

SOUTHERN POLICE INSTITUTE

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PART II

" CIVIL DISORDERS AT THE NATIONAL LEVEL "

by

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During the past summer 52 American cities suffered civil disorders, **street** fighting and riots that caused wide spread death and injuries to the population and the police of these cities.

Looting and burning was responsible for property damages that caused **many** millions of dollars.

The local police in most of these cities kept the situation under reasonable control and held property damages to a minimum, but there were many arrests and some deaths or injuries, and damages in all of these cities.

The local police in some of these cities failed to maintain law and order, and when the situation had gotten out of control, it was **necessary** to call on the State Police and the National Guard to restore order, and in one city it was necessary to call on the U. S. **Army** to come in and restore order.

There were other cities, where the local government did not believe they had the necessary manpower and equipment in such an uprising to maintain law and order, and called for assistance from the National Guard before the situation had gotten out of control.

On July 27, 1967, President Lyndon B. Johnson by executive order, appointed a National Advisory Commission on Civil Disorders.

The Commission consists of eleven members - a governor, a mayor, four members of Congress, a business man, a labor leader, a civil rights leader, a lady and a chief of police.

Governor Otto Kerner was appointed Chairman.

Mayor John B. Lindsey was appointed Vice Chairman.

Mr. David Ginsburg was appointed Executive Director.

This State of Kentucky is well represented on the Commission by the distinguished Secretary of Commerce, the very able and attractive Miss Katherine G. Peden.

I am deeply grateful and very humble for the opportunity to serve on such a distinguished commission.

The Commission held its first meeting with President Johnson at the White House on July 29, 1967.

After administering the oath of office, President Johnson informed the Commission of the seriousness of the civil disorders that the cities of this nation had experienced in the last two years. This was supported by all the information and reports that the President had received.

The President said this commission was to take top priority over all other commissions and that all the facilities and personnel of the Federal Government would be made available to assist.

The President also said that civil disorders can be stopped -- they must be stopped -- and they will be stopped.

The President instructed the commission to determine -- what happened -- why it happened -- and what must be done to prevent it from happening again and again -- and to furnish him an interim report by March 1st, 1968 and a final report by August 1, 1968.

I left the White House with a very strong feeling that this nation is extremely fortunate in having Lyndon B. Johnson as **Commander** in Chief during these very trying times.

He is a very dedicated and able man, and tough enough to do the job. Again this belief was confirmed when President Johnson made a very fine and timely speech to the International Association of Chiefs of Police in Kansas City on September 14th.

The Commission has been meeting about two days each week in Washington and has visited several of the cities that suffered the greatest damages.

Mr. Ginsburg has established a very fine organization to do the staff work.

Most of the staff personnel was drafted from other agencies.

The full commission has questioned more than 100 witnesses, that included governors, mayors, chiefs of police, rioters, and everyone else concerned with civil disorders.

The Commission will not wait for the March deadline, but will present an interim report to the President just as soon as we can get it ready.

What I say to you today are my personal beliefs and does not necessarily reflect the views of any of the people that I work for or work with.

When some civil right leaders abandoned their non-violent approach and became "Black Power" advocates of force and violence,

most of the white population was shocked and frightened,
but this was the motive behind the Black Power movement,
to achieve their goals through fear, intimidation, and force.

It was designed for shock treatment.

Most of the Negro population did not approve or disapprove this

approach at that time, but took a "wait and see" attitude.

But, today I believe a great majority of the white and Negro population

recognizes "black power" as a reality, but believes its
strength lies at the ballot box and in the courts, and not
in the streets and alleys.

The motives supporting the black power militant movement is almost

identical to the motives supporting the old Ku Klux Klan.

I believe the police have the best public support today that we have
ever had.

But let me warn you not to be deceived by this support.

The people have been frightened by civil disorders and riots and they
are looking to the police to stop it now.

And, if it demands --

a tooth for a tooth, and

an eye for an eye --

the local police must be prepared to make law and order their
first order of business.

Dr. Kenneth Clark, author of "Dark Ghetto -- Dilemma of Social Power" recently said, "police brutality was not a problem, or at least it was not a serious problem, the real problem," he said, "was police inefficiency and police corruption."

I do not know how much of that statement is true.

It would depend on the city and the persons involved.

But, I do know that these are the problems that every chief of police in this nation must give his immediate attention and best efforts if we are going to accept all of our responsibility and furnish the kind of police service that every American citizen has ever right to expect.

The Mayor and the Chief of Police has the sole responsibility to protect life and property, to maintain law and order in their respective cities.

Every city must have the necessary communication and reports from all segments of the population to determine what the problems are, and when and where civil disorders are likely to occur.

They must have the necessary equipment and trained personnel to solve these problems and if street fighting starts -- to move in immediately with sufficient force to stop it before it gets out of control.

If they cannot do that, the mayor has the responsibility to ask the governor to furnish the National Guard, and if this is not sufficient, the Governor has the responsibility to ask the President of the United States to order the U. S. Army to come in and restore order, or even to prevent civil disorders.

Now, as I understand the laws and ordinances of the many cities and states in this nation, the Mayor and the Chief of Police are the commanding officers of their respective police departments, but once the National Guard is ordered in, the Governor and the Adjutant General becomes the commanding officer of that city or state, and once the U. S. Army is ordered in, the highest ranking officer designated by the President, becomes the commanding officer of all armed personnel in that area.

The President of the United States is the Commander-in Chief of all armed personnel in this nation, and that includes every police officer in a police department.

As I also understand the law in the various states, the governor might order the National Guard to go into a city at the request of the mayor -- or the governor might order the guards to go in on his own initiative and judgment.

The same thing is true of the U. S. Army.

The President might order the army to go into a city or state at the request of the governor, or the President might order the army to restore law and order and to protect the Constitutional Rights of American citizens in any state, with or without a request from the governor.

The United States President has found it necessary to take such action many times in the last 175 years.

I recall two such occasions very well --

1. President Eisenhower ordered Federal troops into Little Rock, Arkansas, without a request from Governor Faubus.
(EXPLAIN)
2. President Johnson ordered Federal troops into Detroit, Michigan, last summer on the request of Governor Romney.

The U. S. Attorney General, Mr. Ramsey Clark, recently issued written instructions to all Governors on the procedure to follow "SHOULD A GOVERNOR FIND IT NECESSARY TO REQUEST THE ASSISTANCE OF FEDERAL TROOPS. "

These are very important things that should be considered and included in all police training and police planning in the next few months.

Retired United States Brigadier General William R. Woodward is also director of Atlanta's Civil Defense.

He and General George J. Hearn, the Adjutant General of Georgia have completed a very fine plan to coordinate the action of the police and the National Guard if it ever becomes necessary or desireable for the City of Atlanta to request the assistance of the National Guard.

The National Guard is already receiving special training to control civil disorders.

I understand that this training is very special.

The Guard is told that this is not ordinary combat.

In ordinary combat everyone out in front of you is your deadly enemy, and you shoot everything that moves.

In this kind of combat everyone out in front of you is not your enemy, in fact, most of them are your friends.

Your only enemy is the snipers and the brick throwers, and when it is necessary to use firearms, you must be very careful to shoot only your enemy.

The Atlanta Police Department continues to strengthen and expand its training program, with special training for our Crime Prevention Bureau officers and our Task Force and Riot Squad.

These are very important things that should be considered and included in all police training and police planning in the next few months.

In any emergency the Atlanta Police Department will cancel all leaves and off days and go on 12 hour shifts, seven days per week.

This act alone will more than double the police personnel available for street duty.

Police officers would be working 84 hours per week instead of 40 hours per week.

Every officer below the rank of Captain would receive time and half for overtime pay.

This means that the number of officers assigned to the trouble area would equal the total number of police personnel in the department, leaving an equal number of officers to patrol the other parts of the city not involved in the civil disorder.

(You will find most citizens very much interested in this part of the program.)

A city ordinance authorizes the Mayor to define the boundaries and identify the area where civil disorders are occurring or expected, and to request the assistance of the National Guard when needed.

The Mayor has full authority and responsibility to make this determination.

When the Guard arrives on the scene, police officers will be assigned to accompany the Guard on their mission.

The police will take into custody and detain all persons that should be arrested.

The police will process and present all prisoners and witnesses to the courts.

The Guard will deliver all injured persons to the medical center.

Additional action taken by the police or Guard will be subject to orders issued on the scene by the Adjutant General or his subordinate officer.

Incidentally the subordinate officer in this case happens to be a police lieutenant in the Training Division of the Atlanta Police Department.

The high crime rate --

The continued increase in crime --

Civil disorders --

And poverty, are so closely related in my opinion, that they cannot be separated.

I again wish to remind you that it was the conclusion of the Atlanta Commission on Crime and Juvenile Delinquency, and the President's Commission on Law Enforcement and Administration of Justice --

that crime and poverty were twins that could not be separated, and one could not be improved without improving the other.

I do not believe that I can over-emphasize the need for police training and police planning for the police of this nation, to successfully meet the challenge that we will face in the next twelve months.