



NACOLE

Review

NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

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SPECIAL EDITION

President's Message

Commemorating the 50th Anniversary of the Civil Rights Act of 1964

THE NATIONAL ASSOCIATION FOR Civilian Oversight of Law Enforcement (NACOLE) is pleased to bring you this special edition of the *NACOLE Review* to commemorate the 50th anniversary of the signing of the Civil Rights Act on July 2, 1964.

The continuing crisis of race and policing is one of the most pressing challenges facing our country. Issues of race and policing are central to the history of civilian oversight, which has its roots in the civil rights movement. Race and issues of fairness, equality, justice, and trust in law enforcement have been central to much of our work over the last 50 years. Thus, the oversight community—and NACOLE specifically—recognizes that we have an obligation to help identify, understand, and address discriminatory practices by the police.

In communities of color across the country, policing practices that may be lawful but are perceived to be overly harsh, unjust, or unfair can negatively impact the experience of procedural justice and undermine the legitimacy of the police. Civilian oversight can serve as a bridge builder between police and communities with a history of strained police-community relations, through work on real and perceived inequality in policing.

Civil rights issues that began with concerns about racial inequality have extended to many other issues, including interactions between the police and youth and the LGBTQI community.

NACOLE continues to promote public dialogue and advance knowledge about effective policing and oversight practices with these groups.

For this special issue, I invited John W. Mack, former president of the Los Angeles Urban League and the Los Angeles Board of Police Commissioners (BOPC), to write an article about his personal and professional experiences at the intersection of his work in civil rights and civilian oversight. His life serves as an inspiration to those of us who have dedicated our lives and careers to fighting for equality and justice. He is also a personal hero of mine.

There are few individuals in Los Angeles who have had as much of an impact on policing and civil rights as John W. Mack. He fought tirelessly for decades to fundamentally change the culture of the LAPD—through litigation, advocacy, community and political influence, and civilian oversight. He has been a highly effective, long-time champion of police reform, civilian oversight, and equal opportunity for all in Los Angeles, and is a civil rights icon.

Mr. Mack was a fierce critic of the LAPD for decades for its harsh and discriminatory treatment of the African-American community, particularly in South Los Angeles. He provided testimony during the Christopher Commission's investigation of the LAPD following the Rodney King incident. He spoke out against harsh police tactics and abuse and fought against racism in the LAPD. Mr. Mack's appointment in 2005



Brian Buchner, NACOLE President

to the BOPC, the civilian head of the Police Department, was also an important step toward ensuring community involvement in overseeing the LAPD. He held the position of President of the BOPC—an extraordinarily influential position in Los Angeles—for two consecutive years, and then the position of Vice President for two years. In 2009, he was re-elected President.

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Remembering the 1964 Civil Rights Act: The Importance of Civilian Oversight and Civil Rights

By John W. Mack

LAST YEAR, WE CELEBRATED THE 50th anniversary of the historic 1964 March on Washington for Jobs and Freedom, highlighted by Dr. Martin Luther King's memorable "I Have a Dream" speech.

The March on Washington and Dr. King's speech pricked the conscience of our nation and ranks as a transformational event in America's history. The March on Washington and the Civil Rights Movement's leaders—Dr. King; A. Philip Randolph, head of Brotherhood of Sleeping Car Porters; Whitney M. Young, Jr., National Urban League Executive Director; Roy Wilkins, Executive Secretary, NAACP; Dorothy Height, National Council of Negro Women, President; John Lewis, Student Nonviolent Coordinating Committee, President; and James Farmer, Congress of Racial Equality, Chairman—mobilized and galvanized black Americans and their white and other allies, among thousands of Americans, to pressure President Lyndon Johnson and the United States Congress to pass the groundbreaking Civil Rights Act of 1964.

There were many important events, a number of them tragic, that created the momentum for the Civil Rights Movement and its powerful impact that led to both the 1964 Civil Rights Act and the Voting Rights Act of 1965.

A partial list of these significant events includes the 1954 *Brown v Board of Education* Supreme Court decision; the 1957 Little Rock Nine integration of Central High School, when black students had to be protected by federal troops over the opposition and defiance of Arkansas Governor Orval Faubus; Alabama Governor George Wallace standing in the schoolhouse door of the University of Alabama in 1963, blocking entrance by black students; Birmingham Police Chief Bull Connor unleashing dogs to attack black Civil Rights activists; Mrs. Rosa Parks' refusal in 1955 to give up her seat at the front of the bus to a white passenger and going to jail, sparking the 381 day Montgomery bus boycott that elevated a young Baptist minister, Dr. Martin Luther King, Jr., to national leadership prominence; the 1960 sit-in by four black college students at North Carolina A. and T. College (my undergraduate alma mater) at a Woolworth lunch counter sparking a wave of sit-ins by college students throughout the South (including my participation as a leader in the 1960 Atlanta Student Civil Rights Movement); the 1963 murder of Medgar Evers, NAACP leader, outside his home in Jackson, Mississippi,

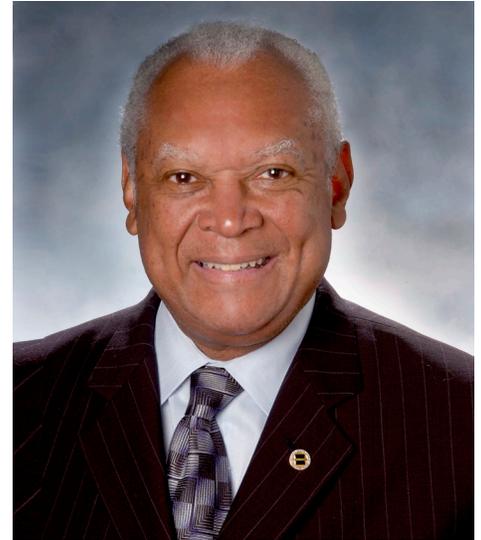
by Klu Klux Klansmen; and the 1965 Bloody Sunday March from Selma to Montgomery—where John Lewis and 600 other marchers were attacked by Alabama state troopers—tear gassed, beaten, and trampled by the troopers' horses as they crossed the Edmund Pettus Bridge.

The 1963 March on Washington's focus was for jobs and freedom. Black Americans were seeking equal employment opportunities and also a level playing field in education. This historic event and the nationwide mobilization by the Civil Rights Movement, greatly aided by the national media attention highlighting the injustices that I have referenced, and numerous others, led to the signing of the Civil Rights Act on July 2, 1964, by President Lyndon B. Johnson.

While the Civil Rights Act 50 years ago was primarily focused on jobs and education, police brutality and racism were also serious problems throughout America.

While the Civil Rights Act 50 years ago was primarily focused on jobs and education, police brutality and racism were also serious problems throughout America. J. Edgar Hoover and the F.B.I. and local police chiefs such as Bull Connor, Philadelphia Police Chief Frank Rizzo, and William Parker and Daryl Gates of the Los Angeles Police Department (LAPD) had practically no civilian oversight or accountability. They ignored and intimidated both elected officials and their civilian bosses with various threats of embarrassing exposures. Civilian oversight of local and federal law enforcement possessed little or no teeth. Federal and local laws insulated and protected police from effective civilian oversight.

During my tenure as President of the Los Angeles Urban League, I participated with other civil rights leaders, community activists and



John W. Mack

religious leaders, particularly during the Daryl Gates era, confronting and challenging the LAPD and its brutality and racism, which were directed primarily at the African American community. Most Angelenos viewed the Los Angeles Police Commission, a group of civilians heading up the LAPD, as a rubber stamp and the Commission was largely ignored by former Chief Gates, as well as by his predecessors.

LAPD did "Protect and Serve" the majority of our city's white residents and operated as an occupation force in predominately African American communities. The general sentiment among white residents was to overlook police mistreatment of blacks, so long as their neighborhoods were kept safe and black criminals were contained in South Los Angeles.

Many residents of our community were subjected to brutal incident after incident. Examples include the Eula Love Shooting and a series of fatal chokeholds of 21 black men, wherein Daryl Gates defended the officers' actions and indicated that the deaths were due to the medical deficiencies of blacks. Another infamous incident was the brutal beating of Rodney King by four LAPD officers and the subsequent state trial in Simi Valley that precipitated the Civil Unrest of 1991. The widely publicized videotaped beating of Rodney King opened the eyes of many white Angelenos and provided credibility to the allegations and complaints of police abuse and misconduct over the years by African American residents and their leaders.

The Rodney King beating triggered an unrelenting demand for change and reform within LAPD by our coalition of civil rights, civil liberties, religious and civic leaders. Our first demand was that Chief Daryl Gates had to go. Our demonstrations, numerous appearances before the Police Commission and City Council, meetings with Mayor Tom Bradley, and sustained local, national, and international media coverage led to

Mayor Bradley's appointment of Warren Christopher and the Christopher Commission.

My colleagues and I made numerous public and private appearances before the full Christopher Commission, as well as before individual Commission members, providing documentation regarding complaints of police brutality and racism by LAPD officers, while Chief Gates and his senior command staff were very defensive and turned their heads away from police abuse and misconduct. We also presented recommendations for inclusion in the Christopher Commission's final report. Strong civilian oversight was one of our major recommendations, specifically the creation of an independent Citizen's Police Review Board.

This recommendation encountered strong opposition and was ultimately deemed not politically feasible. However, the Christopher Commission formulated a compromise recommendation: the creation of the Office of the Inspector General with a funded staff of professionals, which would strengthen the role of the Police Commission and its policy and oversight role.

Of crucial importance, Warren Christopher and the Christopher Commission called for Daryl Gates to leave. This turned the tide of public opinion against him as his already weakened political support at city hall collapsed. After his previous, protracted, hostile and arrogant resistance, Gates finally resigned.

Another important Christopher Commission recommendation was to limit the term of the chief of police to two five-year terms, with a maximum of ten years. This recommendation also included the Police Commission's enhanced role in evaluating the chief's performance and weighing in on whether to reappoint the chief to a second five-year term or not.

I was privileged to be appointed to the Executive Committee of Charter Amendment F, Chaired by Warren Christopher. This was the citizens' group of community and civic leaders created to educate the voters regarding the far-reaching Christopher Commission reform recommendations that were proposed as amendments to the City Charter. In 1992, we mobilized citywide and persuaded 70 percent of Los Angeles voters to approve the recommendations and amended the City Charter. This provided the significant legal foundation for the implementation of fundamental and sweeping reforms designed to change the institutional culture, policies, and practices of the LAPD.

There were several other game changing events and milestones that led to major reforms within the LAPD.

There was the devastating Rampart scandal that, combined with the Rodney King beating, led to the Consent Decree between the United States Department of Justice and the City of Los Angeles. The Consent Decree provided major leverage for the Police Commission in its over-

sight role with LAPD. Another very important development was the appointment and leadership of former Police Chief William Bratton, a visionary and innovative police chief who was committed to transforming LAPD into an institution that would police our uniquely diverse city while treating the residents with respect and fairness.

Former Mayor Antonio Villaraigosa appointed an independent reform minded Police Commission. Our original Commission was comprised of individuals who possessed various areas of expertise, perspectives and experiences; several who had assumed past major leadership roles related to LAPD such as Andrea Ordín, former United States Attorney for the Central District of California and a member of the Christopher Commission; Anthony Pacheco, a member of the Rampart Independent Review Panel; Shelly Freeman, a progressive business leader; Alan Skobin, also a business leader, who possessed extensive experience from prior Police Commission service; and myself. I was appointed to the Police Commission by former Mayor Villaraigosa for eight years and served four years as president.

We were also extremely fortunate to have three outstanding Inspectors General: André Birotte, Jr., Nicole Bershon, and (the current IG) Alex Bustamante. Their staffs have been comprised of outstanding professionals representing various important disciplines. In addition, our superb Police Commission staff was headed by Richard Tefank, an extremely knowledgeable and competent professional. This combination of the Office of the Inspector General and Police Commission staff provided outstanding professional support that greatly strengthened our volunteer five-member Commission's capacity to assume effective and strong oversight over LAPD.

We were able to achieve many accomplishments of which we are extremely proud. However, the highlight was the substantial compliance with the Consent Decree to the satisfaction of Judge Gary Feess, the U.S. Department of Justice (DOJ), and the court appointed monitor. That was followed by a Transition Agreement between the DOJ and the Police Commission. At the end of three years, in July 2012, the LAPD and Commission were released from all federal oversight by Judge Feess. This was accomplished under the leadership of LAPD's current Chief of Police Charlie Beck and the Police Commission.

Due to the commitment and leadership of numerous individuals and entities and strong civilian oversight, in partnership with the command staff and the ten thousand men and women in uniform, the LAPD has transformed this institution into a 21st century police department. The LAPD has developed a greatly improved relationship with communities of color, based upon a much greater mutual respect and evolving trust in our beautiful mosaic of diversity. •

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EARLY REGISTRATION DEADLINE

Are you going to Kansas City? The Early Registration Deadline is quickly approaching! Please take advantage of early rates and register by JULY 11! Details and registration materials can be found on the NACOLE website, www.NACOLE.org.

President's Message

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Perhaps one of his greatest accomplishments as a police commissioner was his role in helping to reform the LAPD's policies, procedures, and investigations into biased policing and racial profiling. He also worked with the Department to develop a community mediation program for biased policing complaints as a means to build bridges between the public and the police. Mr. Mack's efforts helped the Department achieve full compliance with the federal consent decree that had been in place since 2001.

An early leader of the student civil rights movement in Georgia who worked with the Rev.

Martin Luther King Jr., Mr. Mack later led the Los Angeles Urban League for 36 years, from 1969 until his retirement in 2005. Mr. Mack began his career with the Urban League in Flint, Michigan, in 1964 and was appointed Executive Director in 1965. Prior to heading the Los Angeles Urban League, he served on the Urban League's National staff for six months during the Whitney Young era in the District of Columbia.

Mr. Mack is a highly respected advocate for equal opportunities in education, law enforcement, and economic empowerment for African-Americans and other minorities—and a bridge builder between all racial, cultural,

economic, gender, and religious communities and the police. We have all benefited from his commitment to civil rights and can continue to learn from his wisdom and insight. Please enjoy this special edition of the *NACOLE Review* as the nation commemorates this important anniversary and reflects on how far we've come since 1964, through the guidance of leaders and visionaries such as John W. Mack. •

Brian Buchner is the president of NACOLE and a special investigator with the Los Angeles Board of Police Commissioners, Office of the Inspector General.

NOTICE

The 2014 NACOLE Annual Membership meeting will be held during the 20th Annual NACOLE conference on Wednesday, September 17 at the Marriott Country Club Plaza in Kansas City, Missouri. More details will be available in the summer newsletter or by visiting www.nacole.org.

The NACOLE Review

The NACOLE Review is produced under the supervision of the NACOLE Board of Directors and Newsletter Committee Chair **Karen Williams**. The Board thanks those individuals who contributed to this issue of the newsletter and extends a special thanks to the Newsletter Committee: **William Huey**, **Loan Le**, and **Kathryn Olson**. Additionally, the Board is grateful to **Cameron McElhiney** and **Liana Perez**, who provide independent contracting services to NACOLE. We would also like to extend our gratitude to **Jerri Hemsworth** of Newman Grace (www.newmangrace.com) for providing layout and publication services to the NACOLE Review. •



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INSIDE: SPECIAL EDITION

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