

CBS REPORTS: THE POLICEMAN'S LOT

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MIKE WALLACE:

If our crime figures are accurate, the United States is an extremely lawless country. And a violent one. According to the FBI's last yearly report, there were fourteen serious crimes for every one thousand inhabitants. For the country, there was a total of 2,600,000 crimes, a 13 percent increase over the year before. Murder, rape, assault, robbery, burglary, larceny, auto theft. Crimes of violence against persons, crimes of violence against property. Crime is up in the suburbs, as well as the cities. Up in the South, as well as the North. In the West, and the East.

The crime rate is the chief concern of the policeman, but by no means his only one. He is also sworn to uphold the rights of all. And as a result, in the past decade, he has become to many the symbol of the white man's resistance to the black man's quest for equal justice.

Because the community won't solve its social problems peacefully, the police have to solve them by force. And take the blame. Police everywhere have become the target for charges of police brutality, mistreatment of minorities, protection of lawbreakers. In turn, the police

complain bitterly of a public disrespect for law and order, of apathy, political interference. The policeman's lot is not a happy one. And in recent years, to complicate the policeman's life even further, the station house seems to have come into collision with the court house. For, in the past decade, the courts - and especially the Supreme Court - have ruled that the police have not always lived up to their constitutional oath to protect the rights of all; that they have detained prisoners too long before bringing them to a judge for arraignment; that they searched and seized without proper warrant; that they have gained confessions without allowing the accused man to see his lawyer - with the result that evidence illegally obtained cannot be admitted into trial, even if it means the guilty may go free. Many police argue that the courts have "swung the pendulum" too far in behalf of the accused.

THOMAS CAHILL:

These very learned and distinguished people are split 50 - 50 amongst themselves, and then somebody says that the police officer down on the street level is supposed to have all the answers and know exactly what to do. Well, he'd have to be better than God Himself.

ANNOUNCER: International Business Machines, IBM, presents
CBS REPORTS: THE POLICEMAN'S LOT.

(TITLE)

ANNOUNCER: Now, here is CBS correspondent, Mike Wallace.

MIKE WALLACE: Good evening. This is a police station in New York City, which has the largest and one of the best police forces anywhere - and has all the problems of all of them.

There are 350,000 police in the United States, in about 40,000 jurisdictions. No two police forces are alike. But most of them have the same problem: they're in trouble. They say they're being handicapped by false charges of police brutality. They say they're being hindered by technicalities in the law. Many of them still have to use 19th century methods in the age of the 20th century computer. Many are underpaid, understaffed, ill-equipped. Some of them have lost the respect of the communities they serve. The fact is, the community has very little idea of what a police department is for.

In the next hour, we will examine some of the problems that confront the police. We have chosen New York as our example because, within the

lifetime of the next generation, 8 out of 10 Americans will be living in and around big cities. And New York's problems will be everybody's problems.

The main job of any police force, in any city, is to keep the peace. It's to protect life and liberty and property, on land, on water, in the air, underground.

A police department is the marshalling of men and women to keep the city breathing, moving and alive in the face of a total stoppage of every subway, train, and bus, and to do it with confidence, humor, and without a single injury to a single citizen.

A police department is for keeping people from killing themselves, and for aiding those in danger. A police department is for helping the lame, the injured, the ailing, the helpless, and those bursting with life. It's been estimated that 90 to 95 percent of police work has nothing to do with crime. It's getting children out of school and safely through traffic. It's making sure the vote cast is an honest one. It's protecting visiting dignitaries. It's keeping a city going during a power blackout, and keeping

labor and management peaceable, and straightening out a lost traveler, and trying to straighten out the strangulation of modern city traffic.

If a self-styled revolutionary group wants to call the cops "goons," the police have to protect the rights of free speech, they have to keep the peace, and they have to prevent counter-protesters from using force and violence against the protesters. To the demonstrators, the cops are still classed as "goons."

But it is the other 10 percent of the policeman's daily chores which captures the headlines, and the imagination of the public. Robbery, assault, rape, murder. It is this mixed bag of "crime in the streets" that strikes fear into the heart of city dwellers. It was a number one issue in the campaign which elected John Lindsay, Mayor of New York.

MAYOR LINDSAY:

Every fourteen hours in New York City there's a murder, every six hours there's a rape, every twelve minutes an assault, and every three minutes there's a theft. Perhaps the worst part of the problem is the fear that stalks the streets. New Yorkers are prisoners in their homes, and after

dusk, literally the parks are unused because of fear. Now, there's no question but what New York City is turning into the crime center of the United States.

WALLACE:

To the men and women on the police force, Lindsay's description of their city was just campaign oratory, if not outright demagoguery. They cited FBI reports to show that many other big cities led New York in the crime rate. But with the voters who elected him mayor, Lindsay's portrait of a "city in fear" struck a responsive chord. No one else leads the life of a policeman - except another policeman. They are the shield of the public. But the public keeps its shield at arm's length.

SERGEANT LYNCH:

The average citizen has the view of the policeman as the individual that stops him for committing a traffic infraction, and he's the man that gives him the summonses, and we've rarely come in contact with people under good conditions. We're called when they have troubles, when they have problems.

WALLACE:

This is not the white-collar world of the air-conditioned office, the morning coffee break, and the extended luncheon-cocktail hour. "Crime-in-the-street" is not committed by the comfortable and affluent middle classes. The cop's world is a rough and dirty world, and the roughness and the dirt can rub off on the men who fight it.

And some police may take the law into their own hands and substitute the nightstick for the nightcourt. Some police will turn their back, take the bribe, work the racket - and betray their public trust, no less in the police department, than in private industry. Too often the recruit who joins the force full of public service idealism, is quickly soured by the sordid criminal life he finds on his beat. Many a rookie gets his earliest advice from the cynical veteran who tells him, "Forget the bunk they taught you at school. You can't handle garbage with kid gloves."

LIEUTENANT: We've had a number of complaints on prostitutes up on 3rd Avenue from 9th Street up to 12th - Posts 60, 61, 65, and 66. We've got two men on that tonight, so that condition should be somewhat rectified. They all have their assignments, Sergeant?

SERGEANT: Yes, sir.

LIEUTENANT: Post the platoon.

SERGEANT: Platoon, attention. About face.

WALLACE: Almost everything the policeman finds on his beat will wind up back here. To the outsider who rarely comes to this place, the station house is dark with foreboding, even fear. To the policeman, it is the focus of his day-to-day routine of service. It is also the focus of the frustration, boredom, and irritation endured 24 hours a day by a big-city police department. The complaint is assault and robbery - a commonplace to police, but a complaint that strikes fear into the heart of the public.

SERGEANT: You're entitled to make three phone calls within the city. Do you want to notify anyone you've been arrested?

MAN: I've never been arrested before. I've never been arrested before.

SERGEANT: I didn't say that. Do you want to notify anyone that you have been arrested? Do you have a family? Do you have a wife?

MAN: Yeh, I have a wife.

* * * * *

WALLACE: The number of arrests is always smaller than the number of complaints. The victim does not always bring in his assailant - just his blood dripping on the floor.

A husband missing.

LT. MACHO: Was he working today?

WOMAN: Yes.

LT. MACHO: What time does he usually get home? At seven?

WOMAN: 2 o'clock.

LT. MACHO: 2 o'clock, and you saw him at seven?

WOMAN: Yes.

LT. MACHO: You have an argument or something?

WOMAN: No.

* * * * *

LIEUTENANT: What's the trouble?

1ST MAN: My little kid was playing out in the street...

WALLACE: Two men decided to have a fight, right outside the station house. Naturally, the police are interested.

1ST MAN: ...So this here punk, here...

2ND MAN: What?

1ST MAN: Just what I said.

SERGEANT: Take it easy.

2ND MAN: I come over, I see this guy. "Nyah, nyah, nyah, who the hell are you?" He's getting nasty.

SERGEANT: How do you know this was the guy that hit you?

2ND MAN: Because all the little kids on the block told me so, and I asked him and he said, "Yeah." I said I'm going to ...

1ST MAN: What did you do when you walked up on the stoop?

2ND MAN: What'd I do? What I'm supposed to do.

1ST MAN: What are you supposed to do?

SERGEANT: What are you supposed to do?

2ND MAN: To straighten him out for hitting my kid.

SERGEANT: Right next door to us? Right next door to us? And you're going to straighten him out?

2ND MAN: What am I going to do? I'm mad. Somebody hits your son...

SERGEANT: Come in here, of course. Get the police. Get the police.

* * * * *

WALLACE: The man's three year old boy decided to answer nature's call in the street.

OFFICER: ...For his boy urinating in the street, when he became loud and boisterous, I warned him to lower his voice and stop creating a disturbance, and he refused to, so I placed him under arrest.

MAN: I couldn't help it. I couldn't help it. All I said was, I can't help it. I try to teach him.

SERGEANT: Why didn't you do what the officer told you?

MAN: I didn't know he was doing it.

SERGEANT: The officer isn't locking you up for the boy urinating in the street.

MAN: I don't know....

SERGEANT: It's for your actions, what you done.

MAN: I can't do nothing.

SERGEANT: All right, take him inside.

* * *

VOICE: Take your hands off me.

SERGEANT: All right, take him in the clerical office.

MAN: Why do you put your hands on me so fast?

OFFICER: ...Between 96th and 97th Street on Columbus Avenue.

SERGEANT: Keep quiet, you'll have your turn.

MAN: Keep quiet, I don't care.

SERGEANT: Keep quiet, you'll have your turn.

OFFICER: There was a mattress burning and he was laying on it.

MAN: A nigger was burning on that mattress and I put the fire to it.

WALLACE: A citizen who tries to set himself, or anyone else, on fire can be charged with disorderly conduct, at the least.

MAN: ...in a vacated place that's going to be torn down.

SERGEANT: In a vacant building?

OFFICER: No, he was on the sidewalk.

MAN: It's going to be torn down. You got bloodshot eyes, you oughta get a little more rest, Mister. I've been here before.

OFFICER: He's a psycho.

MAN: I have not. I've been here before, haven't I?

SERGEANT: I haven't seen you.

MAN: You haven't? I've been naked here though before,
haven't I?

SERGEANT: Call an ambulance.

* * * * *

WALLACE: Desk Lieutenants could easily qualify as
consultants in family problems.

WOMAN: If I go downstairs, he's probably downstairs now,
because I walked out of the house.

LT. HARRIS: Well, then you have no problem if he's out of
your house, right?

WOMAN: No, he's downstairs on the stoop probably,
waiting for me.

LT. HARRIS: Yes, and he won't let you in, right?

WOMAN: I don't know whether he'll let me in, but he's a
pretty big guy, and if my son comes home, the two
of them will tangle, and then there's going to be
a murder in there, I know it, because he won't
stand by and see me hit.

* * * * *

YOUNG MAN: ...But he walked away and...

WALLACE: This is really a problem for a priest, but it winds up on the Lieutenant's desk.

YOUNG MAN: But he's been doing this all the time, and he never leaves my mother alone, so I will press the charges against him, because if I don't...

LT. MACHO: Do you feel that this is necessary? This is your father.

YOUNG MAN: I know, but I feel it's necessary.

LT. MACHO: You feel it's necessary?

YOUNG MAN: Because, believe me, we have been lenient with him.

LT. MACHO: You've tried everything?

YOUNG MAN: We've tried everything, and this is the only way that he will be made to leave us alone, you know what I mean?

LT. MACHO: Yeh. I hate these...I don't like this kind of case, but if there's no other way out, then we must do it.

YOUNG MAN: Believe me.

* * * * *

WOMAN: I'm a tubercular woman.

SERGEANT
LOWANDOWSKI: You mean you're drunk.

WOMAN: No, I'm not drunk. No, I'm not drunk. I'm a tubercular woman and I want his name. I want his name.

LOWANDOWSKI: Pedro Gomez.

WALLACE: Every station house has a constant customer. This one is no exception.

OFFICER: Come on.

WOMAN: Listen you bald-headed bastard, you better leave me alone.

WALLACE: She'll be back again.

* * * * *

LT. MACHO: All right, now you get the complainant, get all the facts, make out a 61. All right, and bring that in with you, forthwith. All right?

WALLACE: Nothing raises a policeman's temperature faster than the charge of police brutality. But the toughest man in the world to convince otherwise is the average Negro complainant.

LT. MACHO: If we can get the cooperation of people like you, to go and get the people of the community to cooperate with us, this is the big thing. If we can get this cooperation, we got half the battle licked. The trouble is that they will not, or they're afraid. If we can eliminate the fear in the people's minds...

MAN: Your answer is logical, Captain.

LT. MACHO: Do you think what I say is true?

MAN: What you say is true, but the answer is, I told you, unless you have lived in poverty...

LT. MACHO: I have.

MAN: Well, perhaps you have.

LT. MACHO: I have lived in poverty. I didn't know what a piece of fruit was till I was about 8 years of age.

MAN: We all lived in poverty. 70 percent of the population...

LT. MACHO: I lived in poverty that these kids today...these kids have got...these kids have got everything today. It's unbelievable. They got ballfields, they got gloves, they got bats, they got balls, they got

play areas. Everything is given to them gratis. I didn't have that. If I wanted to play ball, I had to go two miles to Central Park.

* * * * *

MAN: He ought to turn in his badge.

WALLACE: Policemen often meet the most interesting people.

MAN: I intend to sue them each for \$10,000 a piece, and I intend to sue the government for \$10,000 and I intend to sue a certain psychiatrist for \$40,000.

LOWANDOWSKI: Why the psychiatrist?

MAN: Because he ought to commit himself, instead of trying to commit me.

LOWANDOWSKI: Is he in a hospital, the psychiatrist, or....?

MAN: Well, he's a hospital psychiatrist.

LOWANDOWSKI: He works there?

MAN: He's a nut.

LOWANDOWSKI: No kidding?

MAN: He's a bigger nut than I am.

LOWANDOWSKI: Well, why don't you help him out then?

* * * * *

WALLACE: The desk is often a collection center for drunks and vagrants. About 25 percent of all the arrests in New York City fall into this category, most of them repeaters. And they become crime statistics, too. Their presence on the streets offends the citizenry, which has no idea what to do with them, except to clean them off the street. The distasteful job, naturally, falls to the police, who don't want drunks messing up their beat. And yet at times, it seems the only compassion the outcasts can find in the society around them is from the men who arrest them.

LT. MACHO: As I see these men and women coming in front of me day in and day out, I sometimes think that before they reach the position in life that they have reached, if someone along the way had spoken just one word of encouragement, or gave them a little help at a critical time, that they would never be before the desk, that they would never be in the circumstances that they are in, prisoners, derelicts, where they need so much help. A lot of people, they say they don't want to get involved, but helping somebody is getting involved.

ANNOUNCER: CBS Reports: THE POLICEMAN'S LOT will continue immediately after this message from IBM.

(COMMERCIAL)

ANNOUNCER: THE POLICEMAN'S LOT continues.

WALLACE: The police are the community's first line of defense against the criminal. But too often community and police co-exist in an atmosphere of mutual antagonism, and it has nothing to do with "crime in the streets." Much of it is psychological. The police are a semi-military force. To many people the uniform and the gun represent limits on civilian freedom. Minority groups especially have long felt the police have one code of justice

for white citizens, another for black; one code for the well-to-do, another for the poor. The police, of course, deny any double-standard. Their oath is to uphold the law equally for all. They are trained to maintain public safety through discipline and authority. They grow bitter when, in their opinion, the public disregards or flouts that authority.

And in the name of preserving authority, some police have welcomed support from the extremists of the right. The fact that a minority of police around the country have joined the John Birch Society or the Ku Klux Klan, discredits the majority who have not. Because some police are racist and authoritarian, a few critics are quick to charge that all of them are.

And there are other actions which shake public confidence in the police. Corruption in any police department, stains every police department. No city is free of it. The public reacts cynically:

"All cops are on the take," they say. Police are constantly open to temptations from the bribe-giver. And betrayal of the public trust by just a few can - and has - corroded public confidence in the many.

But perhaps the most continual source of friction between police and the community is the charge of police brutality, and the demand for civilian review of the complaints. John Lindsay made a police review board, with civilians, a leading issue in his campaign for Mayor of New York. When the hold-over Police Commissioner called the plan a "cruel hoax," he was replaced by the Police Commissioner of Philadelphia, a city which had been operating with a form of civilian review. Lindsay's plan adds civilians as advisors, but leaves final control with the Police Commissioner. But others insist on full civilian review.

JAMES FARMER:

It should be a board of civilians whom the people of the city would respect and trust, so that if a complaint is filed with them, and they investigate and discover that there is no validity to the complaint at all, then minority people will be much better willing to accept that verdict, if it comes from a group of civilians, than if it comes from the police department itself.

PERCY SUTTON: This is not something that the Negroes and Puerto Ricans alone want. This is something that thinking people want. They want civilians always to remain in control of the military; the police are the military. This is in the finest tradition of Americanism.

WALLACE: But the average policeman, in every city, is still against the idea. Their traditional opposition is explained by the men who know them well: the police chaplains.

CHAPLAIN DUNNE: Well, most policemen, in fact all policemen that I know, do not want an outside agency judging the legality of their actions. They would prefer to be judged by their own superiors. And their superiors, I would like to assure you, are much stricter than any outside agency ever could be. Many people don't understand that supervision of police officers is a very, very important part of a police organization. And as we have a military setup, so the supervision is very strict, and all of us are anxious to serve the public faithfully and justly, and we do not tolerate police brutality by anyone at any time whatsoever. Our only hope is to reduce civilian brutality against police officers who are taking the proper course of action.

WALLACE: Former Deputy Police Commissioner Joseph Martin is a Pulitzer Prize winning reporter who thinks the policeman often winds up as a scapegoat for other people's shortcomings.

JOSEPH MARTIN: He's blamed for the filthy tenements in which some people have to live, he's blamed for the lack of job opportunity, he's blamed for the rats and vermin that some people have to share their lives with, he's blamed for inadequate school facilities, he's blamed for sometimes the garbage not even being picked up. And when people tend to move against the police, I think it's all these things have now reached...have now reached a boiling point. The policeman is there. The Health Inspector isn't there walking the beat, the Building Inspector isn't walking the beat, the people who might be responsible for the rundown schools aren't walking the beat - the policeman's there. And when a movement starts in a community, that is, a movement of revolt or rebellion or anger, he is the man there and he is going to be the target of this vehemence.

WALLACE:

Morale is only one police problem. The tools of his trade are another. They are outmoded. In an age of technology, many police forces around the country are still mired in antiquity. Again, New York's problems are almost everybody else's problems.

Of the 79 station houses in New York, only half a dozen are as new as this one. The majority are 50 years old. And one of them was built the year Lincoln was elected President.

But whether in one of the new station houses, or an old one, the life of the policeman will consist of a long trail of memo books and paperwork, alarms and reports, walking an 8-hour beat by day, or pounding an 8-hour beat by night - the hours get changed regularly, calling in by telephone to the station house every hour, by day and by night, or riding a beat in a two-man radio patrol car.

New York City puts most of its men on foot patrol. A man walking a beat gets to know the neighborhood. The neighborhood gets to know him. A few police carry two-way radios, but they're expensive. Critics say there should be more. The police agree. But where's the money? Critics also argue that New York should put more radio patrol cars on the beat.

They say that a single-man car, instead of a two-man car, will release one of the officers to another post. Police planners are now emphasizing the greater mobility of scooter patrols which can go where police cars can't and which have even greater flexibility than motorcycle patrols.

In the detective squad room, there will be a parade of citizens, some in trouble with the law, some needing help from the law. And the detective will find himself spending too much time typing out his reports. The paperwork cuts into his investigative time in the field - but someone has to do it.

There has also been a demand for civilians to take over clerical jobs, to release more policemen to combat crime in the streets. Police brass agree in principle to some proposals. They dispute others. But they keep asking the questions heard in almost every city of the country: Where's the money? And where's the public support?

VOICE: These are vandals. Now this will be a damn long hot summer, so help my God. Please send someone around.

WALLACE: This is the cry and the plaint of the city, 24 hours a day; 4,414,531 calls a year; 1,156,559 radio cars dispatched; 392,459 ambulances sent to aid and assist. The calls for help come here, the Communications Bureau, nerve center for every big-city police department. The right radio car in the right sector, in the right precinct, is dispatched within seconds of the call, and if there are no hitches, the car should arrive within a minute or two at the scene.

Compared to some police departments, New York's equipment is advanced and effective. But compared to the new electronic communications centers of other cities, this equipment is relatively old-fashioned. In his successful campaign for Mayor, John Lindsay promised he would modernize the police department. He estimated the cost at \$50,000,000 - in a city which he described as practically bankrupt.

Lindsay's model for modernization is the police force of Chicago, which has virtually eliminated the foot patrolman, and substituted the cruising radio patrol car. The two-man car is used in high-crime areas, the one-man car in others.

Electronics, computers, and motorized patrol have helped reduce Chicago's crime rate.

This electronic communications center controls the 1,500 police vehicles dispersed over the 224 square miles of Chicago. A million and a half calls a year, or about 200 an hour.

The call automatically is channeled to the zone where the person calling lives. The dispatcher is familiar with the streets of that zone and the radio cars assigned there. He assigns the car to the scene of the call, places the complaint card in a slot that corresponds to the number of the car he has just dispatched. This extinguishes the map light for that car. When the car reports back, the card comes out, the light comes on, indicating that the car is available for a new assignment. From citizen's call to arrival of a police car takes, as in New York, anywhere from a few seconds to a few minutes.

To the side of the console for each zone is a computer typewriter that makes inquiries about stolen cars, wanted persons, and so on. The typewriter is linked to a computer in the data processing center which automatically, and in a few seconds, sends the information back to the hot-desk typewriter, telling the dispatcher whether the car is stolen or the person is wanted. The dispatcher quickly passes the information back to the man on the patrol car beat.

This bank of transcribing machines is recording the voices of Chicago police and detectives, phoning in from their beats. This eliminates the time-consuming business of police coming back to the station house to type out their reports. Each day's information is typed out by civilian employees on punch cards and converted into computer information which goes daily to precinct commanders, as well as to the top echelon. The computerized information is also valuable to the detective division with its various sections to chart the pattern of crime, if there is a pattern, so they can rearrange patrol forces in the field accordingly. It's estimated that the combination of computers and civilian typists has released about a thousand members of

the Chicago police force for duty in the field. Fingerprint identification has been speeded up considerably through new electronic equipment. Each station house has a machine like this one connected with headquarters. It used to take six hours to check a set of prints. It now takes one. This reduces the time the police have to keep a suspect in custody, and can eliminate many arguments over unwarranted delay in bringing the arrested person before a judge.

Other time-saving features include identification photos printed on microfilm, instead of the old tedious process of leafing through books of mug shots. In the event the victim has been hospitalized with injuries, a portable viewer can be easily brought to the bedside.

Only a few years ago, Chicago's police force was rocked with scandals of corruption and thievery in the ranks. A former professor of criminology, Orlando Wilson, was named Superintendent. His orders were to clean up the department - and win the public's respect.

ORLANDO WILSON: I think the public has respect for their police in precisely the degree to which their police have earned it. I think some of the trouble the American police are in now has resulted from action on the part of the police that was ill-advised. Certainly the morale of individual officers, as well as a department, is nothing more than a reflection of public regard, the regard the citizens have for the department and for individuals. This, I think, is terribly important, but it is a respect that must be earned by the police.

ANNOUNCER: CBS REPORTS: THE POLICEMAN'S LOT will continue immediately after this message from IBM.

(COMMERCIAL)

WALLACE: The policeman is a philosopher, psychologist, sociologist, and moralist. But that's not enough anymore. He has to be trained and skilled in his craft. He has to be as competent in the law and in the art of community relations, as in the use of his weapons. His training begins here, at the Police Academy.

INSTRUCTOR: Freeze. Turn around. Put your hands over your head. All the way up. Turn your palms towards me. Wiggle your fingers. All right, move over to the wall on your left.

WALLACE: A suspect is made to spread his fingers to reveal any knives or razor blades. Experience has taught the police some nasty lessons.

A recruit has to be 21, stand five-feet-eight, be of good vision, have a high school diploma or pass a test equivalent to a high school education. A small number of American cities, no more than a handful, will take college graduates only. But most of America's 40,000 police forces will settle for far less than high school diplomas. And some police forces around the country are populated by men whose only visible qualification is an uncle who happens to be the town's leading politician.

The professionalization of the country's police forces is something relatively new, and it is far from widespread, nor does it have the depth of the New York academic training.

VOICE: Company Sergeants, prepare your companies for inspection.

WALLACE: The recruit who survives the Academy training program and character investigation, can look forward to a starting wage of \$7,000 a year, roughly \$140 a week, before taxes. After three years, it will go up to \$170. But the average wage for policemen around the country is only \$5,000 a year, less than \$100 a week before taxes. In many towns it's even less than that. Many police forces allow moonlighting. That is, a policeman can hold down two jobs, which is not likely to improve his efficiency as a law enforcement officer. There is no moonlighting allowed on the New York police force. In almost every big city, there's a need for more Negro and Puerto Rican policemen to reflect the make-up of the population. No city has met that need. To many people, this is a sign of discrimination in hiring. But New York has stepped up its recruitment among minority groups.

A man who has been on the force 20 or 25 years can retire at half pay, or when he's reached 55. Even so, New York can't attract enough qualified men. Neither can other cities. New York tries to fill its quota of 28,000 men and women from civil service. Some cities offer their policemen bonuses, or extra vacation, if they'll sign up recruits who can stick it out. But whatever the shortcomings of personnel, the training standards remain high.

The New York Police Academy course, perhaps the best in the country, runs four months. And every minute of it reminds the budding young cop that his brain will be tested as much as his brawn. How do you safeguard evidence? When are traffic summonses returnable? Define the difference between burglary and robbery. When is rape first degree, when is it a misdemeanor? What are the limits of police power? And while it may surprise every motorist who ever got a ticket, the technique of dealing with the public:

SERGEANT BORMAN: And patience, courtesy and tact are utmost in dealing with another person, another human being, another individual who has rights, the same rights that you have, and by not violating these rights, we can seek and gain cooperation.

SERGEANT BERTHOUD: For the manner in which we fulfill our obligations to preserve the peace and the rights of all persons, can spell the difference between law and order, or chaos and violence. And I think this comes back to us, or has come back to us, in many instances. We have seen it possibly in the riots, the latest riots of 1965 in Watts, California. We've seen it in the riots in possibly Harlem in 1964, or Bedford-Stuyvesant in Brooklyn in 1964, or other riots possibly throughout the country.

WALLACE: It's frequently said that most cases are won in the station house - on the basis of confessions. But valid confessions must be voluntary confessions. And there's an art to getting them.

LT. PETERSON: Be patient. Let him talk, don't interrupt him. Sometimes, just in the talking, it's like an unloading, unburdening of his conscience, and he'll say things that you'll be able to tie together to confront him with his guilt, and he will make an admission. If he confesses, if he makes admissions, get a signed statement and have it witnessed. Now, don't delay. A lot of times this is a build-up of a period of time where he finally says, "All right, I did it.

I got it off my chest." And you say, "Are you willing to sign something that you did this?" "Certainly, I'll sign it." Don't delay until the morning or until evening to do this. Even a few lines containing the time and date of the crime will be enough, because once he signs something, admitting it, then later on when you want a detailed statement, he will be less reluctant to give a detailed statement. Always be courteous. Don't fly off the handle unless it's an act. We always know we have the old "good guy" and the "bad guy" type of approach. It sometimes works. With an inexperienced suspect, it might work. With an experienced suspect, he's seen this three or four times before. He might even have seen the same two fellows pull the act, and so with him, he's unimpressed. Always remain in command of the situation. Remember that this suspect, if he says nothing, he's in the driver's seat. What we have to do is talk around the subject, keep him talking, try to find the key that will unlock the solution.

WALLACE:

But New York, no less than other cities, has had its share of murder confessions that turned out to be fake. Suspects have been beaten, including suspects who turned out to be innocent.

Men have confessed to crimes, even though they were in prison at the very moment the crime was being committed.

Looming large over every police department in the country is the shadow of this man - Danny Escobedo, seen here in an Illinois penitentiary in 1964, when he was serving a 20-year sentence on a charge of murder. Escobedo asked the Supreme Court to reverse his conviction; he said his confession was invalid because the police had refused to let him see his lawyer in the police station until he confessed his part in the murder.

The Supreme Court ruled, 5 to 4, that when the police moved from investigation to accusation, Escobedo should have been allowed to consult with his lawyer, in the station house. Danny Escobedo went free. He was arrested again recently, but on an unrelated charge.

No other court decision has shaken law enforcement more than Escobedo versus Illinois. And the split among judges is reflected in the puzzlement of the police.

LT.MULLINS:

Now, the reasons that they gave for reversing this conviction were these: number one, the suspect and the lawyer were denied the permission to see each other, to confer with each other; number two, the suspect was not advised of his right to counsel; and number three, the suspect was not advised of his right to remain silent. Now the wording of this particular decision was not so clear that each of the states could look at it and say, "Well, now we understand what the court wants. This will be the rule from now on." As a result, each of the state courts, as cases came up, had to decide for themselves whether or not they would follow the ruling in the Escobedo case to the letter, or whether they would just follow portions of it.

Now, as far as New York is concerned, in the case of People versus Gunner, the Court of Appeals in New York has told the police officers in New York State that they do not, number one, do not have to advise of right to counsel, and do not have to advise a suspect of his right to remain silent. Whether this will remain this way remains to be seen. It depends upon what the Supreme Court of the United States will say when it reviews some of these cases.

WALLACE: The controversy over station house confessions has led to the greatest conflict yet between the police and the courts. And we'll examine that aspect of the policeman's dilemma, in a moment.

(COMMERCIAL)

WALLACE: The men who founded this country were very zealous about protecting the rights of the individual. The Constitution they wrote, and the Bill of Rights they added, were particularly protective of the rights of anyone accused of crime, because those rights had been violated throughout history. Through the centuries, the strong had oppressed the weak, innocent men were often falsely accused, arrested without cause, tortured into confession, convicted without trial, jailed, even executed without due process of law. If such instances are rarer today in American life than ever before, it is because the courts have been firm guardians of the law of the land. But in recent years, the Supreme Court has been paying even closer attention to the rights of the accused - and long before they reach the courtroom.

The Supreme Court has ruled that the accused must be brought before a judge without unnecessary delay. No one is sure how long that means. And besides, the ruling applies only to federal courts, not state courts.

There is also a cloud of doubt on how early an accused person is entitled to a lawyer, here or in the courtroom. And there is growing doubt whether confessions may not someday soon be outlawed by the Supreme Court as unconstitutional. Any detective will tell you that solving crime is about 90 percent asking questions. In most crime, the interrogation is brief. In a small percentage of cases, especially in murders and other major crimes, the detectives will try to keep the suspect as long as possible to get a confession.

Although the New York courts do not require police to warn the accused of their right to keep silent and the right to a lawyer, actual procedure varies. Some detectives do, some don't. Some district attorneys do not want to go into court later on with a case where the accused has not been given these protections. They're afraid the confessions won't stand up. Other prosecutors

insist that the detectives get as air-tight a confession as they can in the station house. Meantime, state and federal courts have been turning out conflicting decisions on what procedure police should follow in the station house.

For the veteran detective who takes his law enforcement responsibilities seriously, the situation is drenched in frustration. Lt. Arthur Schultheiss:

LT. SCHULTHEISS: We're going to wind up with most of these people going back out on the street, because it's awfully important for us to tell these people that they don't have to talk, and if we have to tell them that, they're just going to take our advice. We're becoming their attorneys and we have to tell them, "Now, you don't have to talk if you don't want to, but if you do talk, we can use it against you." "Well, what does that mean?" they'll say. "Well, that means instead of staying out of jail, you're going to go to jail." Well, they're naturally going to take our advice, or what we're forced by law to tell them. They in their own constitutional rights don't know enough to do this for themselves. We, then, must warn the hoodlum and the criminal of his constitutional rights. I think it's going a little too far. I think it's causing us to see that men or women who commit crime are going free, going scot free, where they want to plead guilty.

JUDGE J. SKELLY
WRIGHT:
FEDERAL APPEALS
JUDGE

Well, there isn't any question that the police have to ask questions to get evidence. The police have to get evidence in order to prove people guilty of crime. The question is whether or not the police can violate the law in order to get the evidence. Can the police violate the Fourth, Fifth and Sixth

Amendments to get the evidence? Should homes be unreasonably invaded and searched without warrants in order to obtain evidence? Should people be compelled either in a sophisticated way or in a less sophisticated way to testify against himself? Should a man be required to answer police questions, to be tried without a lawyer? These are all protections that are guaranteed to us by the Bill of Rights.

INSPECTOR IRA
BLUTH:
CHIEF NARCOTICS
BUREAU

In some instances, although we obtain search warrants, when we go to court with the case to try it, prior to trial the defense attorney may ask for a hearing to suppress the evidence, saying that we obtained the search warrant invalidly, and there are cases where one judge, hearing this motion to suppress the evidence, will say that the search warrant we obtained from another judge should not have been issued, the evidence is suppressed, and we have no case.

JUDGE WRIGHT:

Now, it is true that in complying with these procedures, sometimes a guilty person is allowed to go free. But our Bill of Rights makes a conscious choice to protect the innocent, and that's why we must comply with these procedural safeguards, if the innocent are to be protected.

INSPECTOR BLUTH: The decisions are going more and more to the protection of the individual without worrying about the protection of society. It's not a question of guilt or innocence any longer. It's a question of did you do everything that you are required to do, and no more, according to our decisions and our interpretations.

JUDGE WRIGHT: We are currently concerned with young people primarily who come out of the slums, out of housing discrimination, job discrimination, segregated inferior schools, and commit crime. That's the kind of crime we're talking about, and the suggestion is made that court decisions are encouraging crime. Why these people, these dropouts from these segregated inferior schools - most of them can't read. Certainly they can't understand the opinions of the Supreme Court, or any other court for that matter.

WALLACE: The Supreme Court split almost down the middle, 5 to 4, in the Escobedo decision. They said that in certain conditions, a suspect did have the right to a lawyer in the police station. That bitterly controversial decision was written by Justice Arthur Goldberg, who left the court a year later for the United Nations. He was replaced by

Justice Abe Fortas. It is this court which is now deciding, on the basis of five new cases, just how far it wants to extend the Escobedo decision.

Before he was appointed to the Court, Abe Fortas made constitutional history as the appeals lawyer in the Gideon case of 1963, when the Supreme Court agreed with him unanimously that every defendant charged with a crime, whether he could afford it or not, has a right to a lawyer, in any court in the land.

Appearing on a CBS Reports broadcast in October 1964, Private Citizen Fortas spoke of the direction the Supreme Court was taking on the question of the rights of the accused.

ABE FORTAS:

I believe that if you think of the developments in the racial field, you will see a parallel which similarly, in my opinion, indicates that in the past generation, we as a people have been moving forward towards a better, a greater and a nobler conception of the dignity of man, a more comprehensive conception of the rights of man.

WALLACE:

The search for the best kind of pre-trial police procedure is taking place in Congress, in private law commissions, in the courts, and in the President's Commission on Law Enforcement. A member of that commission is San Francisco's Chief of Police, Thomas Cahill, who describes the policeman's dilemma.

THOMAS CAHILL:

He is the one who has to make the decision. He can't read it in a book, he can't turn around to somebody and ask what he's going to do, he can't turn to a lawyer and ask him is this legal or illegal. He has to make the decision, and he has to make it now, right or wrong, but he better be right. So that his job is not an easy one. Now, take into consideration all of the legal restrictions. He has to remember the Durado case, he has to remember the laws of search, seizure and arrest. He has to remember that he is going to have to take the stand, and did he make this case through subterfuge, or something along this line.

There are so many legal restrictions that he has to have in mind, and when he makes that arrest, he's doing something now, but he's looking forward to when he sits on the stand and knows, will he be able to place before the court the evidence that today will be accepted in accordance with the rulings that are being handed down by the Supreme Court, either of his own state, or the nation. And in many instances, these very learned and distinguished people are split 50 - 50 amongst themselves, and then somebody says that the police officer down on the street level is supposed to have all the answers and know exactly what to do. Well, he'd have to be better than God Himself.

WALLACE:

The policeman has been damned more often than praised. Yet throughout the nation, the young men who want to serve keep coming on. They will help small children across the street, and they will be in constant rub with those who have broken society's laws. They will seek out and apprehend the perpetrator: the burglar, the

murderer, the rapist. And they will find clothes for the naked, food for the hungry, shelter for the dispossessed. They will hunt down the transgressor and the lawbreaker. They will unravel traffic, hand out tickets, settle family quarrels, protect the innocent, detect the guilty. And they will wonder all the while what will happen to their case when it gets to court.

The man who wears this badge has one power greater than the President of the United States. For the policeman can take away a citizen's liberty. In a free society, it is an awesome responsibility.

This is Mike Wallace for CBS Reports.

(TITLE AND CREDITS)