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# Violence and Racism Are Routine In Los Angeles Police, Study Says

By ROBERT REINHOLD, Special to The New York Times

**L**OS ANGELES, July 9 -- A little more than four months after a videotaped beating of a black motorist by Los Angeles police officers stirred national outrage, an independent commission today issued a harsh indictment of the Los Angeles Police Department as an agency that has tolerated excessive force and overt racism among its officers.

The commission also called for the replacement of the police chief, Daryl F. Gates, but stopped short of asking for his immediate ouster. It said the department should begin the "transition" to a new chief, but Chief Gates, who has led the 8,450-member force for 13 years, quickly rebuffed the suggestion that he retire soon.

## 'Illusory' Citizen Control

While the report said most of city's police officers worked efficiently and without excessive force, it found "a significant number" who "repetitively use excessive force against the public and persistently ignore the written guidelines of the department regarding force."

Using computerized department files on the use of force against civilians, the report said that officers accused of repeated acts of excessive force were seldom punished and were often given glowing evaluations, that police reports were routinely falsified and that civilian control was "illusory."

The report concluded that officers were imbued with "an organizational culture that emphasizes crime control over crime prevention and that isolates the police from the communities and the people they serve."

"L.A.P.D. offices are encouraged to command and confront, not to communicate," it added.

Minority officers are often targets of racial slurs within the police department, the report said. It also said the department's management consistently discouraged citizen complaints against officers and ignored racism and sexism, sometimes expressed in open computer transmissions between police vehicles. "Sounds like monkey-slapping time," the report quoted one officer's message as saying.

The report recommended numerous changes, including limiting future police chiefs to two five-year terms, a "major overhaul" of the police disciplinary and complaint process and more "community-based" police work in which patrol officers spend more time on the streets of the communities they serve.

The panel also urged the current members of Police Commission, a civilian body appointed by the Mayor to oversee police operations, to resign, and two members, Melanie Lomax and Samuel Williams, did so this afternoon after the report was released.

## **'A National Problem'**

The 10-member investigative panel was formed soon after the beating of the black motorist, Rodney G. King, on March 3, an incident that raised questions nationally about police brutality against blacks and other minorities. The leaders of the panel said today that they hoped their report would spur action all over country.

"This is a national problem," said the commission chairman, Warren M. Christopher, Deputy Secretary of State in the Carter Administration. "We have conducted our study with an awareness that it might have considerable relevance for other cities, other police departments around the country. We hope that our findings will ignite a national effort to prevent the excessive use of force by police offices."

In Washington, Hubert Williams, president of the Police Foundation, a private research group, called the report a milestone. "The Rodney King incident has changed the way to look at police," he said, "and this report will cause other cities to look more closely at their police problems. We'll see positive changes in the attitude of police officers and less tolerance by citizens."

The report was also welcomed by minority and civil liberties leaders who said it lent credence to longstanding complaints that the police routinely violated the rights of the poor and minorities, dispensing summary justice at the curb.

Characteristically, Chief Gates greeted the report with a mixture of diplomacy and defiance. While he called it a "good report," he said he would not feel compelled to retire until the voters approved a change in the City Charter that would limit the chief to a 10-year term.

That appeared to set the stage for a protracted political struggle over control of the police here. The politically powerful Chief enjoys civil service status and cannot easily be removed; he has rebuffed calls for his ouster by Mayor Bradley and members of the Police Commission.

"We're not startled by any of the things that have been found in this report," the Chief said. "Most of what was found we already knew, and I think, in many instances, have taken appropriate action to deal with these kinds of things."

Chief Gates said the problems had been traced to just a few officers, 300 at most, and that should not detract from the work of 8,000 others.

Many of the changes proposed by the panel require action by the Mayor, the City Council, the Police Commission, the voters and the police department itself, and Mayor Bradley called on the City Council today to enact the recommendations "without change." He also said the city's personnel department and the Police Commission should begin "an open nationwide search" for a new chief, which he said would take about six months.

## **Opinion Poll Taken**

The Christopher commission was formed by the merger of separate panels created by Mayor Bradley and Chief Gates after the King beating. Three of the 10 members, including the vice chairman, John A. Arguelles, a former Justice of the State Supreme Court, were appointed by Chief Gates.

Over the last 100 days, the panel held five public hearings, took testimony from 50 expert witnesses, interviewed more than 300 current and former police officers and had its accountants examine computerized use-of-force and citizen complaint reports dating to 1986. It also conducted an opinion survey of 950 officers chosen at random.

Mr. Christopher said the department offered "excellent" cooperation and showed little resentment.

The report said the department failed to adequately discipline a "problem group" of officers with the most number of complaints of brutality and shooting. In the period studied, 243 officers had four or more allegations of improper tactics, and 10 percent of all officers accounted for 33 percent of all use of force. The performance reviews of many of these offices often took no account of these complaints.

"We know who the bad guys are," the report quoted Jesse Brewer, a black assistant chief who retired earlier this year after 38 years on the force, as saying. "Reputations become well known, especially to the sergeants and then, of course, to lieutenants and the captains in the areas. We know the ones who are getting into trouble more than anyone else. But I don't see anyone bringing these people up and saying, 'Look, you are not conforming, you are not measuring up.'"

The opinion survey found that 5 percent of the officers agreed it was proper to administer physical punishment to a suspect who has committed a heinous crime and that 11 percent had no opinion, which the report called "evidence of a serious problem in attitude."

### **'Disturbing' Ethnic Slurs**

The computer transmissions, which are more efficient than communications by police radio because traffic on the latter has become overcrowded in recent years, frequently showed a relish for combat, for example, "a full moon and a full gun makes for a night of fun."

The report also said that despite considerable progress in hiring women and members of minorities, the minority members remained concentrated in the lower ranks of the police force. It said bias based on race, gender and sexual orientation was a considerable aggravating factor in the use of excessive force.

The report said the complaint process was skewed against complainants, who faced long waits, uncooperative sergeants and other hurdles. This was the case in the King case, where George Holliday, the amateur photographer who videotaped the incident, took his tape to a television station only after he was rebuffed when trying to give it to the police department.

Of 2,152 citizen allegations of excessive force from 1986 to 1990, police investigators sustained only 42. Even when the complaint is sustained, the report said, the punishment is often more lenient than that for other types of police misconduct, like theft, even when the city has been forced to settle costly civil lawsuits involving serious injury or death at the hands of officers.

At a news conference, Mr. Christopher, who is currently chairman of the Los Angeles law firm of O'Melveny & Myers, refused to place specific blame on Chief Gates for these findings, saying the report singled out no individuals but addressed general "management and leadership failures."

But Mr. Christopher said the present system, under which chiefs have virtual lifetime tenure under a 1937 City Charter meant to insulate the police department from political corruption, was not good management.

While the report praised Chief Gates's "noteworthy record of public service," Mr. Christopher said: "We believe it is now appropriate to commence a transition in the office of chief of police. We hope that Chief Gates will remain in office while his successor is being chosen, and we urge him to assist in the interim period in the implementation of this report."

### **Seeking 'Structural' Changes**

The panel also urged "structural" changes to give the Police Commission more authority to hold chiefs accountable. To handle civilian complaints, it suggested creation of an inspector general reporting to the Police Commission, but it steered away from an independent elected civilian review board, an arrangement that has been controversial in other cities, like New York.

In addition to Mr. Christopher, who was vice president of the commission that investigated the 1965 Watts riots, and Mr. Arguellas, the members of the commission were these:

Roy A. Anderson, chairman emeritus of the Lockheed Corporation.

Willie R. Barnes, a partner in Katten, Muchin, Zavis & Weitzman, a Los Angeles law firm.

Leobardo F. Estrada, associate professor at the Graduate School of Architecture and Urban Planning at the University of California at Los Angeles.

Mickey Kantor, partner in Manatt, Phelps & Phillips, a Los Angeles law firm.

Richard M. Mosk, partner in Sanders, Barnet, Jacobson, Goldman & Mosk, a Los Angeles law firm,

Andrea Sheridan Ordin, president of the Los Angeles County Bar and a partner in the firm of Pepper, Hamilton & Scheetz.

John Brooks Slaughter, president of Occidental College.

Robert E. Tranquada, dean of the University of Southern California School of Medicine.