Used to be with the
5 Sheriff's Department but we changed that and
6 now the ABI does that, Alabama Bureau of
7 Investigation of the State Troopers. And that
8 officer is relieved of street duty and a weapon
9 until such time as the Administrative findings
10 deal with it. If the officer is deemed to have
11 done something improper, then the Grand Jury
12 proceedings go along until such time as he is
13 either indicted or not indicted. If he is
14 indicted, that's another matter. If he is not
15 indicted, as far as we are concerned, that is
16 the end of the matter and that officer can
17 return to street duty after counseling. On a
18 situation where a "street fight" occurs, we
19 look at it, statements are taken from the
20 witnesses, statements are taken from the
21 officers. Supervisor with years of street
22 experience investigates and looks at it and we
23 make a determination based on that individual

1 incident. There is no way you can have a hard
2 and fast policy on arrest incidents like that.
3 But if they are of such magnitude they require
4 special attention, we give them special
5 attention.

6 MR. MAX:

7 In terms of that investigation that I hear
8 you saying is done, what is your structure to
9 do that? Do you have an Internal Affairs that
10 looks into this and reports to someone
11 concerning this, and without getting into the
12 facts of this latest case, how would you do it
13 in a case like that?

14 MR. POLMAR:

15 Thank you, Mr. Chairman. This officer
16 right here, Leutenant Armstead, commands the
17 Internal Affairs Division of the City of
18 Montgomery. He is an experienced street
19 officer, well educated, experienced street
20 officer. These cases go immediately to him.
21 He has clerical help, he has people who work
22 for him, and they go and they interview the
23 victim, the families, the Police Officers,

1 anybody they can find, they make an assessment
2 of it. Bring it in, it goes immediately to
3 Chief Wilson to see whether we pursue it
4 further or to whether this incident should be
5 closed as a normal piece of business that we
6 have to engage in. But Leutenant Larry
7 Armstead commands that division and he is
8 sensitive to race problems, he is sensitive to
9 the needs of the community, he is sensitive to
10 the needs of the Police Department, and he is an
11 experienced street officer and that's why he
12 has that job.

13 MR. PIZITZ:

14 Mayor, I would like to follow-up on that.
15 Let's assume that Internal Affairs finds that
16 this Police Officer used excessive force,
17 whatever it maybe, and reported to the Chief
18 that the Police Officer was totally in the
19 wrong, did not uphold his sworn oath, et
20 cetera. Will the Chief of Police then
21 recommend his removal as a Police Officer or
22 does it actually have to go through the Grand
23 Jury proceeding?

1 MR. FOLMAR:

2 May I respond?

3 MR. MAX:

4 Yes.

5 MR. FOLMAR:

6 What happens depending on it -- I can give
7 you an instance. We usually suspend somebody
8 depending on the severity of it. If it is a
9 breach of courtesy, it might be five days
10 suspension in a counselor form which hurts
11 comes promotion time. That is a very severe
12 penalty when a severe counseling form has gone
13 into somebody's report. They can be suspended
14 as much as thirty days, which is a full month's
15 pay, they can be discharged if in fact we have
16 found it to be the case. If it is an
17 allegation of some person saying, they did this
18 and the officer say, no, we didn't, and witnesses
19 have conflicting reports. We think that then
20 is a fair matter for the Grand Jury or the
21 courts because none of us are Gods, none of us
22 can make a determination that such and such
23 happened if we didn't see it. But we think

1 that eighteen people from the community can
2 make that decision and we wouldn't be involved
3 in either the "cover-up" or whatever. We would
4 take it to the Grand Jury and we think that's a
5 proper forum. If a person has got a long
6 history of this, then we look very closely at
7 that person. And one of the ones that was in
8 1983 or involved in one of these incidence is
9 no longer with the Police Department. There
10 was no evidence by which we could have fired
11 the officer, but the officer ultimately left
12 the Police Department. I think those of you
13 who are familiar with the courts understand. And
14 we talked about Civil Rights, people have Civil
15 Rights and job rights and you cannot just walk
16 in and say, I don't like the way you handled
17 that case and you are discharged. We have done
18 a few of those and I wind up in the same court
19 I go most of the time, up there in Federal
20 Court.

21 MR. PIZITZ:

22 Are you saying then if a Police Officer
23 commits malfeasance and maybe there are

1 conflicting witnesses, which there always will
2 be, that there is no way he can be removed from
3 the force without the Grand Jury?

4 MR. POLMAR:

5 No, sir. If I gave that impression, I was
6 wrong. I say that we look at it. And we have
7 got case after case where an officer has done
8 what we considered to be excessive in or doing
9 it in a dereliction of duty or so forth and the
10 Police Department has disciplined that officer
11 or done whatever. But at a point to where if
12 someone has done something and if conflicting
13 reports about it, four eye witnesses, two said
14 he did, two said he didn't, the victim says one
15 thing, the officer says another. No, sir.
16 There is no way I'm going to crucify that
17 officer. I'm going to let the Grand Jury have
18 that case and they can -- they have subpoena
19 powers, they have the right to put people under
20 oath, and they will do that. If they indict
21 the officer and the officer is found guilty,
22 the officer will be discharged. But there is
23 no way in the world that I'm going to sit there

1 and say to an officer, just because somebody
2 said this happened and there are conflicting
3 witnesses who say it didn't happen, I'm going
4 to discharge that officer.

5 MR. PIZITZ:

6 How would that case apply in the event
7 of dereliction of duty by someone that works
8 the street for the Sanitation Department?

9 MR. POLMAR:

10 If the witnesses were there and they saw
11 the person deliberately run into somebody's car
12 with a sanitation truck or they did this or did
13 that and there weren't conflicting witnesses, I
14 have that same situation, Mr. Pizitz. We will
15 have a Sanitation Department truck, and it does
16 that on a regular basis, bump somebody's car.
17 Then you've got the regular accident report and
18 witnesses to this and witnesses to that. We
19 have a driver training school and a safety
20 board that this sanitation worker has to appear
21 at and we sift the facts out as best we can but
22 we don't discharge automatically a Sanitation
23 Department worker who may have had a wreck that

1 may not have been that sanitation worker's
2 fault.

3 MR. PIXITZ:

4 Do you, if there are conflicting witnesses
5 with the sanitation worker, can he only be
6 terminated via Grand Jury action like a Police
7 Officer?

8 MR. POLMAR:

9 No, sir. If in a final analysis we see
10 that he has had a history of this, a long
11 history, then if I thought that his actions
12 were such that they warranted discharge, then I
13 file charges, give him a copy of
14 specifications. We have to follow the Due
15 Process Rule all the way. I do not have the
16 unilateral authority to discharge people who do
17 service for the City of Montgomery. I have the
18 right to bring those charges to the Personnel
19 Board and I can say he is fired, the person has
20 a right to appeal to the Personnel Board and if
21 not satisfied, then there to the courts. I do
22 not have the unilateral right to discharge City
23 employees.

1 MR. BARNARD:

2 Has there been --

3 MR. PIZITZ:

4 You are saying you don't have that right
5 with Police Officers then you are saying?

6 MR. POLMAR:

7 I do not have that right. I cannot
8 unilaterally discharge a Police Officer. A
9 Police Officer does not -- is not forced to
10 abandon his or her property rights in a job as
11 they come to the Police Department. Sometimes
12 I wish I had that authority, but I don't.

13 MR. BARNARD:

14 But you do have the authority -- let's
15 say your Internal Affairs Division investigates
16 a situation and it comes to terms of the Police
17 Chief, it comes to you and convinces you that
18 indeed misconduct occurred in this incidence
19 and it was of serious character. You do have
20 the right then to discharge that individual
21 subject to his right to appeal to the Personnel
22 Board and then if unsatisfied there go to the
23 Courts; is that correct?

1 MR. POLMAR:

2 That is correct. We have done that.

3 MR. BARNARD:

4 That has occurred?

5 MR. POLMAR:

6 Yes, sir.

7 MR. BARNARD:

8 Let me follow-up on that in this way. One
9 of your strengths as a public figure I think is
10 you have certain decisiveness and straight
11 forwardness that amounts in many ways
12 appealing. It's rare that anyone
13 misunderstands where Emory Polmar stands.

14 MR. POLMAR:

15 I try to be clear, Mr. Barnard.

16 MR. BARNARD:

17 And certainly in those instances that I'm
18 aware of where there have been allegations of
19 Police misconduct you have been very quick to
20 come to the defense of Police and I think
21 that's important. The Police in our society
22 play a personal role and a very difficult role.
23 They deal with some of the darker sides of

1 human nature and the seedier sides of our
2 society's support of them and the support of
3 your City Officials. On the other hand, it's
4 equally important to note as guardians of the
5 law, if they go beyond certain lines, that
6 action is going to be swift and decisive. Can
7 you share -- I'm aware of the incidence where
8 you come to the defense of the Police in given
9 instances. Is there an example in your what,
10 seven years in office?

11 MR. FOLMAR:

12 Nine and a half.

13 MR. BARNARD:

14 Where misconduct has been proofed to your
15 satisfaction by the Internal Affairs Division
16 where you did in public statement of equal
17 force and decisiveness make clear your stand on
18 that conduct in your --

19 MR. FOLMAR:

20 Mr. Chairman: Yes. I have done that.
21 I'm the most severe critic the Police
22 Department has got. I'm the most severe,
23 demanding critic that they have. And if you

1 don't believe it, go ask a lot of them. I set
2 high standards and insist on them. I have
3 fired officers on the spot. You are fired.
4 Now, I have to be able to sustain that firing.
5 But I have fired officers on the spot. I have
6 suspended officers on the spot, right there.
7 Said, take your gun and your badge off and go
8 to headquarters, you are suspended right here.
9 And we do that. But now on the other hand,
10 when we have a shooting, if it's at two thirty
11 in the morning, at two thirty-three, I'm up out
12 of bed and I'm gone to headquarters and before
13 I make a public statement, I have interviewed
14 the officers, I have interviewed their
15 Supervisors, I have found out enough about it
16 that I don't just shoot from the hip that I say
17 that the officer did this or did that. I have
18 usually gone and sat and talked with the
19 officers, the Supervisors, and found out what's
20 going on. I don't rise to just defend the
21 Police Department but I make it my business to
22 try to know what to do, what they have done.

23 MR. MAX:

1 Abigail?

2 MS. TURNER:

3 Mayor, you have told us about your role in
4 the discipline area. Will you comment on two
5 things, please, one, your role, if there is
6 any, in promotions, and give us a little bit of
7 information about your relationship and your
8 supervisory responsibilities with the
9 Department.

10 MR. FOLMAR:

11 I was afraid you would never ask that, Ms.
12 Turner.

13 MS. TURNER:

14 I didn't want to disappoint you.

15 MR. FOLMAR:

16 Act 618 of the Alabama law, Legislative
17 Act that created the City of Montgomery's form
18 of government. Duties of the Mayor. The Mayor
19 shall be head of the Administrative Branch of
20 the City Government. He should be responsible
21 for the Administration of all affairs of the
22 City. He shall enforce all laws and ordinances,
23 appoint, and when necessary for the good of the

1 service, remove all officers and employess.
2 Exercise Administrative supervision and control
3 over all departments. The Mayor even under
4 this act could be a department head including
5 Police Chief. It says so right here in this
6 law as they created the form of Government. I
7 took my oath of office seriously. I am
8 involved. I am involved on a daily basis. But
9 in anticipation of this question and hopefully
10 somebody would ask, I went back to my log book
11 and measured the time that I spend in a normal
12 week by departments. May be of some interest to
13 note that I spend four times as much with the
14 maintenance and construction department of the
15 City of Montgomery as I do with the Police
16 Department. But I am totally involved in the
17 Sanitation Department. I can go have breakfast
18 and coffee and visit with our sanitation
19 workers before they go on the street. I attend
20 their Supervisor meeting, I attend their
21 Advisory Counsel meeting, I attend all of these
22 things. I go to the fire station. I was at a
23 fire for nearly two hours Sunday afternoon. I

1 an involved so that I can see what kind of
2 equipment the City needs and so I can measure
3 the performance of the individual in the --
4 where they are working. And do I that. There
5 were some that will be promoted from that fire
6 that took place that Sunday afternoon, there
7 are some that will never get promoted unless
8 they change their ways. I watched different
9 actions. And I do that in the Police
10 Department. The law says that -- Personnel
11 Department sends me five names and from those
12 five names I have the unilateral right to make
13 promotions from those five. I exercise that
14 right and privilege under the law on my
15 knowledge of who I think will make the best
16 officer. I can go into anymore detail if you like
17 but that's generally the way I approach it, Ms.
18 Turner.

19 **MS. TURNER:**

20 I wish you would give us a little more
21 detail about your relationship with the Chief
22 of Police and where his authority stops and
23 yours starts.

1 MR. FOLMAR:

2 On a day-to-day operational basis I seldom
3 am involved in the Chief's work. The Chief and
4 I have a mutual respect for each other. He is
5 kind enough every morning to call me and give
6 me a situation report, an activity report the
7 night before. Most of the time I have already
8 gotten it because I was up a little earlier
9 than he was. Seriously, we work together very
10 closely. The operational side -- I don't try
11 to go down and say we need to do this, but on a
12 strategic picture I do just as I talk about
13 positioning the fire trucks and the locations
14 of stations and type of equipment, and all of
15 those things are a continual discussion with
16 me. The same with the type of sanitation
17 trucks and the maintenance vehicles and all
18 this. I discuss those with department heads on
19 a daily basis, but I don't get down and say to
20 go out and try to run that department. Now,
21 from time to time I have done that in the
22 maintenance department. I will say, let me
23 show you how to do this. And I will, with

1 instruction background, show somebody how to do
2 something. But, no, ma'am, I'm serious about
3 being Mayor of the City of Montgomery. I
4 involve myself totally. I work long and hard
5 and I make no apology for being involved in the
6 promotion process in every department of the
7 City of Montgomery. I know these people, I
8 know their performance, and I know how they
9 work. And I think that's my job.

10 MR. GRAY:

11 Mayor Folmar?

12 MR. FOLMAR:

13 Yes, sir.

14 MR. GRAY:

15 What would happen if -- you indicated
16 earlier that in the case of a weapon being
17 fired or excessive use of force that you would
18 now routinely turn that over to the ABI to
19 investigate. Let's suppose the ABI
20 investigates and does not find that the officer
21 has been guilty of violating say a citizen's
22 Civil Rights or feel he acted properly. On
23 the other hand, let's say if the perception in

1 the black community is that excessive force was
2 used and outside agency such as Community
3 Relations Service of the Justice Department is
4 called in and they come up with a different
5 finding, in your opinion, since that perception
6 is still there, the ABI on the one hand says
7 the officer did no wrong, the Community
8 Relations Service said that even if the Officer
9 may not have done anything wrong, the
10 perception still is in the black community,
11 that the officer did excessively, in that
12 instance, how do you see yourself and the
13 Police Department resolving a conflict of
14 interpretation in terms of how two agencies may
15 view an incident?

16 MR. FOLMER:

17 Mr. Chairman?

18 MR. MAX:

19 Yes.

20 MR. FOLMAR:

21 That is a tough one. That is a very tough
22 one. If the investigating agency wishes to
23 reopen the case on the basis of another

1 finding, we welcome that. In other words, if
2 somebody discovers a new witness or some
3 additional information that the other agency
4 did not have, we would try to get them together
5 to see if there is something that was missing.
6 But, in the final analysis, I don't see how
7 that if the investigating agency who is
8 separate and apart from the City has
9 investigated it and has an open mind to hear
10 other testimony from any group wherever they
11 come from and then finally says, no, there was
12 no wrongdoing or, yes, there was wrongdoing and
13 we deal with either matter, then the only forum
14 for a settlement of that dispute is the
15 courthouse. Now, I see no other forum with
16 that. If you got absolute different points of
17 view that can not be reconciled and you have
18 tried to reconcile those points of view and
19 they are still unreconcilable, then the only
20 thing I say is go to court with it.

21 MR. MAX:

22 Mayor, we thank you for giving us your
23 co0peration today and I want to thank you for a

1 couple weeks ago you giving us your time then
2 as well as making your staff available to us.

3 I know you will want to share with me a
4 welcome to Commissioner Pendleton who I think
5 has come in since we began. Commissioner Pendleton,
6 are you here in the back? We want to welcome you
7 and if you have any comments either now or
8 during the course of our meeting we would love
9 to hear from you. In the meantime, Mayor, we
10 thank you and appreciate your courtesy.

11 MR. FOLMAR:

12 Mr. Chairman, thank you for allowing me to
13 be here. And again I restate that I appreciate
14 the way that you have approached this and I say
15 that to you as Chairman and to the other
16 Members who are there. And we stand ready to
17 cooperate, not only today, but any other time.

18 MR. MAX:

19 Thank you very much. Our next witness
20 will be John Wilson, Chief of the Montgomery
21 Police Department. And I'm told that we are
22 now having people in the back, so to the extent
23 that we can use these microphones, we will try

1 to do so.

2 MR. WILSON:

3 I would like to echo the Mayor's welcome
4 especially to those of you out of town. I hope
5 your stay here has been a pleasant one as well
6 as it can be. If there is anything we can do
7 for you for the duration of your stay make sure
8 you let us know.

9 I would like to open by saying
10 that it was about this same time when
11 you were here several years ago that I was
12 assigned to the Chief's Office as
13 Administrative Assistant to the Chief. And
14 although you had planned to come here before
15 the Todd Road incident happened, it was about
16 that time you arrived and therein lies your
17 perception that you were here primarily for
18 that reason. We recognize that there was some
19 things that we could improve with ourselves as
20 far as our imagine with the public, so at that
21 time a public spokesman was created for the
22 department and that was myself. One of the
23 main targets that I went after was our

1 appearance with the public and with the
2 community at large. I set out to do several
3 things. One was to educate the public as to
4 some of the problems that we have that they may
5 not be aware of that may lead to some of these
6 perceptions. Another thing that I set out to
7 do was to find a medium that I could use to
8 talk to the public, something unofficial so to
9 speak. We started a series of community
10 meetings about two years ago or so. We started
11 in February. And we had one a night for a
12 couple of weeks. We went to all areas of the
13 City, everywhere, uninvited. They didn't ask
14 us to come and at that particular time most of
15 crisis had settled. I felt like this would be
16 a good thing to do at a time when there was an
17 absence of crisis. Do you see what I'm saying?
18 I was attempting to lay down a foundation so
19 that when we did have an incident rise, we
20 would have a method to use. I started these
21 meetings. We were very successful with it. We
22 felt like we made a lot of headway with them.
23 After we had made our rounds throughout the

1 entire City, we cut back to one a month. And
2 to this very day we still continue these
3 meetings. They are one a quarter. There are a
4 lot of people right here in this room that have
5 attended those meetings. They are very
6 effective, they are informal, they are
7 conducted solely by us. I think it's most
8 unfortunate that some of people that throw a
9 lot of criticism in the direction of the Police
10 Department are not doing something like this on
11 their own or taking this initiative themselves.
12 One thing that the Mayor said that I would like
13 to go back to, it would be a lot more effective
14 if these kind of things were done outside the
15 Police Department or outside the City. Ms.
16 McPherson, who will testify later, made such a
17 motion and we supported her wholeheartedly. I
18 went to the Dexter Avenue Baptist Church and
19 attended her meeting and told her that myself
20 and Captain Williams would be at her disposal
21 and lend her any type of assistance she needed.
22 I stated that publically on the media and at a
23 civic club at which I spoke. I wished her the

1 best success she could possibly have. We still
2 continued our meeting in conjunction with hers.
3 We felt like something outside the Police
4 Department would have been best. So that's
5 basically why we supported her meeting. She
6 only had one and I hope she comes back and
7 tries it again. These are our ways of getting
8 things across to the public that they may not
9 understand about the Police Department. Often
10 times an isolated incident such as the one that
11 happened downtown the other day can be blown
12 out of proportion because all the facts that
13 are not brought to light. The only satellite
14 we have is the media and often times what we
15 have found to be the facts do not get across to
16 the public and it can create a lot of problems
17 for all of us. So that is the satellite they
18 use. And in fact, the very night that the
19 incident happened was on a Sunday. The very
20 next night on Monday we had our regularly
21 scheduled meeting. Most of the people in that
22 crowd were not even aware of the incident and I
23 brought it up. And all of the details that

1 were even unpleasnt for me to speak of, I
2 brought it up. And I found that the majority
3 of the crowd of course were black. And I found
4 that once I talked to them about it and brought
5 the thing out in the open, the hostility that
6 used to exist just wasn't there. I don't
7 think we should be confused.

8 When I go to speak to a civic club
9 I don't like to address black on black
10 crime in that fashion because somebody
11 is liable to get the idea that I'm
12 talking about the entire black community and
13 that is just not so. The majority of the black
14 community in this City enjoy a good working
15 relationship with the Police Department. I
16 hear from them on a day-to-day basis. If they
17 have got a problem, now they know they have an
18 avenue that they can take, either through
19 myself, Captain Williams, and Leutenant
20 Armstead. It is very unfair to target this
21 Police Department and the black community being
22 at odds at each other when you are really
23 talking on a whole one hundred -- probably

1 nineteen percent are responsible -- eighty to
2 ninety percent of the crime in this city.
3 That's the ones we have the conflict with. As
4 long as I'm Police Chief we will continue to
5 have a conflict with those folks. That's our
6 job. Unfortunately because of that segment of
7 our community that creates the large parts of
8 the crime, that's where we have to go and
9 therein lies our confrontation. We have
10 equally as many confrontations with the white
11 community based on the same figures as far as
12 the crime goes. So let's don't let ourself be
13 mislead. I think we have a wonderful working
14 relationship with the majority of the black
15 community in the City. With that I
16 would be happy to answer any questions.

17 **MR. GRAY:**

18 Yes. Chief Wilson, you indicated the
19 things that you-all are doing now to improve
20 your image in the community. Do you have any
21 way of measuring to what extent you feel that
22 the public's perception with the Police
23 Department, particularly in the black

1 community, have improved say measurably since
2 1983 when you began this study?

3 MR. WILSON:

4 Yes, I do. I think that the fact that
5 they now have an avenue that they can come to
6 me and I get more calls now than we ever had
7 before, we made it public that they can go to
8 the Internal Affairs Division and call him. We
9 get a lot more calls funneled that way that
10 used to end up on the street or at City
11 Council. At this past City Council, with all
12 the great cry that occurred over the incident
13 downtown, there was one lady that showed up and
14 she merely asked questions regarding the
15 incident. That is an improvement within
16 itself. The robbing and bottle throwing that
17 used to occur, whenever it went to the
18 disturbance, they were surrounded by a
19 large crowd in the project which often happens,
20 and you are aware of that, don't occur like it
21 used to for the simple reason, when we have to
22 go an extended period of time, we take some
23 community relation folks with us to go through

1 the crowd and let them know what the Police are
2 doing there and what our purpose is. There has
3 been a --

4 MR. GRAY:

5 In the area of community relations, does
6 it appear that the perception of the Police
7 Department has been linked to mistrust maybe,
8 the lack of effective communication, what are
9 you doing now in the area of the community
10 relations division to improve the image of
11 that division? I believe one of the
12 concerns or perceptions of that division was
13 that it was primarily a predominantly black
14 outfit focused on the housing projects and its
15 activities seemed to have been limited to
16 recreational activities for the youth.

17 MR. GRAY:

18 What have you done to improve the public's
19 perception of what the Community Relations
20 Division is all about and how it may improve
21 your image in the community?

22 MR. WILSON:

23 Purely contact is the keyword there. We

1 try to make sure we have a lot of contact. The
2 repair we do, majority of our work is with the
3 youth because that's where we have to start in
4 order to cure the black on black problem, I'm
5 afraid of the Police perception. We have to
6 start establishing a role model in the
7 neighborhood that Police are not what they once
8 were. I agree there was some problems and we
9 have still got a lot of improvement to go now.
10 But it's more to see the direction we are
11 moving as to where we are at this stage. We
12 are definitely moving in a positive direction
13 and doing it everyway we know possible. We
14 encourage the City, both adult and juevinile.

15 MR. GRAY:

16 What are you doing differently about the
17 division that was maybe not being done before?

18 MR. WILSON:

19 That division was merely a skeleton when
20 you were here. We have pumped a lot more
21 manpower, more money into it and it is now a
22 very key position and it comes directly under
23 my officers. It was really not in existence

1 when you were here before.

2 **MR. GRAY:**

3 In the area of the use of the field
4 interviews, one of the major concerns that
5 blacks had in '83 was that field interviews
6 were being used to harrass and intimidate
7 blacks. At the time, when we were asked about
8 field interviews, why they were being used, I
9 believe Chief Swindall at the time said there
10 could be a loosening or lessening of the use of
11 field interviews. I read your statement
12 regarding your position now. Do you feel that
13 the field interviews still serve a useful
14 purpose and I would like to know to what extent
15 you are using them, and I would also like to
16 know if you-all looked at the light of
17 perception that field interviews may have been
18 used in the past, to see to what extent the
19 number of field interview cards were kept,
20 whether there was a disproportionate number of
21 blacks in terms of field interview cards. If
22 you will comment on that in terms of field
23 interviews now.

1 MR. WILSON:

2 Let me address field interviews because
3 a lot of people may not know what
4 they are. A field interview card is a
5 card where instead of simply stopping
6 someone and obtaining very general information
7 such as name and where do you live and your
8 purpose for being where you
9 are -- usually they are only filled out in a
10 suspicion situation -- we are attempting to
11 erase that negative perception in the way of
12 training, human relations, that kind of thing,
13 in teaching officers to be very tactful when
14 filling out a field interview card
15 when they feel one is necessary. We still
16 encourage them as a necessary tool. They
17 constantly clear up burglaries, robberies, rapes,
18 a number of instances are cleared up by field
19 interview cards. I have often times -- when
20 I was a patrolman I would fill out
21 thirty-five to forty a week and I would do it
22 in such a fashion no one would know what I
23 was doing. Hey, what are you doing, do you

1 do you live around here. Before they
2 knew it, I had it all. And I drove up the
3 street and filled it out. We encourage a better
4 atmosphere to talk in so they don't feel
5 like they are being interrogated. But it is a
6 very necessary tool and we do use them now.
7 In regards to your perception,
8 that gets back to crime relations. If it
9 was over in McGhee Estates it would be a high
10 number of cards there. We have to use the tool
11 where the problem is. It's unfortunate and I hate
12 but that's something I need your assistance and
13 other people's assistance to try to correct.
14 We can't do a lot about the Committee
15 and job situations which creates underlying --
16 but crime is in the black community and
17 that's why the field interview cards are
18 filled out.

19 MR. GRAY:

20 If a person is not found to be say
21 suspected of a crime, are those interview cards
22 eventually destroyed?

23 MR. WILSON:

1 Not necessarily. But they are not a
2 record either. It's not something that appears
3 in everybody's record. Only time it would ever
4 appear in there is if we filled out another one
5 on him and he was a suspect and we checked or
6 low and behold it was one filled out a year or
7 so ago. Other than that, if there would be
8 another name in the computer, nobody would make
9 reference to it.

10 MR. GRAY:

11 In the area of Internal Affairs, in 1983
12 there were only two sworn officers assigned
13 that were handling it. In effect we learned
14 they have received no special training at the
15 time of this work. I would like to know what
16 is the size of that division now and what
17 changes, if any, have been made in that
18 division to handle complaints.

19 MR. WILSON:

20 It still consists of clerical help but
21 plays a key role in going out and factfind and
22 establish his investigation, gaining the tapes
23 and gaining the statements. Usually it's two

1 people that's needed. Size of Internal Affairs
2 has nothing to do with it. If he sees a large
3 scale investigation is needed and there is
4 something that might spread throughout the
5 department, then investigate it, and the
6 investigative division -- assign the case to
7 them. But there are only two people in at this
8 time.

9 MR. GRAY:

10 Are the citizen complaints handled any
11 differently than in '83?

12 MR. WILSON:

13 I hope it is better now. As far as the
14 method, it is basically the same. Now, we are very
15 sensitive to what we call a flagging system.
16 We normally don't tag a man's file if we get
17 nothing more than a routine discourteous
18 complaint during a traffic stop and it goes
19 into it. Larry may look into it, may call the
20 people, and we find maybe there was some gray
21 area there, no disciplinary action was noted,
22 and if we continue to get three or six of
23 those, then some kind of action would be taken,

1 removal of that person from say the motorcycle
2 to somewhere else.

3 MR. MAX:

4 To what extent have you called on the
5 leadership in the black community to help you
6 with perception or communication or
7 investigation of some of these questionable
8 incidents and what -- I guess my question is,
9 in talking with the Mayor, it appears that
10 you-all take a rap whether it's in the
11 newspaper or from a portion of the community
12 but at the same time there is no attempt to
13 reach out and obtain some leadership to help
14 with that perception. I guess my question is
15 this: What efforts have you made outside of
16 the Police Department to go out to black
17 leadership and bring in assistance?

18 MR. WILSON:

19 You are grossly incorrect. I have called
20 them on many, many occasions and in fact to get
21 the ball rolling on the right foot, when I was
22 appointed Police Chief, I called all the public
23 Council Members and not necessarily because I

1 was worried about what might occur as far as my
2 appointment, I wanted to let them know I wanted
3 to get a fresh start and work together, anything I
4 can help you with, let's have a open line of
5 communication. In my community meetings I have
6 called a lot of these so called leaders, why
7 don't you attend, why don't you come. It would
8 be great if we could. John Knight has
9 attended with me on one occasion and not on the
10 other occasion because of a previous engagement
11 and that is it. One of the basic questions I
12 get asked a lot in community meetings are,
13 where are our black leaders.

14 MR. MAX:

15 Are you saying black leadership is not
16 going firm to assist with these problems?

17 MR. WILSON:

18 Absolutely.

19 MR. PIZITZ:

20 Chief, how many officers are on the
21 Community Relations Bureau?

22 MR. WILSON:

23 I believe there is six.

1 MR. PIZITZ:

2 What is the black/white make-up?

3 MR. WILSON:

4 I think all are black except we have
5 two white female and male.

6 MR. PIZITZ:

7 Would it help if there were more on the
8 Community Relations Bureau?

9 MR. WILSON:

10 Not necessarily. We have enough that we
11 think can handle about any situation that
12 arises. But we want to make sure we have
13 somebody in that position sensitive to these
14 problems since they obviously are in the black
15 community and Sidney and his crew or staff are
16 a lot more sensitive to those type problems
17 than maybe a white officer might be.

18 MR. PIZITZ:

19 Relating sensitivity, would more of a
20 white presence in that bureau show the black
21 areas that the white policeman are not ogarts,
22 that he is sensitive to their problems, that he
23 is a part of the solution?

1 MR. WILSON:

2 I think the size of -- the two that are
3 there would serve that purpose. Anymore than
4 that would polarize that unit.

5 MR. PIZITZ:

6 One other question. What would your
7 position be regarding a proposal of changing
8 the Montgomery Police Department's use of
9 deadly force regulation to that used by
10 Birmingham?

11 MR. WILSON:

12 We have already changed ours and it's a
13 lot stricter than Birmingham. We made ours
14 fall in line with the ruling that Judge
15 Thompson handed down, and let me speak to that
16 just a second. We never even at the most lose
17 time as you referred to when the achieving
18 policy fell on the Law of the State, we never
19 advocated somebody being shot because a mere
20 felony had been committed. We never advocated
21 somebody being shot because a pair of socks was
22 stolen. It was a felony, therefore, you could
23 use deadly force. That was never our intention

1 and everybody knows that. Everybody with
2 contact of public goes through that. This was
3 blown way out of proportion in certain segments
4 of the community. We have since brought it in
5 line. It is a very strict policy and I think
6 it's a very fair one that met Judge Thompson's
7 okay.

8 MS. TURNER:

9 Chief, I have before me your standard on
10 the use of deadly force since we were here the
11 last time. As you pointed out, there has been a
12 Supreme Court decision which incorporates a
13 Probable Cause Standard. If I'm reading your
14 SOP or General Order correctly, you have a
15 standard that says an officer has a good reason
16 to believe that the use of force is necessary.
17 Explain to me if you will the difference if any
18 between that standard and the Probable Cause
19 Standard.

20 MR. WILSON:

21 What we are trying to establish there, if
22 that officer feels like by letting that person
23 get away, he is going to go down a block down

1 the street, kill you or somebody else, he has
2 to just use a judgment.

3 MS. TURNER:

4 Is it your view this is the Probable Cause
5 Standard?

6 MR. WILSON:

7 There is a lot of difference between
8 Probable Cause and did you
9 believe a felony had been committed or
10 something like that. What we are dealing with
11 is a man has to have serious reason to believe
12 he is harmful or he could present a very serious
13 threat.

14 MS. TURNER:

15 Let me ask you another question in a
16 different area. We have discussed with you the
17 policy that you don't use policeman on the
18 beat, you don't have a foot patrol. Will you
19 comment on why and since you don't have -- or
20 what techniques you use to be sure the officers
21 know the community in which they work?

22 MR. WILSON:

23 Captain Williams will address it in

1 more detail. Footpatrols are economically feasible.
2 It would delight our force to properly
3 cover the areas we need to cover. Secondly,
4 where would you like for us to put
5 them? If you are referring to housing
6 projects, they spend ninety percent out of
7 cars on foot. If you would like a
8 predominantly black number or predominantly
9 youth in the neighborhood, that's not
10 going to accomplish anything. It's not
11 feasible like it was one time when community
12 was real close-knit and tied together.

13 MR. BARNARD:

14 One specific area concerns the Committee.
15 Three years ago was the lack of use of
16 psychological screening for new recruits. New
17 recruits are subjected to have background
18 checks. I understand they are subjected to a
19 lie detector examination. My understanding was
20 that a number of police departments around the
21 country are found that psychological screening, not
22 individual analysis, but the kind of
23 psychological assessment that can be given

1 fairly an explicative useful meaning in the
2 choosing of people who would make in fact
3 Police Officers. If that assumption is correct
4 and if your connections with Police Officers
5 achieves other urban areas they confirm that
6 was a useful tool, would you consider
7 recommending the department change its policy?

8 MR. WILSON:

9 First, it is not a confirmed tool. Most of
10 them are forced to. That's not necessarily a
11 useful tool. We use it to a great extent but
12 we use it when we feel like there is a problem
13 there. If we get an officer that we are even a
14 little bit questionable about, then we get an
15 evaluation. If we got one on the force that we
16 feel needs one, we get an evaluation. We don't
17 evaluate everybody that comes in. If I ever
18 saw that that was something that would really
19 help our Police Department out as a useful
20 tool, sure. I wouldn't suggest it to the Mayor.
21 But at this point I don't feel it to be a
22 necessary tool. I would like to state one
23 other thing. One other thing that we have

1 tried to do is relate to the community, and it
2 is a very hard thing to do and I don't know
3 what we have to do, to get a across, we are very
4 capable of policing our own organization. I
5 have taken a harder stand on discipline than
6 has before. There has been drug analysis, which
7 I found one officer to be guilty of consuming
8 drugs and he was reassigned pending dismissal.
9 We were going to come forward anyway but he
10 went ahead and resigned. He was tested. And
11 we have had several instances like that where
12 we have brought it before the public. Nobody
13 would have -- we called the media, we called
14 them and told them we disciplined the officer.
15 We are capable to set this standard. I have to
16 go before the public and say, that's not the
17 facts. I want them to understand that our
18 credibility is good.

19 **MR. BARNARD:**

20 One other factor that was pointed to in
21 this earlier document was a barrier of getting
22 the caliber of Police Officers that you wish.
23 Was it the salary level in your department?

1 You are here in Montgomery, you are competing
2 with State agency for law enforcement personnel
3 and are often -- are you satisfied that your
4 injury level makes you attractive?

5 **MR. WILSON:**

6 We are competitive with the State and
7 Federal agency. There is no way we can compete
8 with them. They are larger as far as other police
9 departments go. We are very competitive

10 **MR. MAX:**

11 Let me ask you this question: In terms of
12 policing your own organization, and I commend
13 you on that, when we talked about perceptions
14 and understanding, I think when the public has
15 confidence in the fact that you are policing
16 your own, then I think less questions are
17 raised. When you have an incident where there
18 are questionable circumstances, short of court
19 supervision or Grand Jury indictment, what do
20 you feel would be an appropriate position for
21 the Police Department to take in terms of
22 review of these questionable circumstances?
23 And I'm saying the ones that are short of

1 everything, or everybody saying that either the
2 Police Officer was right or wrong rather the
3 ones where we have that gray area, where there
4 is some saying he did and some saying he didn't,
5 and those are the ones it appears that really
6 cause the problems. What do you think is the
7 appropriate position for the Police Department
8 to do?

9 MR. WILSON:

10 We have cases that have gone before the
11 Grand Jury that's what the courts are -- you
12 said short of court supervision. There is
13 really no other way for me to go public and try
14 to explain in detail all of the facts just as
15 they happen. Usually when this happens, I
16 don't have any problem with the public.
17 Usually when they know everything in detail and
18 I can prove it to them that gray area seems to
19 disappear, other than that, there is always
20 going to be some segment that's not going to
21 totally agree with what you did. It's human
22 nature. But it never fells when the thing is
23 always brought to light the first then that

1 somebody in the public, they tend to leave out
2 key events. We often times will go to a family
3 disturbance or fight breaks out and they are
4 back in love with each other by the time we
5 leave and they are prosecuting the Police.

6 MR. MAX:

7 Do you think it would help in resolving
8 that misunderstanding or gray area if someone
9 from leadership in the black community was
10 available to you and discussed and helped in
11 investigating that or sharing the information
12 so they inturn can be --

13 MR. WILSON:

14 If they would do it objectively it would
15 be a big help. I don't mind talking to Council Members
16 right on down. Many times the battle
17 lines have already been drawn and they refuse.

18 MR. GRAY:

19 Yes. I believe three years ago it was
20 Attorney Vanzetta McPherson who recommended one
21 thing that may help perception of
22 Police/Community Relations would be for the
23 Police Department to do a better job of letting

1 citizens know how complaints maybe filed and
2 how they are resolved, to do that expeditiously.
3 And I think she proposed there can be an
4 inexpensive flyer that would set out the
5 one, two, three's as to how that could be done.

6 Since you are having these community
7 meetings around the City now, what do you do in
8 these meetings to let citizens know how
9 complaints maybe filed and what does the Police
10 Department do to let a citizen know what the
11 resolution of a complaint is? I was just
12 looking at the catagories of complaints that
13 you get and let's say maybe one, so many of
14 them were dismissed because they were
15 unfounded, but is the citizen told in virtually
16 every instance what the resolution of a
17 complaint is and how do you do that?

18 MR. WILSON:

19 That's a very good point, Mr. Gray. We
20 have several avenues we can use. We have a
21 secret witness line that everybody -- it's been
22 published on bumper stickers, all over the
23 cars. They can call that number and do not

1 have to leave their name, and if they have a
2 problem, we will have somebody respond to it. We do
3 look at those things and we usually don't just
4 throw them away. Everytime I go to one of
5 these meetings that you referred to, I take
6 Leutenant Armstead with me. He gets up and
7 speaks on that very issue. Over the last years
8 or so I have grown to respect Ms. McPherson a
9 great deal. I think she is trying to do some
10 good things. And her suggestion there is a
11 very valid one. But I think we have already
12 addressed it. Many times our complaints will
13 stem from an incident that has happened in the
14 past. We will never know anything about it
15 until somebody just all of a sudden appears in
16 the public and says, I've been done wrong. And
17 a lot of times what will happen is they will
18 get up and make a big public issue out of it
19 and they will leave out key facts. So we have
20 to play catch up. Those people knew the avenue to
21 take. They cannot sit there and tell you --
22 obviously they did not know that we had an
23 Internal Affairs Division, they got a Chief of

1 Police, they have got a Major of the Division,
2 they got secret witnesses, they can call any
3 one of them they want to call. And we do that.
4 And as far as suggestion of flyers, that would
5 be a good one. But we have people do that, we
6 have to play catch up. It makes us look like
7 we are on the defensive therefore creating your
8 perception problem that you keep referring to.
9 We have an incident like that happen here
10 recently where somebody said they were
11 brutally beaten and the family was traumatized
12 and all this kind of thing. Well, they left
13 out several key facts like the man that was
14 assaulted picked up a nightstick and came after
15 the Police Officer. Well, it's all over the
16 paper then. We then got to send Leutenant
17 Armstead out and he goes to home. If somebody
18 can't get there, he goes out there and gets a
19 statement. That's the way we have to end up
20 addressing most of these things most of the
21 time.

22 MR. GRAY:

23 In terms of your relationship with the

1 media now in terms of the Police Department,
2 how do you view it when you see the Police
3 Department improving it's relationship with
4 local media? I know you all happen to --

5 MR. WILSON:

6 The majority of them are very good. We
7 have had some rough times here lately but I
8 feel my stand on that was wrong and I feel like
9 we were done wrong and I think those problems
10 have been cleared up. I feel like we were used
11 more or less for their benefit, but that has
12 been straightened out so I feel like everything
13 is overall very good.

14 MR. GRAY:

15 So in effect you are saying now that
16 you-all feel that you are even-handed in
17 terms of the media?

18 MR. WILSON:

19 We have met with the owners and that
20 problem has been cleared up.

21 MR. MAX:

22 Any other questions? We appreciate your
23 corporation.

1 Next on our agenda we have the Montgomery
2 Police Department Division heads, Larry
3 Armstead, Sidney Williams, and Grady Arnette.
4 If we could have each of you take a seat at the
5 table if that would be possible. If I may
6 introduce you-all to our group with your
7 titles, Leutenant Armstead with Internal
8 Affairs, Captain Williams with Community
9 Relations Bureau, and Major Arnette with the
10 Police Academy. Do you wish to have any
11 opening statement at all?

12 MR. ARMSTEAD:

13 Yes, sir. I would like to take this
14 opportunity to welcome you to the City. We
15 open at this time to take any suggestion that
16 you might have or that anyone might have to
17 improve our Police Department. We understand
18 that Police Departments all over the country
19 are pled with certain problems. Of course we
20 here in Montgomery are no exception to that.
21 We understand that nothing is perfect. You are
22 going to have problems wherever you go. We are
23 willing to work in whatever capacity that we

1 can to straighten those problems out.

2 MR. MAX:

3 Any of the others have any opening
4 statements

5 MR. WILLIAMS:

6 Yes, sir, Mr. Chairman. I'm just here to
7 shed a little light on my position as to duties
8 and activities of the Community Relations
9 Bureau. During the last three years since I've
10 been Commander of Police/Community Relations I
11 have tried hard to go out into the communities
12 to let people know what they can do and how
13 they can do situations that might concern them
14 most in terms of mainly the community
15 meetings that Chief Wilson had talked about.
16 We have gone to churches, we have gone to civic
17 meetings, we have gone to schools, anywhere in
18 the community in order to address these
19 particular problems. Here recently we came up
20 with another program since people have been
21 contacting me in reference to youth. We came
22 up with a program here three weeks ago that we
23 title the rap with Community Relations. And in

1 this particular meeting it was designed for
2 youth only. We had a very good meeting three
3 weeks ago and this meeting was generated in the
4 Riverside housing project. That meeting has
5 been the talk of the project. Come next week
6 we will hold another similar meeting and this
7 is dealing strictly with youth. We have five
8 different offices located within the public
9 housing projects, one being the Smiley Court
10 area, one being in the Cedar Park area, one
11 being in Tulane Court area, and one being in
12 the Riverside housing project, and of course
13 one in the Montgomery Police Department. I
14 have five different locations within the City
15 where we try to deal with all the complaints
16 more or less dealing with family crisis more or
17 less, abusive situations, police complaints on
18 citizens.

19 In my bureau as you know we have six
20 people that we work around the clock. We do
21 not have the eight to five situation although
22 for that particular situation we do say eight
23 to five, but we go home and kick off for a

1 couple hours and we are in the street again.
2 On a day-to-day basis I know where most of the
3 problem lies. I know where most of the
4 complaints or most of the harassment calls come
5 from just on a daily basis. I do not wait for
6 people to come to me. Most times, if we hear a
7 lot of complaints going to one particular home,
8 we will go out and gather all people involved
9 and get them together and sit down and try to
10 figure out what their problems are and try to
11 eliminate it. This has worked to a great
12 extent and just about eliminated a lot of the
13 serious complaints that we have had especially
14 within the housing projects. Then this has
15 been going on for the last two or three years
16 and we have seen a lot of progress in that
17 particular area.

18 MR. MAX:

19 Grady?

20 MR. ARNETTE:

21 Since you were here last we have expanded
22 our Human Relations area at the Police Academy.
23 We have actively recruited in our high schools

1 for police cadets. Our Montgomery officers go
2 through a six hundred and eighty hour class
3 which is approximate -- minimum standard is two
4 hundred eighty hour class. Our academy is such
5 that people from the area of Birmingham send
6 their people down here to go to our school.
7 Areas such as Homewood, Mountain Brook,
8 Hoover, Talladega, Auburn, they send their people to
9 our academy although there is two or three
10 academies in that area. As I said, actively
11 recruited in the high schools in the
12 predominantly black high schools for police
13 cadets who eventually will go on and become
14 Police Officers. Mayor Polmar has initiated a
15 leadership school that is put on by the Senior
16 NCO Academy which is our office, our
17 Supervisor.

18 MR. MAX:

19 Very good.

20 MS. TURNER:

21 Leutenant Armstead, will you explain to us
22 if there have been changes in your complaint
23 procedures and their investigation and your

1 investigation of complaints since we were here
2 in 1983.

3 MR. ARMSTEAD:

4 The procedure is basically the same.
5 Whenever a complaint is brought to my attention
6 or to any Police Officer's attention or to
7 another citizen's attention, they will do one
8 of many things to bring it to my attention. Of
9 course they can either call, have one to call,
10 person who has the complaint can call. If I'm
11 out here and I hear rumors about such
12 complaint, first of all I go to the Division
13 Commander. If it's with a patrol officer I go
14 to the Patrol Division Commander to see if he
15 has knowledge of that complaint and the
16 investigation will start at that point. I
17 don't sit back and wait for the Complainant to
18 come forward to me and complain to me about a
19 problem. If I hear one, I'll get started on
20 it, especially if it's of the magnitude where
21 it's going to bring some type of unfavorable
22 look upon the Police Department or if it's
23 going to cause some problem in the neighborhood

1 or community. I get started on it immediately.
2 I'm assisted by a Sergeant, Sergeant Hudgins.
3 Even though there are two at my office, I have
4 at my disposal the entire Police Department. I
5 got to clear it with the Chief because on
6 any other division at the Police Department that
7 I need to help me with any type of
8 investigation -- And I've done that in the past
9 and I will continue to do it if that's what I
10 need to do to properly investigate a
11 complaint.

12 MS. TURNER:

13 Is there a requirement that the complaints
14 be signed and sworn?

15 MR. ARMSTEAD:

16 I don't understand the question.

17 MS. TURNER:

18 Do complaints that are made to the Police
19 Department have to be signed in writing by the
20 Complainant?

21 MR. ARMSTEAD:

22 No, ma'am. All the person has to do is
23 call me on the phone and make the complaint

1 against the Police Officer and I start the
2 investigation at that point. Now, at some
3 point in time I make it my business to meet eye
4 to eye with the person who is making the
5 complaint to get a statement from them and if
6 they can't make it to headquarters then I go
7 out to meet them either at their home -- There
8 has been occasion where people said, I don't
9 want you to come to my home, meet me at this
10 location. I'll meet them there. But at some
11 point in time I will meet face to face with the
12 Complainant.

13 **MS. TURNER:**

14 Do you have a policy in making a decision
15 about who or what part of the Police Department
16 will do the investigations?

17 **MR. ARMSTEAD:**

18 Yes, ma'am. Normally, if it's a complaint
19 such as -- and we got a lot of these -- citizen
20 calls in about they were unjustly awarded a
21 traffice citation. Most of the time something
22 of that nature I'll refer to the Traffic
23 Division. If a complaint comes to my attention

1 basically about an officer maybe being a little
2 rude or a little unkind to a citizen, I'll
3 refer that complaint to the Patrol Division
4 Commander and this is how they assist me. Now,
5 if there is any complaint about Police
6 brutality, falsely arrested, or anything of
7 this nature, I'll take it up. And with the
8 assistance of whatever division commander I
9 need, then we will do the investigation
10 together. Mainly on my own.

11 MS. TURNER:

12 Does that mean that you would be using to
13 assist you the Division Commander under whom
14 that officer works?

15 MR. ARMSTEAD:

16 Yes, ma'am.

17 MS. TURNER:

18 Is every complaint investigated?

19 MR. ARMSTEAD:

20 Yes, ma'am.

21 MS. TURNER:

22 Am I correct that you have -- that you
23 really wear three hats, an investigator of

1 complaints, you handle those, you do the
2 internal discipline investigations, and you
3 are also a press spokesman?

4 MR. ARMSTEAD:

5 I don't really do the internal
6 disciplining. I leave all the disciplinary
7 action to the Chief. My job is to investigate
8 the matter, turn all the findings over to the
9 Chief of Police.

10 MS. TURNER:

11 But you do have the investigative function
12 on disciplinary matters in the department?

13 MR. ARMSTEAD:

14 Yes, ma'am.

15 MR. MAX:

16 Do you make recommendations to the Chief
17 upon your investigations?

18 MR. ARMSTEAD:

19 Only if the Chief asks. Once I collect
20 all the evidence and facts, I turn the entire
21 case file over to the Chief, at that time he
22 asks me what my feeling was and what's my
23 recommendation, I'll make it known to him.

1 MR. MAX:

2 What relation or what communication is set
3 up between you and Captain Williams from
4 investigation to Community Relations?

5 MR. ARMSTEAD:

6 Captain Williams and myself, we meet, talk
7 everyday. If there is a complaint in one of
8 the local housing projects which he and his
9 officers are looking into and he feels I need
10 to know about it, then he will contact me and
11 he will make me aware of it. If I'm
12 investigating a complaint in any area of his
13 work area, and that's the entire City,
14 especially in a congested or crowded area such
15 as our housing projects, I'll insure that I
16 touch base with Captain Williams while I'm in
17 there investigating the complaint, because most
18 of the time Captain Williams or one of his
19 investigators are familiar with these people and
20 of course I want to make it well rounded and
21 get as much background information that I can
22 before I start the investigation.

23 MR. MAX:

1 I guess I'm going to ask each of you and it's
2 a follow-up to what you said. We are talking
3 about Civil Rights.

4 MR. ARMSTEAD:

5 Right.

6 MR. MAX:

7 We are talking about perceptions on the
8 Civil Rights. Is there between you a way that
9 the community could better understand the
10 investigations which you do or that the
11 relations that you attempt to put forward of
12 the Police Department can be better handled on
13 your behalf so that they better understand
14 these investigations?

15 MR. ARMSTEAD:

16 Yes, sir. The problem that I've had and
17 I've been investigating now for about eight years,
18 the problem I've seen in these eight years is
19 most of the time whenever a person has a
20 complaint because of this perception problem,
21 they say right away, you are not going to do
22 anything because it's the Police. Of course
23 that right there puts a gap between the

1 investigation and the person. And what we try
2 to do is sit down and explain to them we are
3 not there to try to cover up anything, that
4 it's my duty and my job to investigate the
5 matter, and if the Police Officer was wrong,
6 then that matter will be dealt with. But by
7 the same token, if they are unjustly in making
8 their complaint, we will let them know that.
9 We have made it known to the public over and over
10 again that we are there to assist the public.
11 We make it known every chance we get that it's
12 the public Police Department, not the white
13 Police Department, not the black Police
14 Department, but the entire public Police
15 Department and we can only do as much as the
16 public allows us to do. If they want to hide
17 certain issues, cover certain facts up and
18 won't talk to me, then I can't get out there
19 and perform my job efficiently in order to find
20 something.

21 MR. MAX:

22 Would it help in your task and also,
23 Leutenant Williams, in yours, if you had a body --

1 call it Biracial Committee, call it Montgomery
2 One, call it whatever name you want to call it,
3 that you could utilize to help you with that?
4 What you are saying, we are the Police and when
5 we do it, we have a slant on it. But if you
6 had that connection with an independant group,
7 black leadership, white leadership that was
8 visible that could not only communicate to the
9 community but also assist and be able to assure
10 the community, we have looked into it as well,
11 would that not assist you in your jobs?

12 MR. ARMSTEAD:

13 I think it would. If they would look at
14 the matter objectively I think it would. Not
15 come in with a closed mind right away, state
16 that the Police Department was wrong or right,
17 and do it in a fair manner, yes, sir, I think
18 it would.

19 MR. MAX:

20 Leutinent Williams, let me just ask you --
21 I'm sorry. Excuse me. In light of that, would --
22 have you been able to identify, in your
23 community meetings, people who are willing to

1 come forward to assist you in that regard?

2 **MR. WILLIAMS:**

3 Yes. Unlike Leutenant Armstead's
4 division, I do not deal directly with the
5 police complaints, citizens against the Police
6 Officer. My divison investigates complaints
7 from citizens against another citizen and I do
8 not feel that I need the assistance of an
9 outside agency in order to deal with my
10 particular situations. I call all parties
11 involved whether they are the Complainant or
12 witness. I call them all together and we all
13 sit down and try to iron the problem out. And
14 I have been successful in doing it that way.

15 **MR. MAX:**

16 I understand -- and I apologize, Captain. I
17 understand there are leaders in the black
18 community whether it's through these meetings
19 or otherwise that are available to you to help
20 with that?

21 **MR. WILLIAMS:**

22 That's correct. For instance, I deal a
23 lot with ministers on these cases.

1 MS. TURNER:

2 Leutenant, let me ask you one final
3 question. When the Police Chief spoke, you
4 talked about the flag system that apparently is
5 used when there are one or more complaints
6 against a Police Officer. Will you describe
7 that for us.

8 MR. ARMSTEAD:

9 For instance, we have got -- we had a
10 problem with an officer, someone called in a
11 complaint, that officer was rude to them. That
12 complaint might be referred to the Division
13 Commander. We make notation of that fact.
14 Couple weeks later if we get a different
15 complaint maybe from a different side of town,
16 different segment of the population, very
17 similar to the first complaint, then we make
18 note of that again. Obviously there is a
19 problem there somewhere. At that point, the
20 officer will be called in, questioned about his
21 attitude to see if there is any problem he has.
22 Now, if it continues, then evidently there is a
23 problem, especially when you start getting four

1 or five complaints on the same officer.
2 Evidently there is a problem there and it needs
3 to be addressed. And all of the Division
4 Commanders along with the Chief of Police is
5 good about doing that. They don't sit back and
6 wait until the problem mushrooms and then
7 you've got even a larger problem.

8 MS. TURNER:

9 Since you have been in your position, has
10 this flag system led to any disciplinary
11 actions against officers with to many
12 complaints?

13 MR. ARMSTEAD:

14 Yes, ma'am, just the other day.
15 Disciplinary action is about to be taken on an
16 officer at this particular time. He had a
17 problem which we thought we had taken care of
18 but evidently it wasn't and the Chief is about
19 to do something about that now. And it's
20 because of this flag system he was talking
21 about.

22 MS. TURNER:

23 Captain Williams, when we were here before

1 we heard information about personnel in your
2 department and you had told us in your earlier
3 meetings there have been, and the Chief said,
4 there have been increased numbers of people and
5 money. What is the number of people you have
6 working with you and tell us their race,
7 please?

8 MR. WILLIAMS:

9 There are six of us, including myself.

10 MS. TURNER:

11 What are their races?

12 MR. WILLIAMS:

13 One white female, one white male, one
14 black female, and three black males --
15 four black males. I'm sorry.

16 MS. TURNER:

17 What training have the people under your
18 command had in the way of Police Community
19 Relations?

20 MR. WILLIAMS:

21 Besides the general training, college
22 experiences and police academies, on a weekly
23 basis I gather my people together to sift

1 through the things that we have done, see where
2 we are going, see what we need to do, and this
3 is done mostly on a weekly basis and it's done
4 by myself.

5 MS. TURNER:

6 So it's mainly on-the-job training?

7 MR. WILLIAMS:

8 That's correct.

9 MS. TURNER:

10 I believe when you made your opening
11 statement in naming where you have the people
12 that work with you stationed, all of them are
13 stationed in housing projects?

14 MR. WILLIAMS:

15 They are not just stationed in these
16 places. We have them set up in these offices
17 and we have some in those particular locations
18 and my Police Officers make periodic stops all
19 during the week. We go from one location to
20 the next. If a situation arises in that
21 particular housing project, we go there, we
22 call the people to a meeting, and we work with
23 that. And this is the way we deal with it all

1 over the City.

2 MS. TURNER:

3 What if any duties do the Community
4 Relations people have with respect to what we
5 might consider more traditional law enforcement
6 in the housing projects? For example, do they
7 have arrest authority and how does that --

8 MR. WILLIAMS:

9 Yes, ma'am. After we receive a complaint,
10 if we feel that a warrant is necessary, then we
11 advise the complaining party, and often times
12 we will carry them to obtain the warrant and we
13 will go back ourself and arrest the person. We
14 try to deal with all complaints without making
15 an arrest. But if we have one where some
16 particular violence has been inflicted or
17 bodily harm has been inflicted upon another
18 person, I feel if that person feels that they
19 really need to make an arrest or feel they need
20 a warrant, then I will not try to talk them out
21 of it because they have some type bodily harm
22 and if they need a warrant, they can get it.
23 But on the other hand, if there was just some

1 type of dispute, then we will work with that
2 without making an arrest. And this is on a daily
3 basis also.

4 MS. TURNER:

5 In our earlier conversations, we've been
6 told that with respect to crime in the housing
7 projects it's often people coming from outside
8 the projects to prey on those who live
9 there. Does your group have authority to
10 pursue such people if they are in the housing
11 projects and leave? For example, if you've got
12 dope peddlers or something like that?

13 MR. WILLIAMS:

14 Yes, ma'am. On all of the vice
15 information that we gather, if we do not see it
16 ourselves, we just gather information, we pass
17 it on to the vice and narcotics for them to
18 further investigate. We do have mostly
19 outsiders come from the housing projects. For
20 what, I do not know. But we have dealt with
21 that and we have just about ran them all out of
22 hope. But we do see a significant difference
23 on people coming in for the purpose of

1 purchasing drugs. This is why on this last
2 move that we made in one housing project, I
3 understand that there were several thousand
4 dollars a day of dope deals going on before we
5 moved in. The first time that we started
6 renovating the building for our office, I got a
7 call at home one morning about three o'clock
8 and about six of them were in there tearing the
9 place up. The patrol units got there before I
10 got there and sure enough they had busted out
11 my windows and tore holes in the walls. I
12 guess they were trying to discourage us from
13 moving in. But that didn't stop us. We came
14 in and we boarded the place up, we got the
15 housing authority to put bars around the
16 windows and the doors to prevent them from
17 coming in, and eventually we got it renovated
18 and moved in. But I understand there was a
19 great deal going on each day. They had shifts
20 working. There is one bunch that comes in in
21 the morning for the push and in the afternoon
22 another shift would come in and later that
23 midnight another shift would come in. And

1 people would come in the from all over the City
2 of Montgomery just for the purpose of buying
3 drugs.

4 MS. TURNER:

5 To what extent do the Community Relations
6 Officers walk a beat or perform a foot patrol
7 function?

8 MR. WILLIAMS:

9 No, ma'am. We do not assign beats, so to
10 speak. On a daily basis we will go into these
11 areas. If we see the need to park our cars and
12 walk, this is what we do. This is not a policy
13 that we will go in and say, okay, we are going
14 to organize this foot Patrol. But we do park
15 our automobiles and we walk and talk to people,
16 we talk to kids, we try to get together a
17 friendship more or less among ourselves and the
18 people in the communities. But beat patrols,
19 no, foot patrols, no.

20 MS. WOOLFOLK:

21 This is not about Community Relations. I
22 wanted to ask questions of Major Arnette. I'll
23 yield if anybody hasn't finished this lane.

1 MR. MAX:

2 I would just like to ask one more question
3 along those lines. To the extent that you know
4 that there are leaders in the black community
5 or white community that help you with community
6 relations, have you had any conversations or
7 discussions with Montgomery One in terms of
8 your input of who those leaders would be and
9 who would be helpful with this community
10 relation?

11 MR. WILLIAMS:

12 No, sir. I haven't never addressed that
13 at all.

14 MR. MAX:

15 That's all.

16 MS. WOOLFOLK:

17 Major Arnette, I guess we could say that
18 police and dentist are somewhat alike in that
19 we really want to have them around but we don't
20 want to go to them to often. And I think
21 that's part of the problem in relationships
22 between the community and the officers. We
23 were concerned in 1983 about two major aspects

1 of what you do, one is the basic training of
2 your officers in what we call human services,
3 understanding of people and their behavior, and
4 that sort of thing, and secondly, in the
5 psychological fitness of your recruits and your
6 veterans for dealing with people in general in
7 admittedly stressful situations. You've
8 already mentioned that you have made some
9 changes in both of these areas. And for the
10 Record I wish you would comment again briefly,
11 since 1983, what change have you made in terms
12 of the preparation of your officers for dealing
13 with these human relations, and secondly, what
14 changes have you made in requiring some kind of
15 psychological testing of both your recruits and
16 veterans.

17 MR. ARNETTE:

18 I've provided someone on the end,
19 Siceloff, with a list of the human relation
20 courses that we have in our academy now and I
21 think it's in the area of sixty hours
22 somewhere. We draw from the Senior NCO Academy
23 at Gunter Field mostly on our -- in the area of

1 psychologically testing our applicants when it's
2 deemed necessary by the staff of the Police
3 Department who conducts the oral interviews, a
4 psychological evaluation is made on that
5 individual through a private agency here in
6 town. It would be economically impossible. I
7 think, under the present budget to psychologically
8 evaluate every applicant that applies.

9 **MS. WOOLFOLK:**

10 Let me just -- how do you know which
11 applicant ought to be the one tested?

12 **MR. ARNETTE:**

13 Usually from the oral interview or
14 something shows up in his background in the
15 background investigation.

16 **MS. WOOLFOLK:**

17 So after your staff has made a background
18 check, if there are some areas that lead you to
19 believe that you want to raise professional
20 question of a psychological nature, then you
21 contract with a psychologist or similar type
22 for that background check?

23 **MR. ARNETTE:**

1 Right.

2 MS. WOOLFOLK:

3 Have you had occasion to deny positions to
4 recruits on the basis of such information?
5 Have you turned down people because of those
6 tests?

7 MR. ARNETTE:

8 I can't think of a one.

9 MS. WOOLFOLK:

10 Have you not promoted people because of
11 such tests?

12 MR. ARNETTE:

13 I'm not aware of it. One resigned,
14 according to the Chief.

15 MS. WOOLFOLK:

16 For every ten people tested, how many
17 would you say are either denied or disciplined
18 or not accepted on the basis of the test? What
19 I'm trying to do is to see if there is any
20 application of the test results to what you
21 actually do.

22 MR. ARNETTE:

23 I'll have to be honest with you. Every

1 evaluation that I've read, the doctor takes a
2 position right on top of the fence. He won't
3 say it would be a bad candidate or good
4 candidate. He just won't or she won't commit
5 herself one or the other.

6 MS. WOOLFOLK:

7 So you are left to your discretion as to
8 what to do with the information?

9 MR. ARNETTE:

10 That's as honest as I can be.

11 MS. WOOLFOLK:

12 I gather from hearing your Superior's
13 conversation that there is not very much
14 pro-psychological tests done, favoritism among
15 the Montgomery Police Department.

16 MR. ARNETTE:

17 I don't think there is no pros or cons. I
18 believe if we had the money, and if it called
19 for it, or it was imparative, we would do it.

20 MS. WOOLFOLK:

21 So you have not taken the position that
22 psychological testing as such is not a good
23 thing. You are rather taking a position that

1 it's probably an expensive thing.

2 **MR. ARNETTE:**

3 Absolutely. To test every applicant, it
4 would be expensive.

5 **MS. WOOLFOLK:**

6 Let me ask you this question: What
7 percentage of the Montgomery Police Department
8 has a college degree?

9 **MR. ARNETTE:**

10 Guess?

11 **MS. WOOLFOLK:**

12 Just a guess.

13 **MR. ARNETTE:**

14 I would say thirty percent.

15 **MS. WOOLFOLK:**

16 Does the department encourage college
17 training?

18 **MR. ARNETTE:**

19 Yes. Absolutely.

20 **MS. WOOLFOLK:**

21 Do you reward people for courses that they
22 take?

23 **MR. ARNETTE:**

1 No incentive pay for education.

2 MS. WOOLFOLK:

3 Do you see any difference in the
4 performance of people who have some college
5 training and those who don't? A lot of us work
6 with colleges and we won't be offended by your
7 answer.

8 MR. ARNETTE:

9 Academically?

10 MS. WOOLFOLK:

11 Yes.

12 MR. ARNETTE:

13 Yes.

14 MS. WOOLFOLK:

15 If you had your druthers, would you
16 require a college degree for Police Officers?

17 MR. ARNETTE:

18 Absolutely, if I had my druthers.

19 MR. MAX:

20 Jerome?

21 MR. GRAY:

22 Yes. Major Arnette, your perspective, do
23 the recruits who are college graduates seem to

1 move up the ranks faster than those who don't,
2 in terms of promotions?

3 MR. ARNETTE:

4 Not necessarily. Performance counts more
5 than anything else.

6 MR. GRAY:

7 I guess I should direct this to Captain
8 Williams. Getting back to community relations
9 and perceptions, do you think that in the area
10 of Community Relations that you could -- your
11 division could have more role playing sessions
12 with black and white Police Officers so that
13 they would be more sensitive in terms of
14 knowing how to respond in certain ways to maybe
15 some instance that may happen in the black
16 community? I think one of the findings we made
17 three years ago was that so often in terms of
18 perception, it is that black Police Officers
19 should maybe patrol the housing projects
20 because we see some advantage in that, but by
21 the same token, let's say that an officer who
22 happens to be white is discourteous to a black
23 citizen or may use racial slurs as we have

1 heard before, that in your Community Relations
2 Division, that you all could have some in-house
3 sessions with Police Officers where you could
4 role play, or you may be doing that, whereby
5 white officers -- as we get to the point more
6 graphically, why certain things should not be
7 done or said that might cause black citizens to
8 act certain ways to perceive of the Police
9 Department in certain ways. Do you all do that
10 as community relations?

11 MR. WILLIAMS:

12 To a certain extent I would say no. It
13 would be a good point. But we do have
14 conversations with the patrol officers on a
15 daily basis who arrived at these projects and
16 they report differences to us and we sit down
17 and talk about it and if we have to follow-up
18 on what they are saying, we do that. We have
19 daily contact with the officers who patrol
20 these different areas everyday.

21 MR. ARNETTE:

22 Along those lines, we have a class on the
23 values -- a four hour class at the academy

1 where we give all the recruits a situation. We
2 say nothing else and they take the position of
3 absolutely right, absolutely wrong, right
4 with reservations, and wrong with reservations.
5 And during that class, and it's probably my
6 favorite class at the academy, you get
7 the insight to what the person is thinking and
8 they exchange views and they try to convince you on
9 the absolutely wrong side, and I'm on the absolutely
10 right side, I try to convince you over here,
11 you try to convince me to go over here simply
12 because of how you feel as opposed to how I
13 feel. It's a good class.

14 MR. PIZITZ:

15 Major, I understand that you have proposed
16 that Police Officers already in the field go
17 back for human relations training forty hours.
18 Has that been implemented?

19 MR. ARNETTE:

20 We do that in the leadership class that
21 the Mayor started. We bring them back.

22 MR. PIZITZ:

23 How about retraining all of the officers?

1 MR. ARNETTE:

2 All of the officers would be --

3 MR. PIZITZ:

4 Or get them in exposure to it?

5 MR. ARNETTE:

6 Good idea. We'll be open to it, yes, it
7 sure would. But everybody that I can think of
8 now in the field other than the officers that
9 has been here longer than seven, eight years
10 has had it.

11 MR. PIZITZ:

12 But those who have been there for seven or
13 eight years, you would favor them going back to
14 human relations training?

15 MR. ARNETTE:

16 That would be fine with me.

17 MR. PIZITZ:

18 Would you favor, if the budget permitted
19 it, incentives for officers going back and
20 taking advanced education courses?

21 MR. ARNETTE:

22 In the lines of Criminal Justice?

23 MR. PIZITZ:

1 Yes, sir.

2 MR. ARNETTE:

3 Yes, sir.

4 MS. WOOLFOLK:

5 You made a distinction in the lines of
6 Criminal Justice --

7 MR. PIZITZ:

8 Sociology, anything that might be related.

9 MR. ARNETTE:

10 Anything that might effect Criminal
11 Justice, yes.

12 MS. WOOLFOLK:

13 Are there things not related to Criminal
14 Justice that you could specify -- you seem to
15 have a reservation for some courses and we are
16 trying to figure out which of those you are
17 having reservations that are in human
18 relations.

19 MR. ARNETTE:

20 I don't believe if somebody went back
21 along the Fire Department course that would
22 help us in the Police Department.

23 MS. WOOLFOLK:

1 But human relations --

2 MR. ARNETTE:

3 I would agree with that, yes. But that's
4 a part of it. That's a part of our curriculum.

5 MS. WOOLFOLK:

6 Any Sociology courses?

7 MR. ARNETTE:

8 No problems with it.

9 MS. WOOLFOLK:

10 Psychology courses?

11 MR. ARNETTE:

12 No problems.

13 MR. PIZITZ:

14 Captain Williams, almost ten percent of
15 the black sworn officers in the Montgomery
16 Police Department are in the Community
17 Relations Bureau yet only about half of one
18 percent -- is my figure right --

19 MR. WILLIAMS:

20 You mean ten percent of the officers being
21 in the Community Relations Bureau?

22 MR. PIZITZ:

23 There are seventy -- if my figures are

1 right, there are seventy black sworn officers
2 in the Montgomery Police Department so that's
3 about nine percent.

4 MR. WILLIAMS:

5 You mentioned community relations, you
6 mentioned ten percent in the Community
7 Relations Bureau. That's what I read.

8 MR. PIZITZ:

9 I'm saying, ten percent of all the black
10 sworn officers in the Montgomery Police
11 Department are in the Community Relations
12 Bureau yet only one half of one percent of all
13 the white officers are in the Community
14 Relations Bureau. Would you favor adding more
15 white officers to your division?

16 MR. WILLIAMS:

17 I would favor any officer who would favor
18 my position in Community Relations not because what
19 color they are.

20 MR. PIZITZ:

21 I'll come back on that. Would exposing to
22 the black housing projects white officers, who
23 have very good human relation skills, would

1 that help with this perception that may or may
2 not exist in the community?

3 MR. WILLIAMS:

4 It might and it might not. It would be
5 hard for me to sit here and tell you just what
6 would happen on any particular situation if a
7 white officer goes into a problem or a black
8 officer goes into a problem. It's hard for me
9 to say yea or nay on that.

10 MR. PIZITZ:

11 I guess I'm relating to an experience in
12 Birmingham where there has been a conscious
13 effort made there and things like police
14 athletic teams and so forth with white officers
15 coaching teams and it is composed primarily of
16 black youth and it has made a major impact in
17 the City -- are you doing anything with Police
18 athletic teams?

19 MR. WILLIAMS:

20 In my devision, no, sir.

21 MR. ARMSTEAD:

22 If I may? We do a lot of things in the
23 community to better the relationship not only

1 with the black community but the white
2 community as well. One thing which I think is
3 good to benefit the Police Department in the
4 City is our Montgomery Police Department Youth
5 Camp. This is where we take an average of -- X
6 number of boys and girls under the age of
7 eighteen to our summer camp for a week at a
8 time at no cost to the parents. All the parent
9 has to do is meet us at a designated place --
10 right now we are using Patterson Field parking
11 lot -- with their child, we load them onto the
12 bus, we take them to camp for a week, bring
13 them back Friday afternoon at about four
14 o'clock. Most of the kids love it, they want
15 to go back two or three times, but because of
16 the high number of kids in the City who want to
17 go, we can only do it maybe once a year. But
18 that's one aid which has assisted us
19 tremendously in the community and most parents
20 love it, most kids love it, and we enjoy it
21 because you get the interaction with the kids
22 and the Police Officers in a non-structured
23 environment. When I say non-structured

1 environment, I mean away from the City. It's up
2 in Elmore County.

3 MR. PIZITZ:

4 Are the Police Officers the Counselors at
5 the camp?

6 MR. ARMSTEAD:

7 The camp is ran and maintained by the
8 department. We have Police Officers on duty up
9 there twenty-four hours a day. Their meals are
10 cooked there, we have structured activities for
11 these kids and they learn to interact with each
12 other. And it's something that I think would
13 benefit all of us to see the little black kids
14 and white kids interact with each other. They
15 don't have no perception about what each other
16 is doing. They don't have any problem with the
17 Police Department. They enjoy it, love it, and
18 we enjoy it, and it's something we look forward
19 to continue doing on a broader basis than what
20 we are doing now.

21 MR. GRAY:

22 In terms of complaints, and going back to
23 your system of flagging officers who have

1 several complaints, do you see any difference
2 in maybe attitude behavior of younger officers
3 who have had the advantage of the classes that
4 Major Arnette is talking about as compared to
5 those officers maybe who have not have that
6 exposure?

7 MR. ARMSTEAD:

8 Yes, sir, I have. As a matter of fact, I
9 attended that class and it was an excellent
10 class. And I have a BS degree in Criminal
11 Justice so I have some of the Sociology courses
12 and some of the psychology courses and it's a
13 very, very good course taught at the academy.
14 Most officers leave there saying that, we wish
15 we could go back again to take more of those
16 courses. It's just good anytime you can
17 broaden a person about anything concerning the
18 people who they are dealing with. It's a very
19 good class, again. Again, as Major Arnette
20 stated, it's something that we plan to continue
21 and I can't see anything but benefits coming
22 from that class. I don't see how it could hurt
23 us any way at all. Most officers enjoy the

1 class. It takes them away from the streets
2 for awhile and puts them in the learning
3 environment where they don't have the pressures
4 of watching their backs all the time, so to
5 speak. But it's a total learning environment
6 and a lot of good things come out of that
7 class.

8 MR. MAX:

9 Thank you very much. We appreciate your
10 cooperation today and also in our previous
11 interviews.

12 MR. MAX:

13 We will now take a break for about ten or
14 fifteen minutes, reconvene at approximately
15 five of eleven, ten fifty-five. If any of you
16 desire to be a part of the unscheduled speakers
17 you must see Mr. Siceloff during this break.
18 Thank you.

19 (Recess.)

20 MR. MAX:

21 The next portion of our program is the
22 biracial interchange with City and private
23 initiatives. We have with us Alice Reynolds,

1 President of the Montgomery City Council, Mr.
2 Mark Gilmore, Member of the City Council, Mr.
3 Joe Lehman, Leadership Birmingham -- I'm sorry.
4 Leadership Montgomery, Mr. William Chandler of
5 One Montgomery.

6 Would any of you like to make an opening
7 statement? I would ask your statements be as
8 brief as possible. We are running a little
9 behind. We are going to try to catch back up
10 to schedule as much as possible. But if you
11 have a brief statement, we welcome it.

12 MS. REYNOLDS:

13 Yes, sir, I would like to make a
14 statement. Mr. Chairman, Members of the
15 Committee: I am Alice Reynolds and I am
16 President of the Montgomery City Council. I
17 was elected to the Council in 1978 and the
18 Council elected me their -- I was elected to
19 the Council in 1978 and the Council Members
20 elected me their President in 1983. Since I
21 first became a member of the Council I've had
22 an opportunity to see the troubled periods and
23 the peaceful periods among the citizens of

1 Montgomery. As with every community there
2 always appear to be some people who give the
3 impression of not wanting to do anything to
4 cooperate or to help with community relations
5 and progress in the City. They give the
6 impression that their sole purpose is to see
7 how much strife and turmoil and controversy
8 they can cause. Montgomery has had its shares
9 of these problems and difficulties. Montgomery
10 has gone through difficult times in Community
11 Relations.

12 But we are now enjoying a large
13 measure of harmony. Just as those who seem
14 intent on creating turmoil and controversy
15 exist, so there are those who are intent on
16 trying to develop good Community Relations and
17 progress within the City and improvements for
18 all citizens regardless of their race, color,
19 creed, or sex. These efforts have always been
20 put forward by those who have the best interest
21 of the community at heart. In the 1983 October
22 election for Mayor and Council Members, the
23 citizens of Montgomery both black and white

1 defeated certain members of the Council and
2 certain members of the Council chose not to run
3 for reelection. And Mayor Emory Folmar was
4 overwhelmingly reelected. During that campaign
5 almost all of the candidates for City Council
6 ran on the platform of working together as a
7 Council. The issue was important to all
8 citizens of the communities. They were tired
9 of the image that the Council was projecting.
10 As a result of this political change, those who
11 had the best interest of the City of Montgomery
12 at heart, both elected official and layman,
13 were able to come forward and be more effective
14 in their efforts and there has been tremendous
15 progress made since the last election. There
16 is now harmonious relationship among all the
17 members of the Council. The Council works
18 together in conjunction with the Mayor for the
19 betterment of the City of Montgomery and all
20 its citizens. And we now debate the issues,
21 make decisions, and can even disagree without
22 hostility. Prior to the last election, the City
23 Council meetings consisted principally of

1 bickering, revel rousing, flammatory speeches,
2 and created a field day for the news media and
3 press. The nightly news, following Council
4 meetings, on Tuesday consisted of controversy,
5 inflammatory remarks, and generally reported a
6 situation of total disarray. Since the
7 election in October of 1983 most citizens of
8 Montgomery don't even know when the Council
9 meets. There is minimal controversy and there
10 are few inflammatory issues among us. Council Members
11 in conjunction with the Mayor work as a
12 dedicated team and we have made great strides
13 for the benefit of the community. With
14 specific reference to the Police Department and
15 its Community Relation affairs, the Police
16 Department conducts Community Relations
17 meetings in all of the neighborhoods as you
18 have heard, and on a regular basis.

19 This was attempted prior to the election.
20 But certain people didn't want such a program
21 to succeed and so it did not. A Biracial
22 Committee, which was created prior to the last
23 election, did not succeed because certain

1 Council Members didn't want it to succeed.
2 Since the election, One Montgomery has taken
3 over the function of the Biracial Committee and
4 is meeting regularly, operating smoothly, and
5 making progress in the community. Leadership
6 Montgomery was in the planning stages before
7 the last election and it is now an extremely
8 popular and effective program. There will
9 always be problems in any community. And to
10 believe that our community can exist without
11 problems is unrealistic utopia. Montgomerians
12 have been able to solve their own problems in
13 the past and will continue to solve these
14 problems in the future. Montgomery is the most
15 harmonious and peaceful communities of its size
16 existing anywhere, I'm firmly convinced. And
17 with particular reference to the Police
18 Department, we probably had more black and
19 female officers in ranking and supervisory
20 positions than any other City of its size in
21 the entire United States. We still have those
22 that complain in spite of all our efforts and
23 those who will not be satisfied regardless of

1 what the community or its leaders do. Most of
2 the people and the officials in Montgomery have
3 tried to do what they thought was right and
4 good in the best interest of the people. There
5 will always be those who want to oppose
6 progress, some for selfish reasons and some for
7 well-intention but misguided reasons. We will
8 continue to do what we think is in the best
9 interest of the citizens of Montgomery. And as
10 Abraham Lincoln once stated, if in the end it
11 all turns out all right, then it won't make any
12 difference what people say. If on the other
13 hand it turns out bad, a whole host of angels
14 at our side supporting what we did could not
15 satisfy our credit. Thank you, Mr. Chairman.

16 MR. MAX:

17 In an effort to allow us to ask you
18 questions in time, perhaps you others can
19 incorporate your statements into some of our
20 questions. I would like us to afford us the
21 opportunity to forward with some of the
22 questioning at this time. Do any of the
23 members of the Committee have any particular

1 questions to ask?

2 MR. GILMORE:

3 I would like to make a statement before
4 you proceed.

5 MR. MAX:

6 Sure.

7 MR. GILMORE:

8 I am Councilman Mark Gilmore, Junior,
9 City Montgomery, and we welcome you to this
10 City and we hope we all can get something out
11 of coming today. We still in this City
12 have a Todd Road case, but only one thing,
13 they are not kicking down doors, they are
14 beating them now. As you know in this city,
15 when you change administrations and doesn't
16 change your policies, the administration
17 remains the same. I can simply say to one of
18 the Leutinents who sat here this afternoon,
19 when a black women weighs a hundred and
20 five pounds was beaten for no reason at all on
21 the streets of the City of Montgomery, it's a
22 disgrace in this City. As a leader of
23 sportsman of the Police Department, taking

1 Criminal Justice, been in school, get on TV
2 and says to the public, her A-S-S
3 got what she deserved. They know the
4 lady was a mental patient. They didn't have
5 to beat the lady. We have a training facility
6 here in the City of Montgomery. I think
7 those batons that they use to crack you upside
8 the head and beat you is not to be used to
9 brutalize people. I think it's made to protect
10 themselves if necessary. What can a hundred
11 and five pound lady do to two officers,
12 one holding her and one beating her?
13 They know the lady was a mental patient. The
14 lady was sitting by the Krystal hamburger stand
15 doing no wrong to anybody. Why not go out and
16 find the criminals? Another statement was made
17 here today that the courts -- the housing
18 projects have problems. All of the City of
19 Montgomery has problems. Why would you just
20 station police units in housing to intimidate
21 the people who live in housing when you can
22 put them all over the City of Montgomery --
23 all of the units over the City of

1 Montgomery? For we need this all over the
2 City of Montgomery, not just in housing.
3 It's not just a problem in housing. Many of
4 the problems that are brought to housing are
5 brought from the City to housing. Housing is
6 not responsible for all the things that
7 housing people take credit that they give the
8 people at this time. I feel at this
9 time the Council is trying to work peace and
10 harmony but the Council is still about -- even
11 if there is not a lot of ruckus, if you
12 would check the role vote, it's always a
13 five/four vote. We are five/four ratio and
14 it always goes down majority of the time
15 five/four. Tell me where there is a change
16 when you can only get -- every now and then
17 something you don't want you can get a vot
18 for. Tell me, where is the change?

19 The Police Chief stated that he has called
20 upon black leaders, so-called, as he said. We
21 are not so-called leaders. We are leaders
22 elected by the people. In that case we would
23 say at this time, he is not the Police Chief.

1 We could say he is assistant Police Chief until
2 the Federal Court says that he is full Police
3 Chief of this City. I resent him to get on TV
4 and continue to say to the black community and
5 to the public, black leaders won't come forward
6 to help the Police Department. I disagree
7 with that. You take 1980, '81, '82, '83, it
8 was Mark Gilmore, Junior that brought the people
9 together into this City with a program called
10 Black-on-Black Crime and All Crime in this
11 City. You take now Community Relations, has a
12 program that's going around the City, only
13 going in the black community. I think it
14 should go all over the City and not just in the
15 black community to say, you have from thirty to
16 forty people. People are disinterested in
17 something that's taking course in the same
18 thing that's going on all the time in this
19 City. People are tired of that. People are
20 tired of -- I think we need to take a new
21 course of the Police Department, needs to be
22 looked at, changes need to be made, and not
23 just one man set to intimidate and tell the

1 Police Department what should be done. You
2 take your police academy. No, they are not
3 going to know everything that goes on in that
4 police academy, but when the blacks come, when
5 the whites come, many of them are kicked out --
6 that are qualified but are kicked out. They
7 come to the black leaders and say what they
8 want to do and what they want to say. We have
9 the records of some actions that are being
10 taken at many camps. But until they get to the
11 point of saying to the black leaders, let's
12 come to the table, let's set a goal that
13 everybody can work with. Sure. I'm one of
14 the ones that in 1983, at the time, tried to set
15 up a Biracial Committee. The deck was stacked
16 and we said no. The community follows their
17 leaders and the community will act and the
18 community as ministers, preachers, we have men --
19 preachers have an organization called People
20 Meeting People. We only seen one man from the
21 Police Department travel with this unit to go
22 into housing or any other area of the City to
23 see what is going on and that's Captain Sidney

1 Williams. He is the only man that we have seen
2 so far and we go in all segments of the
3 community. I think it's time now that
4 Montgomery sit down and look at its problems
5 and say, let's solve them, let's not sit here
6 and give fictitious rumors. And as the Police
7 Chief stated again, when they meet black
8 citizens on the street, they take cards and
9 they write your name down, your address, and
10 that's an intimidation to people. And he
11 stated himself they were not tore up so why
12 could it be part of the main records they keep?
13 Time to time they come back to you with these
14 same cards and records and say to you, we know
15 what your name is, we know who you are, we know
16 what you are doing. It's not only dope in west
17 Montgomery, it's dope all over the City of
18 Montgomery. We need to take it for what it's
19 worth and stop criticizing one segment of the
20 town. The west Montgomery area are more
21 critized than ever. We even have white
22 constituents come to us that have been beaten
23 and hurt by the Police Department. Why is it

1 all the time that we never get a conviction, my
2 men are never wrong, my men are always right?
3 You tell me what's wrong when you always can
4 say that we are right and you are wrong, let's
5 go to the courts? Why should we put the money
6 in the courts when we need work to done in
7 different communities of the City?

8 MR. MAX:

9 Mr. Gilmore, let me stick with you just a
10 minute and ask you this question: It sounds to
11 me what you are saying is that the Police
12 Department has its -- sees its point and moves
13 with its point, and in terms of the input of
14 the community, there is a gap. How would you
15 suggest closing the gap of the way the Police
16 Department through its policies in Community
17 Relations is set up, how do you see closing
18 that gap in the black community?

19 MR. GILMORE:

20 Calling the entire community together for
21 a meeting.

22 MR. MAX:

23 You've heard that they do have periodic

1 meetings, weekly meetings in some of these
2 communities and people are attending.

3 MR. GILMORE:

4 You have from twenty to thirty people
5 attend. That's not a segment of the black
6 community.

7 MR. MAX:

8 How would you suggest it being done?

9 MR. GILMORE:

10 If they would in terms would be willing to
11 stop saying so-called leaders and call it
12 leaders that are elected by the people, the
13 ministers of this City of different
14 organizations to come together and to meet and
15 to make some goals, I think progress can be
16 made.

17 MR. MAX:

18 We have heard of one Montgomerian -- I
19 know Mr. Chandler is here representing that
20 group, but I would like your perceptions. That
21 seems to have been, as Ms. Reynolds indicated,
22 the replacement of the Biracial Committee. How
23 do you see Montgomery One?

1 MR. GILMORE:

2 I never met the Committee. But from what
3 I read, some of the same names that were
4 submitted at the time that a Biracial committee
5 was sent to the Montgomery City Council and
6 opposed, some of those same people that served
7 on this Committee served on that Committee and
8 I think we need to check the backgrounds of
9 those people and we can find out what's going
10 on in the City of Montgomery. We don't even
11 know a lot about a Biracial Committee as such.

12 MR. MAX:

13 So you're saying what your perception is,
14 One Montgomery is not serving that need or is
15 that replacement?

16 MR. GILMORE:

17 We do not know anything -- the total
18 population of the black community do not know
19 anything about this new Biracial Committee as
20 well as some parts of the white community which
21 is being victimized, too.

22 MR. MAX:

23 Mr. Chandler?

1 MR. CHANDLER:

2 Thank you, sir. And I will not respond to
3 Mr. Gilmore's remarks in its entirety. When
4 One Montgomery was formed, he received an
5 invitation from Mr. Povall, who is the
6 publisher of our paper, to attend the meeting.
7 And I can assure you that he will be welcome at
8 any meeting. I think it's interesting that
9 there are six members of One Montgomery here,
10 Mr. Andy Foster, Mr. Merv Branch, Ms. Margaret
11 Bridges, Ms. Kate Brown, and Ms. Vanzetta Penn
12 McPherson. I might add that Vann wrote our
13 statement of purpose. I want to take a
14 different approach, if you don't mind, because
15 we are not into the controversy of the Police
16 Department that might be perceived by your
17 Commission or presented by Mr. Gilmore. We as
18 a group of citizens, and there are fifty-four of
19 us who actively are involved and a hundred
20 twenty who have expressed a participation on
21 the Advisory Committee, we believe that we
22 have within our Committee the leadership of
23 Montgomery sufficient to contact any person and

1 to share the concerns that we might have with
2 them or to respond to any problem that might be
3 brought to us. For example, at a time when the
4 Commission on Higher Education needed a group
5 of black and white citizens, male and female to
6 meet in regards to the issue that they had to
7 present to the court, they came to us, and
8 within three days' notice we brought together a
9 group of people. Whether you like the report
10 they brought out, it actually began with our
11 groups that afternoon. We put the ideas in
12 place. So I thought it was one of the things
13 that we have been able to do. In looking at
14 what we should do -- and I might add that Dr.
15 Percy Vaughn from -- who is head of the School
16 of Business at Alabama State is the Chairman of
17 our Committee, and a Co-Chairman is Bobby Wheel,
18 who I believe his reputation as a solid
19 citizen of Montgomery is without question.
20 Neither of them are in town today and for some
21 reason I was asked to take their place, which
22 I'm glad to do, to fill in and speak for them.

23 In establishing the organize of One

1 Montgomery we visited several cities where
2 biracial groups were in effect. And the thing
3 we learned most important was, one, don't be
4 in a hurry, two, don't be political, three, don't
5 be where you meet and every issue you discuss is
6 tried before the media. Ironically we have the
7 publisher of the paper and the manager of one
8 of the TV stations as a member of our Committee
9 but we don't get any publicity on what we are
10 doing till that night. We feel that a part of
11 our goal -- and I will not take time to read it --
12 but I gave Dr. Barnard -- and I want to thank
13 Dr. Barnard and Mr. Sicehoff when they visited
14 with me prior to this -- while they gave an
15 approach they expressed and I sat in here when
16 you were here X years ago and I felt an advosarial
17 relationship. I didn't feel that when these
18 gentlemen called on me this time. I felt
19 that they were here interested in bringing
20 about good things. If you hit me over the
21 head, I don't change to well, but if you lead
22 me and show me, I'll follow that type of
23 approach. And I believe the problems of

1 Montgomery can only be solved by people
2 following that approach. But I do have a
3 statement of purpose -- I won't take your time
4 to read it. The first one I noted will be on
5 your program later. If there is a challenge on
6 that, she wrote it so she will have to defend
7 it. We have met every Tuesday morning now for
8 some eighteen months. We have discussed many
9 problems. We have responded to challenges that
10 have been brought before us. We still deal with
11 the outstanding youth in our community and find
12 them much more willing to tackle problems with
13 teenage pregnancy, of the problems of east/west
14 relations. And I refer to east/west
15 relationships in the City of Montgomery and
16 they are real. We can say they are not, but
17 they are real and exist. There are other
18 things along this line that we are willing to
19 review. We are not accountable to anyone
20 except to respond as we are called upon by the
21 people of Montgomery. We believe that
22 Montgomery is probably as fine a place that a
23 person can live. Unfortunately the image that

1 others want to project of our city does not
2 always come out that way. So our goal is to
3 respond when people call upon us, and in the
4 meantime we have learned to laugh at a joke, we
5 have learned that we can tease and share each
6 others' personal interest as we visit and
7 become close friends in what we do. That, I
8 guess, is about as brief a statement as I can
9 make.

10 MR. MAX:

11 Thank you. Any particular questions from
12 the Committee at this time?

13 MR. MAX:

14 I would like to ask this: I understand the
15 background behind One Montgomery and I think
16 you are on target in terms of your initial
17 approach. I'm wondering, when you have an
18 incident that occurs in the community, before
19 it gets to -- society of ours becomes to
20 litigious -- before it gets to the courtroom,
21 if there is a way that the City, that the
22 community, or that some other entity inbetween
23 can do to help defuse a situation through

1 better understanding of the incident, may end
2 up needing to correct an individual officer,
3 may end up having to correct the community's
4 perception of the incident, is Montgomery One
5 ready to assume that role? Because what I'm
6 hearing is that some entity needs to help. I
7 don't know -- and let me just complete it in
8 with -- the Police Department has its function.
9 The Mayor's office has its function. They can
10 do as much Community Relations as they possibly
11 can. There seems to be a need for an entity to
12 come inbetween to help with this understanding.
13 And my question is: Is Montgomery One ready to
14 assume that role?

15 ME. CHANDLER:

16 The question is good. It took you -- I
17 got the question a long time ago. The answer
18 is that we can respond to any person or persons
19 that come to us and ask us to be involved. We
20 do not perceive our role to put our nose into a
21 problem where we are asked. We don't feel
22 that's the basis on which we are constructed or
23 organized. When a group comes to us and says,

1 here is a problem, will you become involved in
2 it. We believe we have within our group the
3 leadership of Montgomery sufficient to address
4 that problem. There have been a few problems
5 brought to us and this we are willing to do.
6 We are not going to go out and try to tell you
7 we are strong enough to solve all the problems
8 that might be created. We would rather respond
9 to specific requests.

10 MR. MAX:

11 Do you think that -- in asking Captain
12 Williams of his relationship with Montgomery
13 One and he is the head of the Community
14 Relations Bureau of the Police Department, I
15 think his answer was that he did not -- he had
16 not addressed your group, and I got from that,
17 taking a step further, that there was not a
18 line of communication with him. Do you think
19 that would be helpful, the head of Community
20 Relations with Montgomery One?

21 MR. CHANDLER:

22 I think it would, if he sought it. We
23 have had Chief Wilson and we have had Leutenant

1 Armstead appear before our group and discuss
2 problems with our group. But we have not had
3 Captain Williams, but there would be no reason
4 why we would not enjoy having him. I think
5 that we are more and have had more meetings
6 related to the problem of teenage pregnancies
7 and those which are -- regardless of how they
8 might be perceived by others are both black and
9 white problems. They are not problems of any
10 one race only. But they have come to us with a
11 specific request for help. And this is a
12 project that we are beginning to work on
13 because we feel invited and wanted and needed.
14 If Captain Williams wanted to come to us, we
15 would certainly respond.

16 MR. MAX:

17 You hear Mr. Gilmore's concerns as he
18 expressed here today. Would it be helpful to
19 have some of that input from him and from
20 others who share his view such that we don't
21 need to get out in public and just use
22 flammatory language but rather can't take his
23 concerns and take concerns of people he may

1 represent and iron them out in a low key level?

2 MR. CHANDLER:

3 Love to have Mark come and speak to our
4 group and share these problems and give us a
5 particular challenge of something we might do.

6 MR. MANTS:

7 To the two members of the City Council,
8 how do you view your role as public elected
9 officials fostering better Community Relations?

10 MR. GILMORE:

11 I'm one the most active City Councilmen in
12 the City of Montgomery. I'm on the streets as
13 much as any policeman, I'm in the community and
14 the churches as much as anybody in the
15 community. We know the happenings in the
16 community. You heard Mr. Chandler say, we got
17 a east versus west, plain as day. East side
18 versus west side. If I would take your whole
19 team here today to the west Montgomery area and
20 let you interview people, you would see the
21 reception compared to the east Montgomery to
22 west Montgomery. That's one of your problems.
23 We don't compound on east but we are always in

1 the west Montgomery area, somebody is always
2 violating the law, somebody is always doing
3 something wrong, somebody has always jumped on
4 a policeman, and we always take it to the
5 courts. Why give it to the courts when we can
6 use it in the community?

7 MS. REYNOLDS:

8 When the Biracial Committee was first
9 formed I think I was probably the first one to
10 appoint members. I kept up with those members
11 attempting to see what was going on. I have
12 kept up with happenings of the Biracial
13 Committee. I feel it's incumbent upon us as
14 elected officials to work in the community, to
15 work in the system, to make things better. And
16 inasmuch as I can, I go to meetings the
17 Police Department has, I am a well-known
18 supporter of the Police Department. And I feel
19 that we need to let the community as a whole
20 know what our Police Department is doing which
21 I have tried to do through schools, through
22 going to classes in schools, and that kind of
23 thing.

1 MR. CHANDLER:

2 In the past five years I was -- it's an
3 estimate and I could go back and actually count --
4 that I have personally been contacted because
5 of the role of the Biracial Committee and at
6 least ten police incidents. All of these were
7 resolved calmly, peacefully, and in a manner
8 that both parties felt were fair. Had I gone
9 down and told the police, this is what I think
10 you should do, I don't think I would have been
11 in the least bit successful. But instead, we
12 sat and we discussed it. I found our police to
13 be very receptive to the help from the
14 community that positive, that is, in
15 betterment. I also happen to be one that's a
16 strong supporter because everytime I've gone to
17 them, I've found them willing to be objective
18 and to look for the best solution for those
19 involved. We are dealing now with individual
20 circumstances and I am sure that there would be
21 individual circumstances, that I don't know the
22 details on, that have happened that maybe were
23 not as successful, perhaps because those who

1 approached it approached it in such an
2 inflammatory way rather than a quiet way to try
3 to work with the principles involved.

4 MR. MAX:

5 Go ahead.

6 MR. LEHMAN:

7 I would like to make the Commission aware
8 of a program that has started in Montgomery
9 since your last official visit, and that is
10 Leadership Montgomery. That is a program
11 designed to bring young people together, ages
12 twenty-eight to forty, who have been identified
13 as having demonstrated leadership in either
14 civic, religious, community, or professional
15 endeavors.

16 The structure of this group is very
17 controlled. There are thirty people selected
18 for each class this year. Fifty percent are
19 male and fifty percent are female. Forty
20 percent are black and sixty percent are white.
21 We feel this closely mirrors or reflects the
22 population base of Montgomery. These thirty
23 participants have an opportunity to be exposed

1 to various aspects of our community, to learn
2 what is good and bad in our community, and to
3 form personal relationships. The objective of
4 the group is to bring these young people, these
5 young future potential leaders of Montgomery,
6 together in such a fashion that they have a
7 better appreciation for Montgomery and for each
8 other and how we can work together to make
9 Montgomery a better place for all in which to
10 live. The program has proven to be very
11 successful. For the second class there was
12 approximately a hundred and twenty applications
13 for the thirty slots. We are in the process of
14 the selection of the third class. I have
15 provided to the Commission several newspaper
16 articles that have been published regarding the
17 group and basic information about Leadership
18 Montgomery. For me, as a participant in the
19 second class of Leadership Montgomery, I found
20 that it brought me out of my sphere of daily
21 life and into contact with people in the
22 community whom I had not previously known and
23 whom I have become to appreciate for being

1 people of high quality, high standards, and
2 great capability. And I think that this is the
3 type of effort that over a long haul, over a
4 long run, will provide a great molding together
5 in Montgomery of people of all race and all
6 backgrounds who are concerned for making our
7 City a better place to live and raise our
8 children and go to church and work.

9 MR. MAX:

10 Any particular questions?

11 MR. PIZITZ:

12 I have a question of Mr. Chandler. You
13 said, in forming One Montgomery, you visited some
14 other cities who have done similar projects
15 earlier. Did you visit Birmingham?

16 MR. CHANDLER:

17 Yes, sir, three times.

18 MR. PIZITZ:

19 There seems to be a feeling on the part of
20 Mr. Gilmore and I've also heard Mr. Graddick
21 express the same thing yesterday, that the --
22 what will -- I hate to put tags on people --
23 but the activist segment of Montgomery is not

1 fairly represented on One Montgomery or not
2 represented. Do you feel that's a fair
3 statement?

4 MR. CHANDLER:

5 Well, you would have to first tell me who
6 the black activists are and I could tell you.
7 I could give you my role and you could pick
8 them out.

9 MR. PIZITZ:

10 Mr. Chandler, you live here. I would
11 expect you to know that. I could answer that
12 question in Birmingham, I can't in Montgomery.
13 But instead of asking a question, I'll make a
14 statement. Community Affairs Committee worked
15 Birmingham. It started in the sixties in the
16 height of the tension and it worked because all
17 segments of the community were on CAC and I'm
18 speaking of ultrawhite conservatives. I'm
19 speaking of black activist, white activist, the
20 Police Chief was on it, the Sheriff was on it.
21 It really mirrored the entire community in all
22 facets of it and it was not a passive
23 Committee. It did not wait for people to come

1 to it and ask them to do something. It was an
2 Actovist Committee. And I hope that One
3 Montgomery is moving in that direction because
4 I do think an effective Biracial Committee can
5 be a wonderful force in any community. I've
6 seen it happen in Birmingham.

7 MR. CHANDLER:

8 We did spend quite a bit of time with Dr.
9 Nix and Mr. Green in Birmingham and also
10 others, Mr. Smiley, who was a personal friend
11 of mine, who was the person that got us
12 started and following the leadership of the
13 operation in Birmingham or the CAC as you
14 called it. For many reasons, perhaps we feel
15 that our role -- and you might call it passive --
16 we feel that the day will come when we will be
17 a much stronger activist group. But we want to
18 establish among ourselves, rapport and strong
19 respect of those of us that come from different
20 racial backgrounds so that we will be sure that
21 we are moving forward in harmony within our
22 group. And that we been able to accomplish
23 without question. The few projects from the

1 outside that have been brought to us, we were able
2 to put our teeth into. Now, I know in
3 Birmingham their number one goal is to prevent
4 a problem rather than to resolve a problem. I
5 would agree with that as an ideal goal that we
6 would work towards.

7 MR. MANTS:

8 Let me ask you, how has the perception of
9 the Montgomery Police Department affected the
10 business climate here?

11 MR. CHANDLER:

12 Well, who are you asking that of, me?

13 MR. MANTS:

14 All of you.

15 MR. CHANDLER:

16 I think perception by the business
17 community is that the Montgomery Police
18 Department is good. Mr. Gilmore might like to
19 add his response because it may depend upon the
20 business climate that you deal with.

21 MR. GILMORE:

22 Let me say this in all fairness to
23 everybody: If you walk in some of the

1 businesses today and say, who would you rather
2 have to watch your place, they would say, I
3 would rather have a citizen rather than the
4 Police Department. We have a lot of problems
5 in the Police Department. For instance, a week
6 ago we had a shooting out at the FOP. The
7 citizens acted out there and they got action.
8 But if it had been anything else, we wouldn't
9 have got action. One was suspended, letters of
10 recommendation was put in other files. That's
11 partial. I think the citizens of
12 Montgomery are the Police Department's boss.
13 They tell the Police Department they are tax
14 payers in this City, to have a good Police
15 Department. As we had one lady that came
16 before the Council last week to say to us that
17 her husband had been beaten, and she is a white
18 female, had been beaten, and many problems had
19 happened. It's always that my mens are never
20 wrong, you are right. And what can we say
21 about that? You are always right. You name a
22 case that we have had in the City of Montgomery
23 where the Police Department have ever been

1 wrong.

2 MR. LEHMAN:

3 I work with a real estate company in
4 Montgomery in develop managing lease office
5 space and am in constant contact with the
6 people in the business community, and I think I
7 can unequivocally state that the business
8 commiunity finds the Police Department to be
9 most efficient and effective in protecting
10 their real property aessts and protecting
11 people doing business with them, whether it's a
12 customer coming into retail facilities or
13 clients coming into an insurance office, in all
14 parts of the City. And we have property all
15 over town. The business community finds the
16 Police Department to be an asset in terms of
17 locating in Montgomery. Jeff Brooks, who is
18 Personnel Manager with GE and is a black
19 individual, was a member of our second class of
20 Leadership Montgomery and stated that one of
21 GE's reasons for locating in Montgomery beyond
22 the economic business reasons was the climate
23 in the community, the security that is

1 available in the community, the fact that their
2 people could locate here and be safe and have
3 decent schools, good churches, good service
4 facilities for meeting their needs, and have a
5 safe, secure environment.

6 MR. PIZITZ:

7 Mr. Gilmore, would you serve on One
8 Montgomery when invited?

9 MR. GILMORE:

10 Would I serve on One Montgomery if
11 invited?

12 MR. PIZITZ:

13 Yes.

14 MR. GILMORE:

15 I haven't been invited. I did not receive
16 an invitation. Let me go a little further.

17 MR. CHANDLER:

18 Let me interrupt. That's U.S. mail. You
19 now have a personal invitation and I think the
20 other six members of the committee -- Tu

1 May I ask another question?

2 MR. GILMORE:

3 Let me say this: The GE Plant, General
4 Motors of Troy, was going to locate a plant here,
5 would employ maybe two or three thousand people.
6 Because of the setting of the Police Department
7 here in the City of Montgomery, they decided
8 to move on. In the Lowndes County area
9 today you have a new plant there. Montgomery
10 was equipped to hold that plant. Why
11 didn't they stop in Montgomery? They said
12 police town. Just yesterday afternoon I sit
13 in a restaurant on Fairview and watched polices,
14 my polices, get out the car, go to some
15 young kids that was playing under a tunnel
16 at six o'clock, unbuckle their gun belt, take
17 a billy club to some little kids that was playing
18 in the tunnel at Carver High School. I watched
19 them yesterday afternoon. Until we get to the
20 point that some straightening must be done in
21 the Police Department, I can imagine the majority
22 of the black community as well as some of the
23 who calls often to to tell you things and

1 the things that are going on in their
2 community, some brutalities too. We have a
3 problem with the Montgomery Police Department.

4 MR. PIZITZ:

5 Mr. Gilmore, did General Motors make the
6 statement that they wouldn't come to Montgomery
7 because of the Police Department?

8 MR. GILMORE:

9 They have land here on the river --

10 MR. PIZITZ:

11 Did they make the statement that they
12 wouldn't open the plant because of the Police
13 Department?

14 MR. GILMORE:

15 XYZ business who contact us about the City
16 of Montgomery would not locate here because of
17 the happenings from the Todd Road on back.

18 MR. PIZITZ:

19 You didn't answer my question. Did
20 General Motors make such a statement that they
21 would not locate in Montgomery because of the
22 Police Department?

23 MR. GILMORE:

1 Yes.

2 MR. PIZITZ:

3 They made such a statement?

4 MR. GILMORE:

5 Yes.

6 MR. PIZITZ:

7 Is the Commission aware of such a
8 statement? I would personally be interested in
9 seeing that if you've got a copy.

10 MR. GILMORE:

11 You've got X number of people in this City
12 that are afraid to come forward to say anything
13 because many of them feel for their lives, both
14 black and white.

15 MR. PIZITZ:

16 Do you feel there has been any improvement
17 in Police/Community Relations in Montgomery in
18 the last two years?

19 MR. GILMORE:

20 As I said from my opening statement, we
21 still have a Todd Road, but they are not
22 kicking down doors.

23 MR. MANTS:

1 Would you expiere more on the statement you
2 made, people weren't coming forward because
3 they fear for their lives.

4 MR. GILMORE:

5 You've got many people in this City -- if
6 you walk the communities of this City, all
7 around you will find that you have people who
8 will be afraid to come forward. They will call
9 you on the phone, tell you what's happening,
10 where to go, but they will not come forward to
11 speak.

12 MR. MAX:

13 And the reason?

14 MR. GILMORE:

15 They are afraid of the Police Department.

16 MS. WOOLFOLK:

17 I want to get comments from all four on
18 this question. Three years ago we had the
19 sense that there was a need for some
20 involvement of both the elected officials and
21 the community at large in formulating the rules
22 and regulations by which the Police Department
23 is governed in terms of communicating what

1 expectations the citizens have of its law
2 enforcement unit. I'm trying to get a sense of
3 where that involvement now takes place, and let
4 me start with the Council. What is the forum
5 for the Council to communicate to the Police
6 Department complaints that you may get from
7 citizens or perceptions that you may have,
8 getting back to the word that we talked about a
9 lot, perceptions that you may have about how
10 the public is receiving the police work that
11 you have? Where is that contact between the
12 Council and the Police Department?

13 MS. REYNOLDS:

14 That contact is through the Council Members
15 to the Chief of Police. His door is open at
16 all times. Leutenant Armstead's door is open,
17 his telephone is ready at all times. There is
18 no one in the Police Department that a Council
19 Member cannot get information from if in fact
20 we request it. We are given reports when an
21 incident occurs, we are given reports if we
22 request it, sometimes we are given reports as a
23 routine matter. There is an open exchange

1 between the Police Department and any Council
2 Member who desires that exchange.

3 **MS. WOOLFOLK:**

4 Let me just -- one follow-up question. Do
5 you have a subcommittee of the Council which
6 deals very closely with the issues of law
7 enforcement?

8 **MS. REYNOLDS:**

9 The Council of the City of Montgomery does
10 not have subcommittees. We are a Committee as
11 a whole. We found, when the Council was first
12 constituted, that we had various Committees,
13 but with the nine members, we seemed to have a
14 Committee meeting and then we had to go through
15 the same information all over again. We
16 occasionally operate with Ad Hoc Committees,
17 but we generally operate as a Committee as a
18 whole.

19 **MS. WOOLFOLK:**

20 Have you had an Ad Hoc Committee on
21 Police/Community Relations during the last
22 three years?

23 **MS. REYNOLDS:**

1 No.

2 MS. WOOLFOLK:

3 Have you had Council meetings where that
4 topic has been discussed as a major item of the
5 agenda during the last three years?

6 MS. REYNOLDS:

7 No. Not as a major item of the agenda.

8 MR. GILMORE:

9 The only time you would come forward and
10 have this discussed is when a crucial issue
11 comes up like the beating of Ms. Studimeir,
12 beating of this other family, many other
13 families, then we all get up in the air.
14 That's not the time. I think it should be
15 stopped from the Police Department. When you
16 stand before a body of people and said, I'll
17 back my men in anything they do, you are giving
18 the men encouragement. They already have a
19 badge and pistol on them. The majorities of
20 your elder police that have been in that
21 department are resigning, moving to other jobs,
22 and moving on.

23 MS. WOOLFOLK:

1 May I just follow-up and ask one question
2 of the Montgomery One Program? Is there a
3 subcommittee structure in your program and if
4 so, do you have a subcommittee that deals
5 generally with Community/Police Relations?

6 MR. CHANDLER:

7 The answer is no. But I'm going to
8 elaborate if you don't mind, since you asked
9 the question.

10 MS. WOOLFOLK:

11 Sure.

12 MR. CHANDLER:

13 We appoint a Committee as a request coming
14 to us rather than keeping a permanent
15 subcommittee. I feel that my time has been
16 well spent. We have one Council Member
17 who is an active attending member of One
18 Montgomery and if Mark will join us that will
19 make two, and that will give us another stronger
20 step. We want to become a political Committee.
21 We don't want to become an arm of the City
22 Commission and the City Council. But we
23 do want to have strong close relationships

1 with them. I want to comment on one other
2 thing we have brought out in our studies and in
3 our work from the educators who are with us.
4 The tunnel at Carver High School is one of the
5 number one problems that exists in Montgomery.
6 And we are trying to help in our way with the
7 police and others to address that particular
8 problem.

9 MR. MAX:

10 Joe?

11 MR. LEHMAN:

12 Your subcommittee is very interesting.
13 Leadership Montgomery, at the end of our
14 Committee we spent about the last eight weeks
15 in the course in subcommittees, five
16 subcommittees, each studying a particular area
17 of communities. I chaired a subcommittee this
18 year that studied Police and Community
19 Relations. There were six members of our
20 subcommittee four male, two female, two blacks,
21 four whites. It was a good mixed Committee.
22 We had the opportunity to go into the Police
23 Department, were given complete freedom, talked

1 to anyone in the Police Department about
2 anything that we wished. We rode in patrol
3 cars, we toured the department, we participated
4 in shift changes, in other administrative
5 functions and affairs of the department, we
6 were given a formal tour in briefing of the
7 department, and then had the opportunity
8 informally to go wherever we wanted to and
9 speak to whomever we wished. We prepared a
10 report to our Leadership Montgomery Group on
11 our findings of the status of this Police
12 Department and Community Relations efforts and
13 activities and we particularly concentrated on
14 those things that have occurred within the --
15 since the Todd Road incident. We found a whole
16 tremendous improvement in numerous cities of
17 the administration of the department, attitudes
18 of officers, and their overall concern for how
19 they are perceived in the community. In
20 addition to working within the department, we
21 got out into the community and interviewed
22 people. We attempted to find -- physically
23 determine -- try to factually find negative

1 incidents and pen those down.

2 MS. WOOLFOLK:

3 May I?

4 MR. LEHMAN:

5 We were successful in that.

6 MS. WOOLFOLK:

7 If I may? I asked if any of your group made
8 any findings available to other say leadership
9 in the Council, leadership in the Police
10 Department, leadership in Montgomery One?

11 MR. LEHMAN:

12 We made -- several members of our group
13 are in One Montgomery. So I'm sure that
14 through those channels it got back to One
15 Montgomery. We directly supplied the report to
16 the Police Chief. We do have a policy of --
17 because -- by main credit of sources. But it
18 was a very indepth study for the time we had.

19 MR. MAX:

20 We need to conclude. With the report, can
21 you make that report available to us?

22 MR. LEHMAN:

23 I'm believe so.

1 MR. MAX:

2 And of the recommendations, were any of
3 these recommendations taken by the Police
4 Department?

5 MR. LEHMAN:

6 I'm not aware at this time of any specific
7 actions. I know that Chief Wilson was very
8 interested in several of the recommendations
9 and shared our concerns in some of those areas.
10 Some of those things were some he initiated
11 actions on and I would have to go back to the
12 report and review it specifically to comment
13 on that specifically.

14 MR. DOCTOR:

15 Did you share that with the leadership in
16 the black community?

17 MR. LEHMAN:

18 The young leadership in the black
19 community I feel was a part of our group.

20 MR. DOCTOR:

21 The established leadership in the black
22 community?

23 MR. LEHMAN:

1 Yes.

2 MR. DOCTOR:

3 Have you seen a copy of this?

4 MR. GILMORE:

5 In the west Montgomery area.

6 MR. DOCTOR:

7 Have you seen a copy of the report of Mr.
8 Lehman's group?

9 MR. GILMORE:

10 I have not seen a copy of the report,
11 besides, west Montgomery don't know anything
12 about -- certain people will send out letters
13 to Leadership Montgomery, not the entire
14 community. I was at the First King Memorial
15 Baptist Church, the mass of the community
16 didn't know anything about Leadership
17 Montgomery.

18 MR. MAX:

19 We are going to have to --

20 MS. REYNOLDS:

21 Brief comment. The Council Members are
22 invited each year at the end of the course of
23 study for Leadership Montgomery to a luncheon

1 where these programs -- these projects are
2 discussed and the conclusions reached and given
3 to the community and I have been to those
4 meetings. Let me also say one thing because I
5 didn't get to answer the question. As far as
6 the business in the City of Montgomery, we have
7 got the lowest unemployment rate in the State
8 of Alabama and I think that speaks well for the
9 business in Montgomery

10 MR. MAX:

11 We want to move right into our community
12 leaders if we could get them to take a -- If
13 either of you have a brief statement, we
14 welcome it at this time.

15 MS. MCPHERSON:

16 First of all, I want to apologize for my
17 failure to reduce my remarks to writing. I can
18 assure you that after today I will do so and
19 make it available to the Committee. The fact
20 that they are not in writing, however, does not
21 mean that they won't be very specific, because I
22 want to address some very specific concerns
23 rather than speak in generalities and in vague

1 terms about what is now going on and what has
2 gone on.

3 I've prepared a short outline, it consists
4 of four parts. The first of it -- first part I
5 have labeled Internal Operations Perceptions.
6 There are two of those that I have some
7 concerns about. The first of the Internal
8 Operations Perceptions -- and before I begin,
9 let me say that the problem -- the Community
10 Relations problem in the Montgomery Police
11 Department has been as much a problem of
12 perception as it has been one of actuality. I
13 do not feel that for this reason the problems
14 are any less significant because it is how the
15 public perceives any city agency, most
16 particularly the Police Department, that
17 determines how effective Community Relations
18 will be. The first of the Internal Operations
19 Perceptions that I want to identify is the
20 selective self-discipline in the Police
21 Department. I call it selective self
22 discipline because our Police Department has in
23 the past, one or two years ago,

1 disciplined its officers for only the most
2 serious infractions, infractions that typically
3 rise to the level of criminal acts such as
4 fighting between officers in public, shooting
5 into a dwelling. I recall several years ago
6 something like that happened. Firearms, firing
7 firearms in public. Recently we have had two
8 publicized disciplinary actions taken against
9 police officers. One of them was disciplinary
10 action against police officers for having
11 tested positively on drug tests. Another was
12 disciplinary action taken against police
13 officers for firing firearms into the air, I
14 believe, out at the FOP headquarters or meeting
15 place. The reason I call it selective is
16 because I am not aware of a single incident of
17 the Police Department disciplining an officer
18 for a citizen complaint in that officers
19 handling of an arrest or a suspect. I'm not
20 going to belabor the point that Councilman
21 Gilmore made. But in the ordinary scheme of
22 human events, it is unreasonable that out of
23 all of the complaints that have been made about

1 Police Officer treatment of individuals during
2 the course of an arrest for prosecutions that
3 the police are never wrong. It is simply
4 beyond reason to accept that premise. That is
5 why I call it selective self-discipline.

6 My second identification of a problem in
7 the Internal Operations Perceptions area is the
8 arbitrary complaint processing. Obviously, the
9 respect for any profession or agency is going
10 to rise or fall based upon how well and how
11 consistently that agency polices or disciplines
12 itself. We have in the Police Department, I
13 believe, something called an Internal Affairs
14 Division. The staffing of that division, the
15 procedures by which that division operates, the
16 reports issued by that division have, in my
17 exposure to the Police Department during the
18 last eleven years, been almost wholly
19 inconsistent. From time to time a person
20 making a complaint will be interviewed by a
21 different officer. I emphasize this particular
22 aspect of a seriously negative perception in
23 my testimony before this Committee on September

1 26th of 1983. I believe that I provided this
2 Committee with a chart of complaints that had
3 been filed against Police Officers in 1982 and
4 '83. And if you would examine that chart, you
5 find that of the seven complaints that I
6 identified, those complaints were variously
7 handled by the Mayor's Office, one was
8 investigated in the Mayor's Office, one was
9 investigated by a Leutenant C. R. Henderson
10 from the Internal Affairs Bureau, two or three
11 were handled in unknown manners because no
12 communication was ever made to the complaining
13 party or to me and I was acting at that time as
14 attorney for the complaining party. In fact, I
15 filed the complaint for the complaining parties
16 in most every instances. One of those were
17 investigated by Chief Swindall. The
18 investigation itself is inconsistent. I am
19 representing a client now who lodged a
20 complaint against a Police Officer last year.
21 That complaint was investigated by Leutenant
22 O. D. Locklar. A few days ago I read in the paper
23 that Leutenant Locklar was out investigating a

1 traffic offense. I understand and I
2 appreciate the manpower deficiencies that exist
3 in the Police Department and I understand they
4 are tied to the budget among other things. But
5 the inconsistency in the staffing and the
6 procedural operations of the Internal Affairs
7 Divison creates a very negative impression. The
8 first impression it creates is that it's not
9 important and that's not good. The second
10 impression that it creates is that we are not
11 particularly concerned that we resolve these
12 complaints, and if so, we will resolve them in
13 our spare time or the best way we can or in
14 some other secondary fashion. One other
15 element in the resolution of complaints that I
16 want to address is this, and that is that the
17 complaints tend to be nonrecorded. I have
18 had occasion, in my practice, to review several
19 police officer's personnel jackets and police
20 files and I have found on a consistent basis in
21 these files laudatory letters from citizens,
22 business owners, and others about those police
23 officers' kind, skillful, professional,

1 effective treatment of them from time to time.
2 I have found laudatory letters from members of
3 the Air Force, persons who are stationed at
4 Maxwell and Gunter. In at least one police file
5 I have found a laudatory letter from a foreign
6 Head of State or Foreign Diplomat about the
7 effective way in which he was treated by the
8 Police. That's fine. I think those things
9 ought to go in a policeman's jacket and I think
10 they ought to anew to his benefit when
11 necessary. But I think equally records of
12 citizen complaints ought to go in a police
13 officer's personnel jacket whether or not the
14 complaint is resolved against that officer. My
15 first reason for suggesting this is not
16 necessarily for the benefit of the public, at
17 least not directly, I just think it is a good
18 personnel practice. If I were Chief of Police,
19 I would want to know if Sergeant X or Leutenant
20 Y had five complaints lodged against him in the
21 last two years. That would mean something to
22 me, that would say something to me, even if
23 the complaints were found in due course to be

1 unfounded. The lodging of the complaints and
2 the tendency of this officer to attract citizen
3 complaints has a meaning. We can disagree, I
4 suppose, on what conclusions one draws but
5 certainly the lodging of three or four
6 complaints against the same officer in a two or
7 three year period has some significance or
8 ought to have some significance to the people
9 who are in charge of the Police Department, so
10 that is a specific recommendation that I would
11 make. I know that that is not a policy of the
12 Police Department. I do not know the extent to
13 which it is done, but I know it is not policy
14 and I think it should be. I think the
15 complaint processing ought to be consistent, I
16 think there ought to be a specific person in
17 charge of that, and by all means when a complaint
18 is made, I think that a written response should
19 be sent to the complaining party with some
20 outline of why the disposition came to be what
21 it is rather than a one or two sentence letter
22 that says, we investigated this incident and
23 found that the officer acted properly. That

1 simply is not sufficient. It's just not
2 enough. It need not go into detail who said
3 what but at the very least it should assure the
4 complaining party that Officer X, Y, Z were on
5 the scene, were questioned, they were
6 interviewed, their version is different, we
7 measured it against standard X and we find that
8 the officers behaved properly or improperly.
9 And I would expect if such a procedure were put
10 into place, we would soon see a finding that at
11 some point a Police Officer has not acted
12 properly.

13 The second part of my outline I call
14 Prosecutorial Perceptions. I call it
15 Prosecutorial Perceptions because these are
16 trends that affect the Community Relations
17 between the Montgomery Police Department and
18 the black community. The first of these is the
19 establishment of bail. In the establishment of
20 bail, Montgomery Police Officers, as do all
21 police officers, have quite a bit to do with
22 what bail is set. You will find in talking
23 with police officers who are honest with you,

1 with defense counsel, and with judges who are
2 honest with you, that more often than not,
3 black on black crimes or defendants in black on
4 black crimes received lower bail than
5 defendants in black on white crimes. Example:
6 I heard on the way back here this morning from
7 Birmingham that a thirty-seven year old black
8 woman had been arrested and charged with murder of a man
9 on July 4th. The bond in that case was ten
10 thousand dollars. Recently a young white man,
11 whose first name I don't know but last name is
12 Monteith, in a rather well-known case in
13 Montgomery, was charged with murder and he was
14 was given absolutely no bond. Now, bail and
15 bond are Constitutional principles and there are
16 only two considerations when you are talking
17 about bond, one is the nature of the crime --
18 only two Constitutional considerations. One is
19 the nature of the crime, and two is the
20 likelihood of flight. Those are the only two
21 things that matter when you are setting bond.
22 Heinous was the crime. And how
23 likely is it that this suspect or defendant

1 will try to escape or leave the jurisdiction?
2 Notwithstanding those constitutional
3 considerations, you will find that in cases of
4 black on black crimes, bail tends to be lower
5 for the same crime. Now, what does that do?
6 It suggests, it even indicates, that the value
7 of black life in the case of murder is less.
8 The value of black property in the case of
9 property crime is less, the value of black
10 dignity in the case of burglary or robbery or
11 rape or sodomy is less. And that is a message
12 that although subtly communicated, it's
13 certainly definitely communicated over a
14 period of time. People understand what that
15 means. Whether they can articulate it for you
16 or not, they understand what it means. The
17 long-term effect of this tendency is that it
18 encourages and again subtly it encourages
19 black on black crime because people know that
20 the short and the long-term penalties for
21 committing a crime against another black are
22 substantially less than the short and long-term
23 penalties for committing that same crime

1 against a white.

2 Second under the Prosecutorial
3 Perceptions is sentencing. You may ask,
4 what does the Montgomery Police Department
5 have to do with sentencing. There
6 are two reasons why sentencing is a significant
7 issue here. The first one is that in
8 Montgomery, as in most jurisdictions, the
9 majority of criminal cases are disposed of by
10 plea bargaining rather than by trial. The
11 majority of cases are actually tried. The
12 second reason why it's important is because the
13 District Attorney's Office here in Montgomery
14 permits police officers to exercise a
15 constructive veto over deals and sentences that
16 are meted out to defendants in the plea
17 bargaining context. I have criticized that
18 practice and the Chief and I have disagreed
19 about that practice for quite sometime. I
20 don't happen to think the police officers ought
21 to exercise veto power over what a lawyer, a
22 District Attorney, in his professional wisdom,
23 decides is an appropriate sentence in this case

1 for this person. But nevertheless, it does
2 happen. So that sentencing also takes on a
3 significance because just as in bail, the
4 sentences that are meted out to blacks that
5 commit crimes against fellow blacks are less
6 than the sentences that are meted out to
7 blacks that commit the same crimes against
8 whites. What I am saying is that in both the
9 case of bail and the case of sentencing, the
10 emphasis and focus ought to be on the crime
11 rather than the race of the victim. Instead,
12 I'm sure that a statistical analysis will show
13 that in Montgomery, the most startling
14 differences are based on the race of the
15 victim. Now, what do I recommend to deal with
16 this problem? First, as a lawyer, I would
17 suggest that somebody somewhere, perhaps not
18 this Committee, do a survey and actually take a
19 statistical analysis, any statistical sample
20 that you choose. Twelve months, going back
21 from this day, six months, three years. You
22 would find that the sentences of blacks who
23 commit crimes against other blacks are less

1 than blacks who commit the same crimes against
2 whites. And of course there are numerous
3 statistical analyses that demonstrate this
4 tendency with Capital Punishment, and Capital
5 Punishment is just the appex. That same
6 tendency trickles down to the lesser crimes,
7 the crimes less than Capital Punishment. So
8 sentencing is also important.

9 Now, the third aspect of my comments is
10 what I call Community Relations Perceptions. I
11 recently had the opportunity to work very close
12 with the Community Relations Division of this
13 City. I found the officers in this division to
14 be dedicated, honest, and committed to doing
15 something about crime in Montgomery,
16 particularly in Montgomery's poor communities
17 and public housing communities. The problem is
18 that -- or a problem is that I find that the
19 Montgomery Police Department does not put its
20 money where its mouth is. There is a lot of
21 verbal support given to those officers but
22 there is no money given to those officers.
23 There is a chronic manpower and funding

1 deficiency. Chronic. There are six officers,
2 or at least when I worked there were six
3 officers, who were assigned to that division to
4 do the administration of that division, to
5 patrol the ten public housing projects of this
6 City, and the one other housing project that is
7 not publically owned but publically leased, and
8 those officers are charged with the
9 responsibility of manning all of those public
10 housing projects and seeing to it that crime is
11 at least curbed. Needless to say, in a city
12 where the metropolitan population exceeding two
13 hundred thousand, this is an impossibility and
14 it is a losing proposition from the very
15 beginning. The Community Relations Division
16 needs substantially more manpower, not because
17 Captain Sidney Williams is the Commander of
18 that division but because the division needs
19 more manpower. There also needs to be more
20 emphasis placed on training and exposure for
21 those men. Case in point, the City of
22 Charleston, South Carolina has a black Police
23 Chief. That Police Chief was interviewed

1 extensively by the Montgomery Advertiser during
2 a recent Mother's Day Non-Violent Weekend
3 observance here. He had some very significant
4 things to say about Community Relations from
5 the advantage point of a black Chief in a town
6 or in a city that was not majority black. At
7 the very least, our Community Relations
8 Division should be exposed to that person.
9 Either he could be brought here or somebody
10 could be sent there since we all acknowledge
11 that we have a Community Relations problem.
12 There ought to be some overt act designed to
13 expose the officers in the Community Relations
14 Division to other cities to determine how they
15 have done it. Just as Bill went to Birmingham
16 and other cities to look at Leadership groups
17 in those cities, our police officers need to
18 have the exposure. Montgomery, a homogeneous
19 community, for the most part people born here
20 want to stay here, and the adults who lived
21 here, many of them have lived all of their
22 lives here. We don't have a lot of influence
23 like a large city like Huntsville. To the

1 extent that we do, it's Air Force personnel and
2 they come and go. By the time they retire and
3 stay they are for all practical purposes died
4 in the wool of Montgomerians. Therefore,
5 outside exposure for those officers is
6 important. And five, six hundred, a thousand
7 dollars, twelve hundred dollars is not to much
8 to send two officers some place for a week to
9 study how another community deals with its
10 Community Relations problems since we
11 acknowledge that we have one.

12 Now I'm going to get on my soapbox, and I
13 won't stay long out of fairness to my
14 colleagues here. I don't believe that
15 significant endless roads can be made in Community
16 Relations in Montgomery until the officers
17 remove themselves from those locked up,
18 windowed black and white boxes that they drive
19 around in. I just don't believe it's going to
20 happen. The arguments on the other side, some
21 of them were persuasive. We need to be in the
22 cars so we can promptly answer calls. We
23 expose ourselves to more physical danger when

1 we walk rather than ride. Some of them are not
2 persuasive. We need to take the officers out
3 of the locked up, windowed cars. They don't
4 know the people they patrol, the people do not
5 know them, they don't know the brothers and
6 sisters, they don't know who is going with
7 whom, they don't know when the prom is, they
8 don't know who has measles, they don't know
9 whose father had a heart attack, they don't
10 know who made all A's, who is failing, who was
11 suspended. They need to know these things as a
12 means of relating to the young children who are
13 growing up to be criminals. They need to
14 reinvest the community, particularly the
15 youthful community, with the positive side of
16 being a policeman. They need to inculcate
17 these young people with the notion that being a
18 policeman is a worthwhile occupation or
19 ambition, not because of the power that one has
20 the opportunity to wheel, but because of the
21 service that one has the opportunity to give.
22 They just need to come out of those cars. Now
23 let me talk just briefly -- that ends my

1 perceptions.

2 Let me talk a little bit about
3 improvements. I happen to be a supporter of
4 the Police Department. I may not be perceived
5 as such, but I happen to be a supporter of the
6 Police Department, because as a black women, I am
7 particularly concerned about the incidents of
8 black on black crime in Montgomery. I believe
9 that One Montgomery, Leadership Montgomery, and
10 the recent Mother's Day Non-Violent Weekend
11 are three phenonemas that have made some
12 difference. One Montgomery has made a
13 difference for the people who are in One
14 Montgomery. It has been in practice a passive
15 organization in that it has not undertaken or
16 acted upon public projects that the community
17 at large is aware of and can pass judgment on
18 or can participate in. Leadership Montgomery
19 has also made, I think, a positive difference for
20 the people who are participating in Leadership
21 Montgomery. I don't knock One Montgomery or
22 Leadership Montgomery as a means toward making
23 a difference in Police/Community Relations in

1 Motngomery because Montgomery is no different
2 from any other city. More is accomplished as
3 far as how power is wealded behind the scenes
4 that is accomplished in public. I understand
5 that, I respect the procedure, and I'm not so
6 sure that it's all wrong, as long as it's
7 headed in the right direction. So I don't
8 knock One Montgomery and Leadership Montgomery
9 as avenues for meaningful change. There are
10 influencial people in both groups. There are
11 people in both groups who are close to the
12 politicians in this City, who are close to the
13 Mayor, who have open lines of communications
14 with the Police Department, and to the extent
15 that those individuals can use their influence
16 to make the situation better, I think that's
17 positive. I don't think that the existence of
18 those two organizations ought to curb
19 the need for this kind of public forum. My
20 reference to the recent Mother's Day
21 Non-Violent Weekend is this: Last Spring the
22 social and political Committees of the Dexter
23 Avenue King Memorial Baptist Church sponsored a

1 non-violent weekend on Mother's Day. Our goal
2 was to have an absolutely crime-free weekend on
3 Mother's Day, second Sunday in May. The
4 Police Department of this City gave us their
5 full cooperation, they provided us with the
6 stats that we needed, they opened their doors,
7 they made officers available, they posted them
8 around in the housing projects for us. There
9 was one hundred percent encouragement of this
10 project. The Mayor encouraged the project, the
11 Council passed a resolution encouraging and
12 endorsing the project, the community endorsed
13 the project. I believe that it was successful
14 in that we had no reported crime in the housing
15 projects on that weekend though we did have one
16 killing outside of the housing project. I
17 believe that initiatives like that can make a
18 difference. However, initiatives taken have to
19 be balanced. They cannot just be on the side
20 of black people getting out curbing crime. You
21 will not find more law abiding people in this
22 world than Afro-Americans. When I say law
23 abiding, I mean people who believe in the law.

1 For those who believe that black lawyers try to
2 get blacks on juries to get people acquitted,
3 they are mistaken. Black people will convict,
4 they will come down hard on people who commit
5 crimes, and they should because they are more
6 often than not the victims of crime. What I
7 suggest in addition to initiatives like One
8 Montgomery, Leadership Montgomery, and Mother's
9 Day Weekend are very -- what I would view
10 simple procedural changes in the way the Police
11 Department operates, sevelopment of
12 evenhandedness in bail recommendation,
13 development in evenhandedness in sentencing.

14 MR. MAX:

15 I'm going to have to stop you at this
16 point.

17 MS. MCPHERSON:

18 I'm sorry to have taken so long.

19 MR. MAX:

20 Well, in an effort to hear from others and
21 allow us to ask questions, we'll have to stop
22 at this time. If we can incorporate your
23 statements into some questions that we may

1 have, I would like to open it to Committee to
2 ask any questions that they may have at this
3 time. Any inparticular?

4 MS. WOOLFOLK:

5 I have one. I guess for all three, not
6 just for Ms. McPherson. I've heard the tail of
7 two cities and one City is one where there
8 seems to be a garden of harmony, city unlike
9 any others and certainly no more different than
10 others. Another city seems to be one where
11 there is a gap in communication between some
12 segment of the population and the leadership --
13 public leadership. And I don't see the gap as
14 being simply a black/white gap. Something more
15 complexed than that. As leaders, I would like
16 for you to comment on where is the connecting
17 glue between those who make policies and
18 implement them with respect to Police/Community
19 Relationship and that community which is often
20 critical of that.

21 MR. MCPHILLIPS:

22 I would be happy to respond to some
23 extent. I think that we can recognzie that

1 there is truth in both perceptions, that it's
2 not on either black nor white situations
3 because many shades of grey and depending who
4 is looking out a particular window just how
5 grey -- or how light or how dark it may appear.
6 But I have had the opportunity to observe
7 Mobile, Selma, and Birmingham a good bit as
8 well as Montgomery, and I think that although we do
9 have a lot of problems in Montgomery that we
10 have got to confront and work on, that we have
11 made a lot of progress in recent years. I
12 think the last couple years, I think voices
13 have been lowered on both sides as an attempt
14 to work together more, I believe, but we need
15 more of that. And I think compared to
16 Montgomery and Selma, I believe we are ahead of
17 them on race relations. That's not saying a
18 whole lot though and I think both cities have
19 some real serious race relations problem.

20 MR. BARNARD:

21 Mobile and Selma?

22 MR. MCPHILLIPS:

23 Mobile and Selma. I think we are behind

1 Birmingham though. Birmingham has some very
2 progressive leadership. I think Mr. Pizitz put
3 his finger on it partly a minute ago. We have
4 got some good groups here that meet. I don't
5 think we are as well-known and progressive in
6 our pursuit of some of the problems as
7 Birmingham is. I mean Birmingham is not -- I
8 don't think it's just to mandate the crisis
9 prevention approach, but I think they take a
10 more preventive approach. Sure we have crime
11 prevention programs all around, but we don't
12 have the kind of prevention programs that we
13 could use. And I think Ms. McPherson spoke very
14 openly about some of this when she spoke about
15 needing to get in the neighborhoods more and
16 out of the black and white boxes and for police
17 officers to become familiar and friends and
18 whatnot with these young folks that are growing
19 up. There is too much view of them being the
20 enemy. I think that's being overcome. I think
21 Sidney Williams and Larry Armstead, who are two
22 individuals in the Police Department, have
23 taken a lot of leadership. I know a lot of

1 others moving in this direction. But there is
2 a lot more that needs to be done. So I think
3 in answer to your question, there is truth in
4 both perceptions, and I don't mean to gloss over
5 it to simplify it, but I think we need more of
6 the approach that Birmingham has taken because
7 not that many in Montgomery know about One
8 Montgomery or Leadership Montgomery. I mean, I
9 really don't know much about either one of
10 them myself and I have a lot of clients with
11 problems and if I thought that either one were
12 effective groups, I could probably channel some
13 of the clients in those directions. But I do
14 think an effort is being made. I think there
15 is a lot of good faith and good will on both
16 sides towards confronting the problem. Still,
17 it's just so much out there that goes unseen
18 and goes unnoticed. And I think Councilman
19 Gilmore talked about the policeman who pulled
20 out the billy clubs when they look at the
21 tunnels and I think there are different
22 approaches that can be taken from that. And
23 also I will say that I think there are a few,

1 particularly some of the young police officers
2 and newer ones, who haven't had a chance to be
3 broken in who sometimes are still riding a
4 little bit high and mighty on the image of
5 what it is to be a Police Officer. They are
6 super gung ho and it's good to be energetic,
7 but sometimes they have a little bit too much of
8 the cops and robbers syndrome approach and see
9 a crook behind every tree. And one of the type
10 cases I have had where people have been stopped
11 sometimes for not disclosing their identity and
12 arrested for it, I think this type of
13 problem again is one suffered more by black
14 Montgomerians than it is by white. And not
15 every black walking down the street or every
16 white walking down the street is a potential
17 criminal. Of course, again, vigilance is good,
18 we need vigilance, but I just think there is so
19 much to be said, not just the words that are
20 spoken, but the way they are spoken, the tone of
21 the voice, their expression on your face. You
22 don't have to look like you are a mean guy
23 that's going to hit somebody over the head.

1 You can smile at them a couple times or say
2 something lighthearted or something that can
3 break through the ice. And I think we need
4 more of that approach. And I think that our
5 new Chief of Police has a good sense of humor
6 and I think that's a positive thing. I think
7 our Former Chief Of Police had a sense of humor
8 at times, too. But I think we need more of a
9 sense of humor on both sides of the spectrum,
10 and again, that's not something the Legislation
11 enforced but it's something we need to work
12 more towards. So I'll stop because I'm sure
13 Mr. Watkins has a lot.

14 **MR. WATKINS:**

15 He has covered it.

16 **MR. MAX:**

17 Do you have anything to add at this point?

18 **MR. WATKINS:**

19 Yes. I think we do. I think we respect
20 to the black city -- I think the history -- For
21 the Record I'm Donald Watkins. I testified
22 before this group in 1983. This is an update
23 of my testimony. I will be brief, I will

1 incorporate what other speakers before me have
2 said to the extent that I can.

3 I think we do live in two cities. There
4 is a black city, there is a white city in
5 Montgomery. The history of Montgomery's
6 treatment of its black citizens is well
7 documented in a reported federal case, Buskey
8 versus Oliver, that's a 1983 case issued by the
9 Middle District Court here in Montgomery. It
10 describes in detail all the mistreatment issued
11 out on behalf of this City by and through its
12 officials in every aspect of black life. And
13 for anybody who is still disputing that, you
14 don't have to take Donald Watkin's word for
15 that, you can look it up for yourself. I
16 do not think the discrimination ended in 1983
17 with the announcement of that decision. If
18 somebody could tell me what year it did end, I
19 would like for some learned person to inform
20 me.

21 With respect to the white community, I do
22 think that the white community perceives this
23 entire problem as one of perception, that

1 reality is not perception for the black
2 community. The problem has been historically --
3 and I was on the City Council from 1979 to '83.
4 And since that time I have opened a practice in
5 Birmingham. I know how Birmingham operates. I
6 represent the Mayor of that City, I represent
7 that City, I work with the Police Chief up
8 there, I work with its officers, both black and
9 white, I represent perhaps probably more police
10 officers in this state than any single lawyer,
11 both black and white, for a city as large as
12 Birmingham down to cities as small as
13 Uniontown, Alabama. So I have seen it on both
14 sides. I have sued police officers, I have
15 defended police officers. I think what happens
16 is that when black elected officials like
17 Councilman Gilmore, Councilman Hammons, et
18 cetera, bring these matters to the attention of
19 Officials in Montgomery, whether it's the forum of
20 the City Council or Montgomery One or the other
21 various private organizations, the response of
22 the white community is to condemn the messenger
23 rather than ascertain whether the message has

1 any truth to it. That has consistently been
2 the response I have observed during the
3 thirteen years I have practiced law in this
4 city. I think that there has been relatively
5 little progress in Police/Community Relations
6 between our community and the Police
7 Department. I have noticed that there has been
8 a decrease in police shootings. I attribute
9 that primarily to the case of Pruett versus the
10 City of Montgomery where a jury -- Federal
11 Court Jury handed out a hundred thousand dollar
12 jury award. That has had a tremendous deterrent
13 effect in police shootings. I have also
14 noticed that progress in other areas has been
15 slow and has been painful. You can't separate
16 just what's happening in the Police Department
17 from other aspects of official government on
18 the part of the City of Montgomery. If you
19 look at the delivery of City services, things
20 we take for granted or some of us take for
21 granted, the streets being paved, sidewalks
22 being constructd, yes, that height for blacks
23 has improved to some extent. But as a result of

1 a court order in Montgomery Improvement
2 Association versus the City of Montgomery, et
3 cetera, there has been progress in
4 redistricting. It took a lawsuit and a Federal
5 Court Order to prohibit racial discrimination
6 in redistricting. And I'm not reaching way
7 back into the past. I'm going two or three
8 years ago. If you are talking about race
9 discrimination, yes, we have had it in the Fire
10 Department, that's Tate Williams versus the
11 City of Montgomery. You can read that in a
12 1984 or '85 case. If you are talking about
13 discrimination on the basis of race within the
14 Police Department, you can read Sidney Williams
15 versus the City of Montgomery. That's a 1979
16 case. If you are talking about sex
17 discrimination involving the Montgomery Police
18 Department, you can go read the Joyce Oiler
19 versus the City of Montgomery case. I mean
20 this is 1986. I do not think discrimination
21 has stopped through this date in time and the
22 problem starts at the top. There is a total
23 lack of respect at the executive level of this

1 City's Government for the rights of black
2 people and it has manifested itself in each and
3 every one of those cases I have cited to you.

4 The tragedy is, not one time in any of
5 those fights, any of those cases -- and you
6 know that case, each side has the opportunity
7 to present its best evidence on the issues to
8 be presented. After all the appeals were
9 exhausted, not one time in any of those fights,
10 the white civic groups, white business groups,
11 white religious groups, or white governmental
12 officials seek to intervene on and assist black
13 citizens in carrying forward their fight for
14 justice and truth, not one time. And that has
15 always been the problem. Blacks present the
16 problems and whites condemn their leaders for
17 articulating their concerns. We have -- I have
18 had those who proceeded me talk about how
19 harmonious the relationship now is and the City
20 Council are mad because some of the people are
21 gone. I don't know if they were eluding to
22 people like me because I left in '83. But I
23 don't think that those people should nievely

1 equate a negative peace, which I define like
2 Martin Luther King is the absence of tension.
3 I don't think that they should equate that with
4 harmony. I think that perhaps what you have is
5 a situation -- and I still observe -- I get
6 letters all the time. I got three of them up
7 there on my desk. I haven't had time to read
8 them or scan them. But these are police
9 brutality complaint type letters. I think what
10 you have is a situation where you have order
11 without justice. And the question is, how long
12 can that situation persist? And then finally
13 in the most -- the saddest part that I've seen --
14 and this don't necessarily involve brutality
15 although it arose out of a brutality incident,
16 and I thought I had only seen it in South
17 Africa, but I was wrong. About three weeks ago
18 maybe four weeks ago, the Montgomery Police
19 Department forcibly ejected a television news
20 crew because they didn't like the type of
21 coverage or the way a brutality incident was
22 covered. It's the same principle that they
23 use today in South Africa where you are on

1 your own, if you don't cover it the way we want
2 it covered, then you are ejected from our
3 country. And I think this is perhaps the only
4 city that I know of anywhere in United
5 States where the news media is ejected on the
6 basis of coverage and type of coverage that it
7 does with respect to incidents involving police
8 misconduct. And again, that took a Court Order
9 and a negotiated resolution to bring that to a
10 halt. So that is the Montgomery situation in a
11 nutshell. And until we see more leadership on
12 the part of the white official communitites,
13 that is, Governmental Officials, and white
14 community leaders, then I think the problem
15 will persist.

16 MR. MAX:

17 Let's me just ask one quick question here.
18 I think of the three of you, Vanzetta, you are
19 the only one on One Montgomery; is that
20 correct?

21 MS. MCPHERSON:

22 Yes.

23 MR. MAX:

1 Has there been any attempt to get these
2 questions, these problems upon an agenda and if
3 so, what has been the reaction?

4 MS. MCPHERSON:

5 In One Montgomery we have had one session
6 devoted entirely to the Police Department.
7 Four police officers came to that session.
8 Among them was Sergeant Norman from the
9 Community Relations Division. We talked over
10 problems, we exchanged ideas about what some of
11 us see as problems in the Community Relations.
12 The police officers told us about their role,
13 what they do, how they perceive the problems.
14 We did not agree entirely on how to resolve the
15 problems. I did not get the impression that there
16 was even an agreement by the police officers as
17 a unit on the existence or the extent of the
18 problem. Mr. Watkins touched upon something
19 that Mr. Gilmore touched upon. We have in
20 Montgomery substantial fear on the part of
21 police officers to speak candidly about
22 what they see as wrong in their department. We
23 have in Montgomery substantial fear, and I mean

1 that in its literal sense, on the part of many
2 whites in Montgomery. I'm not talking about
3 lower income or bluecollar whites, I'm talking
4 about professional whites, a fear of candid
5 articulation, candid and open articulation of
6 the problem. I happen to believe that the
7 single reason why this is so is because our
8 Police Department, for whatever reason, has
9 become almost totally politicized. It just
10 simply has become politicized. And there is
11 this fear that persists among every aspect of
12 the white community. I'm sure Mr. Watkins has
13 experienced it, I can assure you that I
14 experience it on an almost daily basis in
15 private conversation with whites in this City
16 about things that they believe are wrong, are
17 not right. But again, as he has suggested,
18 there is this overwhelming reluctance to come
19 forward in the open and make a comment or do
20 anything to try to curb the friction between
21 the two communities.

22 MR. BARNARD:

23 When the previous panel was up here, I

1 happened to glance at the back of the room. At
2 one point, Mr. Watkins, saw you and the Police
3 Chief, John Wilson, in an animated, seemingly
4 very friendly conversation. What I would like
5 to ask each of you and then come back and ask
6 you particularly another question, if you saw a
7 problem out there that you thought might be
8 resolved by informal contact with Chief Wilson,
9 how free do you feel -- secondly, is that a
10 change that existed in 1983?

11 MR. WATKINS:

12 You are absolutely right. I had a long
13 conversation with Chief Wilson and have had
14 them before and will have them in the future.
15 I do not have any personal animosity toward
16 Chief Wilson. I don't think he has any towards
17 me. I do think that there is some mutual
18 respect between the two of us. I perceive the
19 same thing with respect to Chief Swindall and
20 myself. Let me say this: The way I am treated
21 when I deal with the Police Chief or some
22 police officer may not be, and probably is not,
23 the same way that just ordinary citizens, rank

1 and file, don't have name and recognition,
2 don't have a law degree behind them, and don't
3 have access to resources, litigation skills,
4 may not be the same way that those people are
5 treated. And the problem is not so much as one
6 involving Donald Watkins and the Police
7 Department but the problem involves the masses
8 of people on whose behalf I articulate their
9 concerns. I don't personally have a problem if
10 you are just looking at Donald Watkins versus
11 the Police Department or vice versa. It's
12 just those who cannot articulate, perhaps who
13 are not as fluent in the english language, who
14 may have a speeding ticket behind their name, or
15 an arrest record, or misdemeanor. That is where
16 problem arises. And I don't have a problem in
17 calling Chief Wilson. I didn't have one in
18 calling Chief Swindall. If I wanted something,
19 I would call and still will call.

20 MR. MAX:

21 I think the question is this: If a client
22 comes to you with a problem, is there an
23 informal means of correcting that problem as

1 opposed to the --

2 **MR. WATKINS:**

3 What you are really asking is, if I called
4 him, do I have any confidence that he will
5 legitimately look into it and resolve it on an
6 equitable basis. The question with respect to
7 the past Chief was, no. It's answered
8 negatively. With respect to the present Chief,
9 I don't know because I haven't called him
10 yet. So my judgment is out on him.

11 **MR. MAX:**

12 Is it a reasonable course of action that
13 you ought to consider?

14 **MR. WATKINS:**

15 I have not done it that much in the past
16 and I almost never do it now because of my
17 observations that little or nothing is done on
18 complaints that I proceed to be legitimate.

19 **MR. MAX:**

20 Julian?

21 **MR. MCPHILLIPS:**

22 I would echo a lot what Donald Watkins
23 just said. I think that generally police

1 officers and most other people treat someone
2 who has got a law degree and who is an
3 articulate spokesman with a greater measure of
4 respect than they would someone who is a
5 teenager on the street who has problems in some
6 sort of another. Of course we can all
7 understand how that is. Again, I go back to
8 what I said before which is, I feel like there
9 needs to be greater communication on a lower
10 level between both the Police Department and
11 the greater citizenry of Montgomery. I think
12 Vanzetta also mentioned the --

13 We have a case that's
14 outstanding right now that was tried a year and
15 three months ago and still waiting on Federal
16 Court for a ruling which we challenged the
17 promotional practices of the Police Department
18 of being to political in nature. And there is
19 some interesting questions that are raised and
20 I don't want to get in all the specifics of it.
21 The big objective thing right -- and I
22 understand what the Mayor of Montgomery
23 says, give me any written test and I'll take

1 it in the -- written allows a very
2 subjective system to develop in which pals
3 and friends. And one of the contentions we
4 made was that the Mayor, who is the Chief
5 appointing officer, has a set of bodyguards
6 whom he calls aides. And in fact, Ms.
7 McPherson and I had a case where we
8 represented the author of a poem who wrote
9 a poem about it. Anyway, that same poet is
10 the plaintiff in our case we are waiting
11 to hear. They have developed an Ad Hoc
12 system whereby people who are good at pleasing
13 the Mayor have ended up getting the greatest
14 level of promotions for whatever those reasons
15 may be and with all due respect
16 politely motivated the chairman of the party,
17 and a lot of other hats he wears besides Mayor.
18 That's one thing we need to deal with.

19 MR. GRAY:

20 I would like to ask a question. Based
21 upon statements we heard from the previous
22 panel regarding how the business community
23 perceives the Police Department and listening

1 to one of the comments, perception is that the
2 business community feels that it is well served
3 in terms of its property rights of protections.
4 But I wonder, in listening to what you had to
5 say, how that extends or whether that extends
6 to let's say personal rights, Civil Rights,
7 particularly if they involve citizens of color,
8 as you have indicated, these people maybe afraid
9 to speak out or to be a separate voice, because
10 on the one hand they are satisfied that their
11 property rights are protected. Obviously, a
12 person is real in being secured, but on the other
13 hand, even though their perception is not
14 like what they would like to see in terms of
15 Montgomery, in terms of Police/Community
16 Relations, they are afraid to speak out.
17 What does -- where does that leave it if
18 they are afraid to speak out and of course
19 the panel indicated, where does
20 that leave groups like One Montgomery and
21 Leadership Montgomery if they are not going
22 to speak out if it's kind of a past group?
23 Who is going to do the speaking in the white

1 community?

2 MR. WATKINS:

3 I've been looking for an answer for that for
4 a long time. And those who attempt to speak out
5 in the white community are generally ostracized
6 by their peers, not at the country club, in
7 their churches, in their social settings. But
8 there are a few and those few are speaking out
9 more and more and hopefully those few can
10 speak. But Julian is one of the few that
11 speaks out and calls it like it is, but he is an
12 independent owner of his own law firm.

13 MR. GRAY:

14 Yes.

15 MR. WATKINS:

16 There are a lot of good police officers on
17 the police force. You are not talking about all of
18 these officers. You are talking to basically a
19 small group, and generally the same names come
20 up over and over again to harassments, beating, and
21 that kind of thing. But I would say the
22 overwhelming majority of those officers on the
23 force, and I know cause I got a lot of friends

1 that tell me what's going on any time I need to
2 know about it, are good people, decent human
3 beings, and it tears them up when they are out
4 with a partner and they see a partner harassing
5 somebody and they don't really know if they
6 should come forward with it or if they would be
7 punished if they come forward and reported
8 and incident of mistreatment, be quiet, behave,
9 or get advanced through the ranks based
10 on supporting team corporation. But you got a
11 lot of them out there that interpret my remarks, my
12 copanelist is a blanket indictment against
13 all police officers, just the bad ones. You
14 got bad lawyers, you got judges, you got bad
15 police officers.

16 MR. BARNARD:

17 I want to ask you one particular question.
18 You have here, Vanzetta,
19 that One Montgomery is to date
20 a passive organization. It's potential is
21 perhaps that environment wouldn't be
22 realized. We have heard Mr. Pizitz
23 express his consent that there has

1 yet to be in Montgomery a reaching out from the
2 white establishment or establishments labling
3 One Montgomery to include bringing the active
4 internal black community. If you saw a problem
5 out there in the community that you thought
6 might be headed off by informal means, is there
7 anyone in the white establishment in Montgomery
8 that you would feel comfortable to call in
9 talking with and expressing that concern?

10 MR. WATKINS:

11 I know of no one I would call and pick up
12 the phone and talk to and feel confident in
13 expressing that concern. Not a sole. I
14 haven't known of anyone in the whole thirteen
15 years I've been practicing except one and that
16 person is no longer in a position to help.

17 MR. MAX:

18 Anything else from the Committee?
19 Gentlemen, Vanzetta, we do appreciate your
20 cooperation working with us today,

21 MS. MCPHERSON:

22 And this is connected to your
23 conversation. There is yet another organization

1 in the City that concerns itself with the
2 betterment of the community. It focuses on
3 busineses and attraction of industry in this
4 community, but yet it is concerned with the
5 overall betterment in the community. That
6 organization is Men of Montgomery. That
7 organization has remained all white and -- that
8 organization should not be all white and all
9 men members -- the members of that organization
10 insofar as influence is concerned are far more
11 influential than the members of One Montgomery
12 and the members of Leadership Montgomery of any
13 given class from time to time. That is because
14 this -- and that needs to fall. The agenda and
15 the race restriction needs to fall and
16 the agenda and they are deliberate. Just
17 to give you an example of the fear and
18 the reluctance that Donald and Julian
19 and I have talked about, recently in Montgomery
20 we had the selection of a Superintendent. It
21 was not a black/white issue. There were deemed
22 to have been a consensus although there was one
23 black applicant. He was not qualified as two or

1 three --

2 MS. WOOLFOLK:

3 Public education.

4 MS. MCPHERSON:

5 Public education. Many whites in this
6 City were extremely dissatisfied with what
7 happened and with the result. Very, very few
8 have made any public comment on the procedure
9 or the result or what I know them to view as
10 the long-term negative effect. And that is an
11 incident that is not necessarily racially
12 based. So if you have that kind of fear and
13 reluctance to comment on something publically
14 that you know or that you believe will have a
15 negative impact on the community, that isn't
16 racially based, think of the reluctance and the
17 fear to comment on something that is racially
18 based. We have government obstacles and
19 barriers to cross here before we even get to
20 race, to be perfectly honest.

21 MR. MAX:

22 Thank you very much. At this point we
23 have concluded our scheduled speakers and I

1 want to at this point thank everyone for their
2 attention, you have been courteous and I do
3 appreciate it. We do have five unscheduled
4 speakers and I'm going to restrain and
5 afford these five people three minutes each to
6 fit our timeframe. And the following names
7 in the following order, first -- and I
8 apologize if I mispronounce a name.

9 Gregory Barrett, number one,
10 number two Katy Brown, number three, Connie
11 Harper, number four, Rebecca Bucanan, number
12 five, George Azar. Those five, if you would
13 please come up here so we don't have to take
14 any additional time inbetween the speeches. I
15 would say this, if you would expect any
16 interaction with us, which we would like to
17 have, if you can keep your remarks as down and
18 as quickly as possible so we can get to our
19 questions.

20 MR. BARRETT:

21 I have some prepared remarks. They are
22 brief and they are short, however, I could
23 elaborate literally for hours. I'm Dr. Greg

1 Barrett and I am currently employed at Alabama
2 State University where I'm a full Professor
3 and Chairman of the Department of Criminal
4 Justice. Since receiving my Ph.D in
5 criminology in 1974 from the University of
6 California of Burkley, I've been in business of
7 educating inservice and preservice Law
8 Enforcement Officers and Administrators at five
9 universities in the north, the west, south, the
10 east, and on nato bases. I'm well published,
11 et cetera. Going beyond that, as everybody
12 gathered here is well aware, the relationship
13 between the police and blacks is marked by a
14 long history of mutual distrust and suspicion.
15 Here in the south relations have been
16 particularly strained since the very inception
17 of formal law enforcement back in the early
18 19th Century when the institution of policing
19 was born for the expressed purposes of
20 controlling slaves. Turning to the present
21 situation, Montgomery, Alabama, 1986, whether
22 the racial problems between the Montgomery
23 Police Department and the black community are

1 actual or whether they are perceived, it is
2 my operating assumption that they are assuredly
3 both -- each, that is, the actual as well as the
4 perceptual, racial problems have very real and
5 tangible consequences for the possibilities of
6 maintaining order and peaceful coexistence.
7 Before I go on, let me point out one other
8 thing, I have had the opportunity to talk with
9 the Mayor, I have had the opportunity to talk
10 with the Chief, Leutenant Armstead, and other
11 blacks and whites on the Montgomery Police
12 Department, and I have talked with dozens of
13 blacks of rank and file, and professional, and I
14 think that should be understood. It is my
15 contention that these consequences can be
16 addressed rationally. I'm not speaking of
17 rhetoric and the appearance of change nor am
18 I talking about public relation gimmicks or
19 image building techniques which are
20 essentially irrelevant to the issue at hand.
21 What I'm specifically referring to are
22 substantially based action oriented efforts
23 that have successfully reduced the tensions,

1 fears, and hatred that can be found on both
2 sides of the issue. For example, here are
3 cases on point. I would seek out the cities of
4 Newark, New Jersey, and Flint, Michigan.
5 Models found in those communities go way beyond
6 the call for racially balanced committees to
7 discuss the problems and approach which I
8 believe to be an appropriate one for the City of
9 Montgomery. Police activities found in Newark
10 and Flint include such tension reducing methods
11 as foot patrols, community service,
12 preventive activities, and special juvenile
13 units. In short, what we are talking about here
14 are those Police Departments comparable to
15 racial tensions as our own that have begun to
16 adopt a preventative proactive rather than a
17 reactive response style of patrol. In sum, I
18 would urge this Committee and the U.S. Civil
19 Rights Commission to recommend and support the
20 creation of such a body in the form of a
21 police/citizen board or task force to study in
22 conjunction with the Mayor's Office and the
23 Montgomery Police Department what has been done

1 constructively elsewhere to address such
2 problems and then to develop an action oriented
3 program of our own that could be realistically
4 adopted here in Montgomery. Thank you

5 MR. MAX:

6 We really appreciate it. Katy Brown?

7 MS. BROWN:

8 My main purpose in coming forward here is
9 that my name was mentioned in relation to a
10 case that dealt -- in the first person that spoke
11 this morning, he mentioned the case of Katy
12 Brown and the son that was beaten by the Police
13 and he gave half truth. I do not want it to go
14 on record this half truth that he give to you.
15 This is not perceived. This is an actuality.
16 When he told you about my losing the case in
17 Federal Court, that is true. I did not lose
18 it in Juevenile Court. The Juevenile Judge
19 sent recommendations to the Police Department
20 that they were corrupt and he should give them
21 polygraph tests. These were ignored. We went
22 to Federal Court and we were faced, we were all
23 black, we were facing an all white jury, white

1 judge, white lawyer, white mayor, what else
2 could the judgment be except that the policemen
3 were innocent. I want this to go on the record
4 that what went down was proven in a Juevenile
5 Court that my son was innocent, that the police
6 officers were guilty. I Thank you.

7 MR. MAX:

8 Thank you. Ms. Harper?

9 MS. HARPER:

10 I'm Connie Harper, Executive Director of
11 Central Alabama OIC, a self-help, nonprofit
12 training program for youth between the ages of
13 sixteen to twenty-one. I feel honored to have
14 been asked to appear before you this morning.
15 I'm going to previously inform you of my
16 relationship and that of our agency with the
17 City of Montgomery and the Police Department.
18 We operate a program which serves disadvantaged
19 youth without the support and corporation of
20 the City of Montgomery. We at OIC would not be
21 able to help the many young people in which we
22 are privileged to serve. Central Alabama OIC
23 provides job survival skill training,

1 counseling, and job placement. And I'm talking
2 services for youth whose profiles make up the
3 following: high school dropouts, young
4 criminals, high school graduates, single
5 parents, welfare recipients receiving some form
6 of subsidy, aid to dependent children, all of
7 these are -- and youth offenders. These are
8 people, regardless of what their lifestyle is,
9 that need a hand-up instead of a handout. They
10 need jobs to provide for their families. I
11 have called upon the City of Montgomery
12 continuously -- with this age limit you know we
13 have to call them -- for assistance in
14 acquiring jobs and other services for our
15 trainees. I have received assistance because I
16 go with a very positive attitude. And I have
17 gotten results. We have gotten results. I am
18 very proud of our results. Our philosophy at
19 OIC is that it's better to invest in jobs than
20 jails. We received support from the City in
21 many forms included but not limited to
22 seminars, of employment opportunities as in the
23 Police Department, criminal prevention programs

1 from the Police Department at OIC, community
2 awareness, and support in solving disciplinary
3 problems which arrive in our facility. In
4 addition, we make use of the referrals by the
5 City Personnel Department. The City of
6 Montgomery has hired our trainees, our
7 graduates, and I'm very proud of them because
8 Captain Sidney Williams is one of our graduates
9 and also Leutenant Hardy. The Mayor and the
10 City Council has assisted us in securing much
11 needed funds for training. They funded a youth
12 offenders program for us where we got young
13 people from the youth courts to work with them
14 for jobs. In the not so distant past OIC had
15 youth offender projects that was funded
16 through Cedar, and the funds were cut, but the
17 City continued to support us in this. I would
18 say that most people who know Connie Harper
19 know that I feel very strongly about the
20 attitudes of young people, not only young
21 people, all people. We look on the positive
22 side of things. From July '85 to June 30th,
23 '86 two hundred and fifty-six youth were served

1 by OIC. Of this number, two hundred and
2 forty-five were placed in meaningful jobs
3 within the private sector here in Montgomery.
4 We have a one hundred percent positive
5 determination rate with the so-called high risk
6 youth. These young people are no longer tax
7 users and abusers but tax payers. In 1984 OIC
8 was honored by the National Alliance of
9 Business, the Department of Labor, and the
10 State of Alabama for having the best job
11 training program for youth in the nation.

12 MR. MAX:

13 Ms. Harper, I'm going to need to stop you.
14 With the time having expired, I appreciate your
15 comments. And one question if you can give me
16 a one sentence answer to this. You deal with
17 youth and I understand predominantly black
18 youth; is that correct?

19 MS. HARPER:

20 Yes.

21 MR. MAX:

22 My question is: The perception of those
23 youth to the Police Department at this time.

1 In a sentence if you could.

2 MS. HARPER:

3 I feel that it's good with those we work
4 with in our area. And I think one of the
5 things that attributes to that is that the
6 close relationship that we have with our
7 counseling programs with the Police Department.

8 MR. MAX:

9 Rebecca Buchanan? Before I let you speak,
10 we had Norman Lumpkin on our panel but he is
11 not here.

12 MR. AZAR:

13 He had to leave.

14 MR. MAX:

15 If you could pass her the microphone.

16 MS. BUCANAN:

17 I'm not here to persecute anybody, I'm not
18 here to defend anyone either. I'm just here to
19 tell what has happened to me. I've been in
20 Montgomery for three years and I did not
21 realize that there was a racial problem here
22 until just recently when an incident at my home
23 opened my ears. Since then I have seen and

1 heard out of friends, neighbors, acquaintances
2 that I have made since being in Montgomery, not
3 just people in my walk of life but of many
4 walks of life. The same things have been said
5 here today against the City of Montgomery. The
6 Police came in my home two months ago and
7 without a warrant, without what either me or my
8 husband felt was Probable Cause, came in and
9 began questioning us with insulting questions,
10 and after my husband and I had asked them to
11 leave several times, they refused to do so, a
12 fight insued between the male officer and my
13 husband. My husband -- I'm sure you've heard
14 this before. I spoke before the City Council
15 the other night and I did tell the media
16 afterwards my husband did pick up a nightstick
17 but only after he had been threatened three
18 times that he was going to be taught a lesson
19 and that he didn't know the Police Department
20 to well because they didn't take that kind of
21 stuff off people like us, except he used a
22 little more colorful language than that. We
23 were called very obscene names, we were accused

1 of child abuse after they had looked and had
2 not seen a mark on my children and knew they
3 were not abused. My husband was arrested, he
4 was beaten very badly before being arrested,
5 and after he was arrested he was beaten very
6 badly by five police officers. One was the main
7 instigator. He slammed my husband's head
8 against the rear window of the car after being
9 handcuffed which was really not needed at all,
10 and my husband took fourteen stitches in the
11 head. One reason I came to the City Council,
12 we have been told all along by friends, and
13 family, by attorneys, by people at the Police
14 Department that we could not fight City Hall,
15 so we didn't try. But after talking to a City
16 Council Member I decided to go and enlighten a
17 little about what had happened to us. But
18 there is a real problem here, that it happens
19 everyday, I know people who have been beaten,
20 who have received injuries and even had
21 hospital stays. I've heard a lot and I could
22 tell you a lot. And I'm sure if you talked to
23 people on the street, they are afraid to come up

1 here. I'm scared to death now. I'm scared
2 that I'm going to have reverberations from it.

3 MR. MAX:

4 Rebecca, let me ask you this: Has anyone
5 from Interanl Affairs at the Police Department
6 been in touch with you?

7 MS. BUCANAN:

8 Only after I spoke to the City Council.

9 MR. MAX:

10 Have they questioned you in terms of what
11 went on?

12 MS. BUCANAN:

13 Yes. My husband and I both gave a
14 statement.

15 MR. MAX:

16 Any other questions from the panel?

17 MR. DOCTOR:

18 Just one quick question. Did they give
19 you any reason as to why they were in your
20 home?

21 MS. BUCANAN:

22 They told us one of our neighbors called
23 and said that we were beating our eighteen

1 month old baby to death. My eighteen month old
2 baby was standing on the porch when the
3 officers arrived without a scratch on him. He
4 didn't have a diaper on because I had just sat
5 him down out of the tub and he followed me out
6 the door. They used that as an excuse to go
7 call the youth aid officer. Later -- they said
8 to tell them that everything was all right and
9 not to bother. Well, when we asked them to
10 leave, they said they couldn't leave until the
11 youth aid officer arrived. So we felt like
12 they were just looking for an excuse to stay.

13 MR. MAX:

14 Any other questions? Mr. Azar?

15 MR. AZAR:

16 Thank you, gentlemen. Ladies and
17 gentlemen of the Commission: I'm a City
18 Attorney -- well, I'm an attorney, I'm in
19 private practice, but I from time to time
20 represent the City of Montgomery in cases. I
21 think you can see that you have a problem of
22 difference of opinions about a lot of things.
23 It's a lot the Commission can study. On

1 balance, I think the testimony has been good.
2 I would like to say that there are some things
3 we can't leave unanswered, otherwise I wouldn't
4 be here. We hear the tale of fear among the
5 whites and blacks in the Montgomery community.
6 The fact is that in 1983 when this Commission
7 was here before and a very trying time in the
8 City of Montgomery, an election came up in
9 October following that same in 1983. Mayor
10 Polmar was overwhelmingly reelected by both
11 black and white supporters. Montgomery was
12 60/40, supporters, sixty white, forty black, and
13 overwhelmingly elected. The Council was
14 drastically changed. Since that time the peace
15 and harmony has insued. I don't want to
16 rehash that. I'm surprised at the remarks by
17 the three lawyers up here who said the City is
18 never wrong. Two of those lawyers have
19 received two out of court settlements from me
20 personally and I don't handle all the City
21 work. The City has several outside attorneys
22 who handle it. The four cases were settled.
23 Two of those lawyers who sat there and listened

1 to the remark being made that the City never
2 admits it's wrong and never does anything, they
3 are always right, that's just four of many for
4 those two lawyers. So that's wrong, and this
5 Commission shouldn't go away with that
6 thinking.

7 MR. MAX:

8 George, may I ask you a question?

9 MR. AZAR:

10 Yes.

11 MR. MAX:

12 It seems -- we initially heard that the
13 court seemed to be the resolution center for
14 some of these disputes and we have since that
15 a One Montgomery that could be but right now
16 isn't. What would you recommend? Obviously,
17 there is a communication problem simply by way
18 of the perceptions that are misperceived. How
19 would you recommend the communication problem
20 being resolved?

21 MR. AZAR:

22 I'm not sure that you can totally resolve
23 it because it's, in my opinion, political.

1 Let's face it, the blacks have to have the
2 support of the black constituents. The blacks
3 are not going to put up with Uncle Toms. The
4 whites have to have the support of the white
5 constituents. They are almost, I guess, of
6 necessity by nature. I don't know an answer to
7 that. I wish I did. But I do know that the
8 present Council is now able to resolve itself
9 by working together and they have gotten more
10 for their community. Now, the case that was
11 referred to, the Buskey Case, I handled that
12 case. That case was one in which Judge
13 Thompson wrote an opinion. It was a
14 redistricting case. It does nothing -- it
15 wasn't the type of thing you are thinking of.
16 It was a redistricting case because of the new
17 census that came out. He cited twelve cases
18 which he said demonstrated discrimination in
19 the past by the City of Montgomery. Ten of
20 those cases occurred prior to the act forming
21 the new Council Government. Nobody on the
22 Council that's ever been on the Council was
23 involved on the Council in any of those prior

1 cases. One was against the County. Only one
2 was a job discrimination case against the City.
3 I don't believe that supports and argument that
4 this present Government is discriminatory.
5 Now, with reference to the domestic problem, we
6 get the calls of the City Police -- I'm going
7 to guess at this. I knew it once because I
8 used it before. But probably three or four
9 hundred thousand calls to answer -- and I maybe
10 wrong. It maybe much more or less. It's three
11 or four hundred thousand calls a year, and
12 what you are hearing are the complaints. That
13 has to say something for us. We have that much
14 contact with the public year in and year out
15 here. Now, do we get a call about a domestic
16 squabble at a home, that a child's being beaten
17 to death, they go out there, it ends up the
18 gentleman is not the only one hurt, a black
19 female officer was also injured in that
20 incident, and all we hear is this part of it.
21 So I think those are things we cannot let go
22 unanswered. We have tried in the City, a lot
23 of efforts have been made, but we have really

1 got to get a lot more support of the leadership
2 of the black community.

3 MR. MAX:

4 Thank you very much. We appreciate
5 everyone attending and the corporation and the
6 courtesy.

7 MR. PIZITZ:

8 May I ask Mr. Azar a question?

9 MR. AZAR:

10 Yes, sir.

11 MR. PIZITZ:

12 Do you think you have active support for
13 the leadership of the power structure of the
14 white community?

15 MR. AZAR:

16 Yes, sir. Not any question about it. And
17 we have -- let me clarify that a little bit.
18 There is a tremendous amount of black
19 leadership support that we have. You will see
20 some here and you will see some called One
21 Montgomery and those type of people. It's not
22 totally absent, but probably the most vocal,
23 and I think you used the term activist earlier,

1 probably that element is not nearly as involved
2 as it should be and I can't answer for you why
3 not.

4 MR. GRAY:

5 Follow-up on that. When you had the
6 Community Relations people here from the
7 Justice Department this week and there was a
8 clip on, I believe, WSFA regarding the conference
9 in the Mayor's Office, were there any black
10 Council Members present at that session?

11 MR. AZAR:

12 I do not know. I can't answer that for
13 you.

14 MR. GRAY:

15 I recall seeing Ms. Reynolds present but I
16 was wondering if -- trying to reach this
17 harmonious relationship, and you got Community
18 Relations coming in from Atlanta to discuss
19 this incident --

20 MR. AZAR:

21 I understand. But that was because they
22 came to the Mayor's Office for that. They had
23 already, as we understood, interviewed the

1 people involved. They came to the Mayor's
2 Office for that. So I can't answer. I don't
3 think there was.

4 MR. MAX:

5 Thank you very much. We appreciate everybody's
6 attention. We stand in adjournment.

7
8 * * * * *

9 FURTHER DEPONENT SAITH NOT

10 * * * * *

11
12 REPORTER'S CERTIFICATE

13 STATE OF ALABAMA:

14 MONTGOMERY COUNTY:

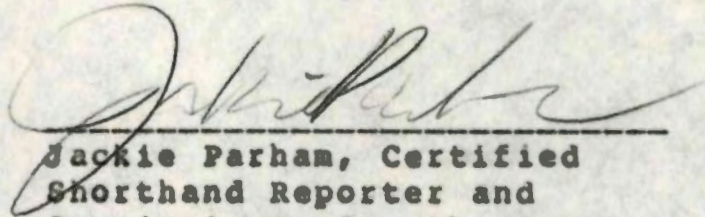
15 I, Jackie Parham, Certified Shorthand
16 Reporter and Commissioner for the State of Alabama at
17 Large, do hereby certify that I reported the hearing
18 of the Civil Rights Commission on July 18, 1986.

19 The foregoing 240 computer printed pages
20 contain a true and correct transcript of the Civil
21 Rights Hearing.

22 I further certify that I am neither of kin
23 nor of counsel to the parties to said cause, nor in

1 any manner interested in the results thereof.

2 This 26th day of July, 1986.

3
4 

5 Jackie Parham, Certified
6 Shorthand Reporter and
7 Commissioner for the State
8 of Alabama at Large.

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