

CPRB BRIEFING

Public Hearing

Pittsburgh Police Conduct toward the Public

Monday, September 18, 2006, 6:00 p.m.

City Council Chambers

5th Floor, City-County Building

414 Grant Street

Pittsburgh PA 15219

**An advisory hearing to evaluate perspectives on conduct
demonstrated toward the public by Pittsburgh Police.**

- **This public hearing is authorized by the City Code:**

§ 662.06 HEARINGS:

(a) To aid its fact-gathering function, the Board shall have the power to conduct public hearings. (Ord. 29-1997, eff. 8-15-97)

- **Several sworn complaints regarding Conduct toward the Public have been received and determined to have cause to move forward. However, the Board recognized that those complainants are representative of many more citizens who have reported negative experiences with Pittsburgh police.**
- **The Board determined it to be in the best interest of the public at large to conduct an information gathering event from which anecdotal testimony and incident-specific information will be evaluated in the context of community-police relations, potential training enhancements, and accountability measures.**
- **While you will hear from several citizen complainants, your task is not to find facts on individual complaints or evaluate the subject officers. The officers have not been summoned because this is not an adversarial hearing. It is an advisory hearing.**

The relevant performance standard is expressed by the Pittsburgh Bureau of Police Manual of General Orders, “Standards of Conduct”, 16-1:

3.7 Conduct toward the Public

3.7.1 A member or employee in the performance of his/her duties, shall be professional, polite, and civil. Members will maintain decorum and command of temper and refrain from the use of harsh, coarse, profane or uncivil language.

3.7.2 A member or employee in the performance of his/her duties will not use ethnic designations, insults or other derogatory terms at any time when addressing any person, or in any communication.

3.7.3 When requested by any person, a member will give his/her name and badge number in a courteous manner.

Historical Findings & Recommendations

- **11 complaints that included a charge of unbecoming Conduct toward the Public (*PBP16-1.3.7*) were subjected to public hearings since 1999.**
 - **8 charges alleging violation of the standard were SUSTAINED.**
 - **In 6 of the 8 SUSTAINED, the Chief of Police informed the Board that some action based upon the Board's recommendation was taken. Actions included remedial verbal judo, anger management classes, supervisory counseling, and enhanced supervision. 1 remains pending and 1 was unspecified in detail though noted that an action taken was submitted by the subject officer to arbitration.**
 - **1 charge was WITHDRAWN; 1 was UNFOUNDED and 1 was disposed of through acceptance of the Chief's actions taken prior to the public hearing.**

How To Train Cops

Heather Mac Donald

Critics of the New York Police Department have attacked its officer training as vehemently as they've excoriated the rest of the department. Because the Police Academy fails to appreciate "diversity," they complain, it graduates officers insensitive to "the community," uncontrolled in the use of force, and, in the slanderous formulation of the U.S. Civil Rights Commission, all too likely to "torture or kill people of color."

Obviously, none of these hyperactive critics has ever set foot inside New York's Police Academy. Anyone who has done so, with just an ounce of good faith, would have to conclude that the NYPD has forged a training message as relentlessly focused on restraint and respect as anyone could hope for. Education at the Academy is a model of how to integrate rigorous tactical instruction with an unequivocal mandate of communication and service.

And, far from ignoring "diversity," the NYPD is—to its detriment—awash in the spurious "diversity" ideology. Capitulating to political pressure in the wake of the 1997 brutalization of Abner Louima and the 1999 shooting of Amadou Diallo, the department has devoted ever more instructional hours to moronic "anti-racism" training. In so doing, it has imposed an irrelevant solution on a far more complex problem: teaching officers to respond appropriately to challenges to their authority. The Academy does tackle the critical issues of attitude and authority forthrightly; it would have more capacity to do so, however, without its useless investment in sensitivity reeducation.

The crown jewel of NYPD training is In-Tac, for "In-Service Tactical Training," a series of role-playing exercises on New York streets, designed to put officers through as accurate a simulation of real-life policing as possible. The exercises reproduce situations New York cops have actually confronted, sometimes fatally.

On a quiet street next to an army armory in upper Manhattan, four recruits are making a felony car stop—the most dangerous job police ever encounter. Cars confer an enormous advantage on violent criminals: they can kill, and they contain a wealth of hiding places for weapons. A green Chevy matching the description of a car used in two recent armed robberies has just driven by; the gunmen are presumably inside. The recruits stop their patrol car and command over the loudspeaker: "Pull over! Driver, put your hands out the window and on the roof of the car! Take your keys out of the ignition, and put them on the roof!"

The corpulent, mustachioed driver whines: "Officer, I'm late!" In the next moment, the front-seat passenger bolts from the car, dropping a gun as he flees. The recruits let him go, as they have learned to do, in order never to separate from their partners.

"I want to know why I'm being stopped, officer," whines the driver again, looking back over his shoulder. "Look away from me, look the opposite way!" shouts a recruit. "Why, officer?" the driver whines. The four recruits are now standing in front of their car with their guns trained on him. "This is f—ing bulls—t," says the driver angrily. "Look away from me," commands the lead recruit. Another recruit shouts: "There's someone in the

backseat!" A man who had been lying down in the back of the Chevy leaps out and shoots the recruits.

Fortunately, this time the perpetrators are played by police officers, and their guns aren't loaded. The recruits have just had a tough lesson in cover, the most important tactical strategy in policing. The first passenger ran from the car to lure the officers after him, thereby providing an easy target for the hidden gunman. The recruits responded properly by staying put, though they should have transmitted the runner's description over the radio. But they then left the cover of their car to approach the suspicious Chevy, making them vulnerable. They should have stayed behind cover, called for backup, and made the driver exit with his hands up, to be cuffed next to the patrol car. Ideally, armored personnel from emergency services could then approach the car at a wide angle to check the seats.

People often think of police tactics as sharpshooter ploys. The opposite is the case. Proper tactics frequently can eliminate the need for force altogether. The decisions an officer makes as he approaches a scene often determine the level of force he ends up having to use.

The NYPD's tactical mantra is "cover, concealment, and communication." The first two imperatives buy an officer time and protection to figure out the nature of the threat and the safest way of defusing it. The third imperative means: communicate with fellow officers, the suspect, and civilians. Failure of all three C's resulted in the death of Amadou Diallo. The four street-crime officers too quickly left the cover of their cars to approach Diallo's apartment vestibule; they had no apparent plan of action. Once they believed he was pointing a gun at them, they were fully exposed and had no recourse but to "shoot back," as they mistakenly, tragically, believed they were doing.

Some of the other In-Tac scenarios the recruits practiced that evening involved immediate levels of threat comparable to the hidden gunman exercise. Four recruits confronted a seeming robbery in progress: the "perpetrator," it turned out, was really a plainclothes street-crime cop frisking a suspect. When the street-crime officer put his gun on the ground—as the lead recruit, still uncertain of the "perp's" identity, had commanded him to do—the real perp grabbed it and shot the recruit. Another group of recruits are sent to a shooting outside a factory; the collapsing victim—a gang member, they later learn—pulls a gun from her jacket and pulls the trigger.

Other scenarios, however, call above all on officers' social skills to decipher and calm ambiguous situations, any one of which could in an instant turn dangerous. Among them:

- Students stopped a stolen car; its driver claimed to be its lawful owner. The officers frisked the driver, spread-eagled, while he shouted: "I went to John Jay [College of Criminal Justice], I know my rights, you cannot do this!" Turns out he was telling the truth: he had just recovered the car from the stolen-vehicles depot, but the department had failed to put the transaction into the computer. The challenge became how to mollify a very angry man. "Oh, you gotta be super-nice," suggested an eager-beaver recruit. "Maybe assist him getting back on the highway."

- Recruits walked into a hysterical dispute involving a woman and two men. As the novice officers eventually pieced together out of the swirl of emotions, a ne'er-do-well living with his sister had allegedly stolen \$300 from her; to complicate matters, the siblings' older brother, also on the scene, was an off-duty cop.

"Where's my money?" screams the sister, as the recruits arrive.

"He wants to be a big s—t, officer; he never pays the rent," announces the older brother. "He's disrespecting my sister with naked girls in the bathroom." The older brother shouts at his sibling: "Is this a wake-up call for you yet? You're not embarrassed by this?"

A recruit pulls the moocher away from his sister. "Oh, you're going to take my wallet, sir? I don't appreciate

being pushed,” shouts the alleged thief.

“You hear that? He says he’s going to hit me!” calls out the older brother. “Lock him up, officer, do me a favor!” he adds.

“You’re calling me a f—king idiot? *You’re* a f—king idiot!” retorts the younger brother.

After the scene ends, the supervising sergeant asks: “We’re not here to make fun of you, but who was in control?” The older brother, came back the answer. The sergeant offered some tactics for controlling disputes: put the complainants back to back so they can’t see each other and so you can see your partner; use code words if you’re going to arrest someone, so as not to provoke early opposition; and above all, your first question, once you learn someone is a cop, should be: “Where’s your weapon?”

- Other recruits tried to get an emotionally disturbed man who was out on the highway flapping his arms to get back into his sister’s car.
- A solo officer was called to a loud argument between the owner of a bodega and rowdies playing football and drinking beer outside her store. “You’re fine when we’re spending money, Carol; what’s the big deal, I can’t play football?” threatens one. The rowdies surround the officer, shouting at him. “Call your lawyer, Tony,” one guy says. “I know he needs a warrant.” One tough hurls the football on the ground toward the officer and storms off.

The In-Tac lieutenant, Thomas Messer, advises the recruits afterward: “You cannot let your temper take you. They’ll know if they can get to you; be very careful not to get hooked.” Several years ago, he reminds them, “someone threw a football, and now an officer is in jail for murder” [referring to Officer Francis Livoti, who was alleged to have choked Anthony Baez to death in 1994 after Baez’s football hit Livoti’s car; Livoti was acquitted of homicide but convicted of federal civil rights violations].

To listen to police critics, you would think that officer training consists of constant exhortations to aggression. In fact, the Academy incessantly preaches that “professional presence” and professional language are an officer’s most important law-enforcement tools, not force or threats. State troopers are figures of awe for so flawlessly embodying “professional presence.” Detective Tony Augusto, the most charismatic instructor I came across, asks a large lecture hall: “Who’s ever been pulled over by a state trooper? What did he look like?” “Very professional,” came the recruits’ answer. Augusto agrees: “They’re ready to rock and roll. Interesting, interesting. Let’s take a look at that. Once the hat’s on, you know they mean business. Do they walk to your car? No, they *glide*. You can almost hear the ‘Left! Right!’” he intones like a drill sergeant. “I’m a cop, and I’m intimidated. What do you think his first words are? ‘Good evening, sir.’ If you’re pulled over by New York City cops, you’re not quite greeted the same way.”

The Academy faces a delicate challenge: while it constantly urges empathetic communication with the community, it also needs to turn often shy civilians into officers who are not embarrassed to assert their authority. “We’re New York City officers. Guess what will happen out there,” asks In-Tac instructor James Foiles, an intense, bronzed sergeant with a face as sharp as a razor blade. “Sanitation trucks

will be going by, helicopters buzzing overhead. You will have to be loud and articulate. If you're timid, that's out. If you say,"—and here Foiles switches into a soft, mincing voice— "Excuse me, sir, can you please put your hands on the wall?" no one will listen. Rather: 'Sir! Please put your hands up!'" he barks out.

Back at the Academy, four recruits are practicing a gun run (a response to a 911 call alleging an illegal gun). They weakly try to persuade the suspect to take his suspicious hand out of his pocket, while the suspects' buddies swarm around, adding to the confusion. "Freeze!" bellows Lt. Grace Telesco, the head of the Behavioral Sciences Department, to stop the scenario. "How do you get the man in the white shirt to get his hands out?" she asks the class—the most daunting question in police work. "The officers here are so laid back, I'd never comply," she snorts. "You have to command in such a way that you're scaring him to death. I know that we're always talking about communication, but to be assertive in this situation is not to be discourteous."

The most inspiring class I observed at the Academy brilliantly addressed this thorny problem of persuading people to obey justified commands. Since 1995, the Academy has taught "verbal judo," a set of verbal steps for talking people into compliance. Tony Augusto, with his long face, diamond ear stud, and hair that starts short on top and ends up curling over his collar, *Saturday Night Fever*-style, turns the lesson into an extraordinary exploration of how to police humanely.

Augusto's organizing theme is the distinction between the "asshole" and the "professional." The asshole officer confuses his ego with his role as enforcer of the law. "It's not about us," he admonishes the class, pacing the hall in a coffee-colored shirt, blue tie, and pleated trousers. "You are not the message. You put someone in handcuffs because *they've* broken the law, not because *you're* the police." Augusto puffs his chest out, rocks back and forth on the balls of his feet, and chuckles gloatingly in perfect asshole style: "Cuz *I'm* the police! Heh, heh, heh." He continues severely: "That comes from those three letters I despise, 'EGO.' No one cares that you're the police. When your ego flares up, your power and influence will decrease."

Augusto provides examples aplenty of the "disease of assholism" that afflicts too many officers. "Why am I here? Because your wife called me! Sit the f—k down!" he shouts self-righteously, in imitation of an unprofessional officer on a domestic-violence call. He winces and shakes his head. "Horrible, horrible. You'll have a fight on your hands if you tell a man to sit down in his own home."

The professional knows how to deflect verbal abuse without escalating a confrontation. "When someone comes up to you: 'Oh, go f—k yourself, officer, I ain't doin' s—t,' your response can't be, 'Oh, go f—k myself?'" Augusto retorts menacingly. "When we got sworn in, we lost one constitutional right. Which one? Freedom of speech. Our mouths keep getting us in trouble."

The goal of policing, Augusto keeps reminding the class, is to generate voluntary compliance. Period. As long as someone does what you tell him to, give him the last word. Doing otherwise will lead to disaster. “Don’t be surprised if you hear this on the street: ‘I’ll do it this time, man, but if you didn’t have that shield, I’d kick your ass!’” Augusto is talking over his shoulder, gesticulating angrily, while walking toward the door in imitation of a resentful civilian. “Who wants to call him back?” he asks the class about his imaginary miscreant. “He complied with a bad what? A bad attitude. What do we want to key in on, attitude or behavior? His attitude can’t hurt us. I’ve never been knocked on my butt by a man’s attitude.” Augusto goes into asshole mode again: “That man needs an attitude adjustment,” he announces pompously. Severely now: “Remember that you can’t change a man’s attitude; you can’t beat it out of him.”

Seasoned cops don’t like this teaching, Augusto says. He imitates an angry cop whose authority has been challenged: “Hey, you! You!” he spits out, calling back the imaginary perp for a lesson. “Gentlemen, get that tough-guy thing out of your head. It will put you in jail.”

Augusto’s is more than a negative philosophy, however. He just as vigorously counsels affirmative respect, even for criminals. You’ll have toughs in your neighborhood who think they’re even tougher than they actually are, he tells the class. Treat them with respect. “You may have to slam someone down and put him in cuffs. That doesn’t mean you have to strip him of his dignity. The people you lock up may save your ass one night, when your backup doesn’t arrive.”

How do you get voluntary compliance from a thug? “You’ll use this,” Augusto predicts: “‘Things can be done the easy way or the hard way; we prefer the easy way.’ I can’t tell you how many times I’ve said to a perp: ‘Put your hands behind your back, act like a gentleman, and you’ll be treated like a gentleman.’ Remember, at any moment it can go south. Even though I’m acting like a gentleman, what’s going on in my mind? Preparedness.”

Augusto’s most uplifting message would transform the NYPD if it were universally followed. “Bring your humanness to this job, bring your personality,” he says. “Don’t be afraid to greet people. People are scared to say hello to us,” he laments, “because we usually just walk on by.”

Professional presence and professional use of words won’t always work, unfortunately. “Will we always get voluntary compliance?” Augusto queries. “No,” the class pipes up. He continues philosophically as he walks the hall: “However, we *will* get compliance—yes, yes, we will; as long as we’re within our legal rights. If you get physical,” Augusto coolly advises, “I expect you to go fast, go hard, just push them into the system, and go from there.”

Police critics who seem to believe that the job can be done without force would be horrified by the plainclothes class in “subject control.” Paired off on tumbling mats, officers in gym clothes practice martial-arts tactics for taking down noncompliant suspects. “If he’s fighting, grab his left arm,” loudly orders Wilfredo

Torres, a pit-bull-compact officer in a polo shirt. “Don’t hit him in the triceps or back—it will only tick him off. Hit him in the elbow to cause pain. Push down on his arm with your forearm and pull up his wrist, then go into the hammerlock [the finishing technique for handcuffing a prone suspect]. You can’t get him down nonchalantly; you need a little pain all the way down. And give loud, clear verbal commands: ‘Down! Down! Down!’”

The Academy necessarily teaches force options all the way up what it calls the “compliance continuum” through deadly force. At the same time, however, it immerses recruits in the service ethic. Policing, it stresses constantly, is about serving people. Classes on various needy populations such as the handicapped are filled with a palpable sense of humanitarian mission. In a discussion on the elderly, instructor Kevin Parker warned the recruits that, because older people’s routines are so predictable, “everyone is watching them”—sometimes with larcenous intent. “So who else should be watching?” he asked. As one, the recruits rang out: “We should!”

The NYPD has evolved a complete blueprint for courteous, professional policing. Instructors insist—more obsessively than the NYPD’s critics—that officers get to know people on their beat and treat them considerately. Where problems arise, it is usually because someone has violated Augusto’s verbal-judo philosophy. He has allowed his ego into the job or, as In-Tac’s Lieutenant Messer put it, has gotten “hooked.”

Had Justin Volpe obeyed verbal-judo mandates, he would not have taken a toilet plunger to Abner Louima. That incident was a textbook excessive-force case, triggered as it was by a challenge to an officer’s authority. Louima had scuffled with Volpe and resisted arrest outside a Brooklyn nightclub; Volpe taught him the proverbial cop’s lesson in the most grotesque way imaginable.

To prevent such atrocities, the NYPD needs to devote every discretionary training hour to communication and self-control. It needs to increase role-playing exercises across the range of situations officers confront, from violently hostile to sympathetic. Instead, in the wake of the Louima attack, the NYPD took a far more politically expedient course. It increased “diversity training,” validating the NYPD-bashers’ claim that the Louima case was a bias incident. The evidence showed otherwise. Volpe was engaged to a black woman; their families socialized enthusiastically. Told of Volpe’s likely role in the Louima torture, Volpe’s fiancée exclaimed to the *Daily News*: “Justin a racist? Impossible!” Another officer involved in the assault, Thomas Wiese, was also engaged to a black woman, who was the mother of his son. Rather than race, the Louima case was about something far more difficult to solve: officers who treat resistance as a personal affront.

Imposing the distorting prism of race on more complex problems is a national compulsion, however: so the NYPD adopted the misguided recommendations of a post-Louima mayoral task force on police-community relations. The task force called on the department, in cringe-inducing language, to create a “safe space,” where students could acknowledge their prejudices and answer such pressing policing questions as “What is racism, sexism, anti-semitism, and homophobia? what is the difference between prejudice/bias and racism? What is discrimination, oppression, privilege, stereotyping? And what is diversity?”

It wasn’t as if the NYPD didn’t already put officers into a “safe space” to discuss their racism. The department had created the first police diversity training in the country in the 1970s; in 1991, the then-head of the Police Academy, Elsie Scott, said that she would devote a “large chunk” of academy training to diversity issues, since many recruits come from Staten Island (read: “white Staten Island”) and therefore “have stereotypes about the communities, especially black and Hispanic communities, and . . . can’t distinguish between potential victims and potential criminals.”

The 1998 Louima task force scoffed at the Scott-created diversity materials. So current Academy director James O’Keefe brought in Grace Telesco, a police lieutenant and Ph.D. candidate in social work, to make sure that “cultural-sensitivity issues” would get even more emphasis—and in their most up-to-the-minute guise.

Friendly and refreshingly unguarded, with a tough edge when necessary, Telesco remade the “cultural-competence” track of the Behavioral Sciences Department (which also offers such critical courses as verbal judo) into a simulacrum of today’s politicized, race-obsessed universities, even down to brandishing her own sexual orientation as if it were a job qualification. The always cash-strapped recruits are required to shell out \$38 for *Race, Class, and Gender in the United States*, a collection of resentment-filled essays edited by radical feminist Paula Rothenberg. Therein they read about the globally catastrophic effects of America’s racism (“pervasive in the U.S. culture to the point that it deeply affects all the local town folk and spills over, negatively influencing the fortunes of folk around the world”); America’s oppression of Asian-Americans (“Whites would deny us our right to speak out against majority prejudice, particularly because it tarnishes their image of Asians as ‘model’ minorities”); and its capitalist cruelty toward the poor, women, unwed mothers, the homeless, homosexuals, Jews, and blacks. Such cruelty, suggests a Rothenberg essayist, exceeds anything imaginable in other countries, including China, Algeria, India, and Brazil.

The recruits spend hours discussing and watching films on racism, sexism, homophobia, transgendered communities, and discrimination against the poor. They study a chart listing the various “privileges” that certain oppressor groups enjoy, such as being able-bodied, young, wealthy, or male. Students then break up into small groups to figure out how they themselves oppress or suffer oppression. “It really clicks for them when they realize that they’re not afforded privileges because of class,” beams Telesco. In discussing white privilege, they often make such telltale disclaimers as “I’m not racist,” all the while “making racist statements,” she says.

I ask Telesco if the recruits also discuss black racism. She looks at me as if I have announced that I intend to fly out the window. “Of course there is no such thing as black racism,” she replies, flabbergasted at my ignorance. As experts such as the lesbian feminist poet Audre Lord proclaim, she says, “racism is power and prejudice,” so blacks by definition can’t be racist. Tell that to Korean and Jewish store owners, Chinese delivery men, and Mexicans working in fast-food restaurants in Harlem—all of whom these recruits will be responsible for protecting once they get out on the street.

Telesco is fiercely proud of the “cultural-competence” curriculum. “This is radical stuff,” she boasts, quite accurately. “This is about oppression: how there’s an oppressor and an oppressed.” She chafes at the fact that such left-wing critics of the police as WBAI radio and the U.S. Civil Rights Commission have not given the department credit for its “progressive” curriculum. From her point of view, she has every reason to be upset.

Like former Academy director Elsie Scott’s diversity training, the cultural-competence curriculum assumes that recruits come into the department with deep-seated biases. To an eye less practiced in spotting racism and sexism, however, the recruits seem among the most well-meaning and unprejudiced people one could hope for. Unfailingly polite, they speak eagerly about their desire to help others. Their companies are models of racial harmony, with constant bear hugs and joking across race and sex lines. Race is not an issue, recruits told me (though that disclaimer of course would not satisfy expert racism-spotters like Telesco and Scott), and company diversity is a source of pride for members. “The most helpful diversity training in the academy is having been thrown in with the other 34 members of my patrol,” says a willowy and thoughtful recruit named Richard Aspinwall. “I’ve never started a class with people so friendly.”

So good-natured are the recruits that they take the Academy’s anti-racism onslaught without a peep of protest. If asked, they will ingenuously volunteer that it was “taught like we’re at fault because of the way we’re born,” as one recruit put it. But the white-bashing did not create any long-standing animosities, they say, and the companies thereafter go back to their prior color-blind state.

Seasoned cops are not so docile. Anyone who has ever gagged at the inanities of diversity training should wrangle a seat in the Academy’s annual cultural-sensitivity “in-service training” session for plainclothes cops. There, for maybe the only time in one’s life, one may witness victims of diversity training with enough guts to fight back.

The plainclothes cultural-sensitivity course was born out of another of the NYPD’s politically motivated

misdiagnoses. After the Diallo shooting, the NYPD's critics blamed endemic police racism for the Diallo tragedy. They were wrong; the Diallo shooting represented bad tactics, period. But the department caved in to the critics' pressure and carved out an entire precious day for extra plainclothes training to accommodate yet another diversity class. Like the Louima-inspired revamping of the recruit curriculum, the cultural-sensitivity course is wildly irrelevant to the real problems of policing.

The Academy's sensitivity trainers play the time-tested diversity game of Gotcha: they require the hapless trainees to cough up cultural "stereotypes," then triumphantly point to the stereotypes they have elicited as evidence of cultural insensitivity. "Tell me about Italians," urged the trainer. On it went through New York's different ethnic groups. For a while, the cops played along ironically. Puerto Ricans? "Throw a great parade." "Love those hubcaps." Cubans? "Fit a lot of people in a small boat." Dominicans? "Like flags." Irish? "I don't know: white trash." What's the definition of white trash? "Trailer parks." There followed an agonizing discussion of whether New York City has trailer parks.

When the trainer asked for stereotypes about blacks, silence descended. Why is that? the trainer asked, disingenuously. No one volunteered an answer. Finally a few officers threw out: "all brothers"; "good basketball players"; "love that weed." Frustrated by the waning response to all her ethnic prompts, the trainer prodded: "C'mon, what are you guys saying about these people when you drive around?" Silence. "I'd rather you be out in the open; what scares me is when you're quiet," she pushed, with the compulsive demand for self-exposure typical of today's culture.

Showing far more wisdom than any diversity trainer ever manifests, a lieutenant suggested: "Things that come into the open create problems. The media is always putting microphones in people's faces, making problems for everyone."

Undaunted, the trainer offered some examples of American racism to get things going again. Street names in the Southwest, she said portentously (and inaccurately), are Anglo, rather than Indian or Spanish. No one understood this subtle point. "What's wrong with that?" asked a cop innocently. Countered she: "Did John or Mary build that town?" A stocky, tattooed Puerto Rican in a head scarf bluntly replied: "It's now America."

Pay dirt! Isn't that racism? the trainer asked victoriously. The cops would have none of it. "No, racism's the opposite." "They're starting something new; the past is all over." Though most officers remain unapologetically committed to assimilation, the concept is too dangerous for the NYPD. Following the Louima incident, the Academy removed all references to assimilation in its cultural-diversity training materials.

It was time to return to the script. "Unfortunately, stereotypes are usually negative. Very few of you give me the good end of it," the trainer said sorrowfully. This was blatantly false. The officers had cheerfully been throwing out idiotic "good" and idiotic "bad" ethnic tags with exquisite impartiality. But no one objected to her mischaracterization, and she arrived at her goal: "How do these stereotypes affect us when we're on patrol?"

The joking was over. In an instant, the class became a microcosm of the debate about the police over the last two years—except this time, the cops got to talk back.

"Stereotypes don't affect me at all; a person is a person," asserted an officer.

Unsatisfied, the trainer tried the next officer: "How do they affect you?"

"I treat all people the same."

"Oh, so you treat everyone equally? You don't think this guy might have a gun or drugs because of his appearance?" she said sarcastically.

A rail-thin young undercover from Transit tried a quid pro quo: I'll give you your prejudice, you give me our professionalism. "I know guys who are 110 percent prejudiced, but everyone's still treated equally."

"I'd like to think that's the way it is," the instructor said, her voice heavy with skepticism.

"You don't think that's the way it is?" said a lieutenant from Queens, with considerable heat. "I've been 19 years on this job; I've never seen someone say, go get that 'X.'"

"I'm glad to hear that's the case."

A street-crime officer sought to break through the trainer's condescension. "You may go for dress, sex, age. If I'm looking for a perp, you're not looking for a guy in a suit. You stop someone because of what they're doing. You might find this is the nicest kid in world. . . . I say 'kid'; that's my prejudice," he said self-consciously, aware that everyone was supposed to be confessing to sin. (He needn't have been so self-critical. Males between the ages of 14 and 24, less than 8 percent of the population, commit almost half the nation's murders; black males of the same age, less than 1 percent of the population, committed some 30 percent of the country's homicides in the 1990s).

Here was something that the diversity trainer could work with. "Stereotypes can be anything—dress, as you say, or age. You'll stop a kid out there, looking like the typical perp."

A young sergeant in a Jamaica anti-crime unit tried to clarify: "Not one of us stops a kid just because he's wearing baggy clothes. If you see him raise his belt, then you may stop him."

Ever ready to instruct these seasoned street cops in their jobs, the trainer said brightly: "You know what? There are perps out there in a suit and tie, blond, blue-eyed."

Exasperated, the anti-crime sergeant said: "We're talking about violent crime!"

This sort of hard-nosed realism was unacceptable. Finally a large, walrus-mustachioed sergeant from Astoria blurted out: "I'm sorry, Donna, this is killing me. This is the second time we've sat through this class. This has nothing to do with cultural diversity. This is an insurance policy, because the media is saying we're all racists."

Now all hell broke loose, as two years of frustration over the press's caricature of the police boiled over. "All we hear is that we're racially profiling. I can't stand the media. They're a bunch of lying pigs," spat out a black Brooklyn street-crime officer who had refused to participate in the earlier inanities. "If I stop five black people, am I racially profiling? But if a white officer stops them, *now* it's race profiling!" he scoffed. "People forget that some guys are actually committing crimes." He added for good measure: "Since we're all fascists, and we like to beat everyone, why don't they bring a force from some other country, and let them patrol the streets."

The anger flowed onto the Civilian Complaint Review Board, which cops universally loathe as an increasingly politicized body staffed by ignorant 21-year-olds. "Why don't the CCRB punks get thrown into the back of a patrol car, made to do verticals in housing projects, get trash thrown at them from roofs, and have people pull their wallets out fast at them to get them to react?" fumed another street-crime officer.

The trainer tried to contain the fury. "The public knows what you're going through," she said soothingly. "They have *no idea*. *None!*" shot back the bitter response.

The mustachioed sergeant from Astoria made a last effort to explain the police's perspective. "I've worked in every neighborhood in this city. My precinct is one of the most diverse. I don't look at people as black, green, orange, or red. You're either a good guy or a bad guy. If you're going to raise my suspicions, I'll act based on

my level of suspicion.”

The police are among the last groups in society willing to make this distinction between “good” and “bad” guys unapologetically and unambiguously. It is central to their worldview, tied up with their loathing of criminality and its effects on the law-abiding public. From their perspective, they are profiling “bad” guys, based on repeated observation. The public, however, sees only race.

Such exercises as the plainclothes cultural-sensitivity course are a colossal and outrageous waste of time. It cannot be overstated how scarce training time at the NYPD is. Taking officers off the street for any additional instruction always requires enormous justification, for it dilutes patrol strength. To spend those precious hours on childish identity politics bears a huge opportunity cost, for the time could be spent on instruction—above all, training in communication skills—that would actually improve officer performance. Tony Augusto’s wonderful verbal-judo lecture, after all, was just that—a lecture. The recruits had little opportunity that morning to try the communication techniques he advocated. The force would benefit infinitely more if it devoted the hours wasted on discussing white privilege to role-playing exercises about how to subdue hostile civilians with words alone, a challenge officers confront on a daily basis.

Academy director James O’Keefe, a broad-faced, savvy former cop, defends the diversity nonsense by saying recruits inevitably bring society’s problems with them to the Academy, including racism and sexism. This response sidesteps a more complicated and pressing issue: the job pressures and peer culture that can turn the most well-meaning officers into sullen discredits to the profession. Reality, not racism, is the biggest challenge for the police.

The enthusiasm with which most recruits begin their training wanes after only a few years on the streets. Police are lied to, betrayed, and cursed at by the people they are trying to help; they see communities close ranks around criminals; they are called into scenes of utter depravity. O’Keefe knows this full well. “There is a very complex erosion of the human spirit that goes on in policing,” he says. “Good people are exposed to bad things constantly. Officers start to ask whether the job is even doable.”

That’s why officers who started out with the best attitude sometimes end up with the most civilian complaints against them, observes Mike Caruso, a beloved precinct commander in Harlem and the Bronx, now in the anti-corruption Internal Affairs Bureau. They cared too much, he recalls, and couldn’t accept failure. “I told you guys to leave this corner,” they’ll erupt angrily, provoking retaliatory complaints from drug dealers resentful of the interference. Add to street stress a hostile press and the perception of low pay, and you have a recipe for exceedingly low morale, tinged with the rage expressed in the plainclothes diversity course.

Each Academy class vows to avoid this cynicism and apathy. As the new recruits lined up outside a store in Flatbush this spring to pick up their uniforms, passersby shouted: “All you white boys go back to Long Island!” and “We don’t need you here; f—k the police!” recalls Robert Coppola, an upbeat 22-year-old. “You just gotta laugh at it,” he says amicably. It doesn’t happen only in minority neighborhoods: two days later, Coppola recounts, a couple of middle-aged businessmen on the Metro- North train told him, “Oh, you’re a cop? You should petition people to show you their hands, so you don’t kill them.” “I had to laugh,” he smiles, shaking his head.

Coppola acknowledges that “some guys get a little disillusioned after a few years,” but he tries not to listen to them. “I don’t think I’ll get that way,” he asserts.

Making sure Coppola and others like him retain their positive attitude should be a top priority of police training, both in the Academy and throughout an officer’s career. Director O’Keefe plans an excellent program to counter the corrosion of the streets: he will bring all officers back to the Academy at their fifth year for a week of retraining, including discussion groups on stress, alcoholism, and suicide. But he could accomplish much more with a yearly debriefing to help officers cope with the onslaught of negativity they receive. All hours currently spent on sensitivity training for in-service officers should be pooled to try to make annual debriefing possible. These sessions should acknowledge the one true race-related challenge in urban policing,

discussion of which is now taboo: the vastly disproportionate representation of minorities among criminals. Every officer I have ever spoken to maintains the credo that the worst parts of the city house far more “good” people than “bad.” The work required to hold on to that truth during constant enforcement activity should be frankly addressed.

The question of how to train policemen is where Plato begins his account of the ideal state in *The Republic*, the book with which Western political philosophy begins. Here in the real world, the NYPD, which inducts thousands more officers into the force each year than most departments in the country see in decades, has crafted an impressive practical answer to the question. Its instruction program includes the reality-based, hands-on training that is the best preparation for the split-second decision making officers face in the streets. In addition, its teachers hammer home the ideal of service and professionalism at every possible opportunity. As it works to improve its already fine training, the department should focus obsessively on increasing officers’ communication skills. Those, and not the diversity training that insults officers’ intelligence and experience, are the real keys to bringing the city closer to the Platonic ideal of enlightened policing.

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Following the next two pages of complaint data are two articles that are very instructive.

- **Robert C. Wadman, Courtesy and Police Authority – Courtesy in Law Enforcement, FBI Law Enforcement Bulletin,, Feb. 1993**

This article provides an effective consideration of the relationship between courtesy and power. This is an excellent treatment of the abstract concepts that we tend to have difficulty synthesizing into justifying our expectation of courteous police behavior.

- **MacDonald, Heather, How to Train Cops, City Journal, Autumn 2000.**