

# Dirty Work: Police and Community Relations and the Limits of Liberalism in Postwar Philadelphia

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## Abstract

Police abuse of African Americans was an immediate trigger for the urban uprisings of the 1960s, and civilian review of police actions became a central tenet of civil rights liberalism. The failure of Philadelphia's Police Advisory Board (PAB), the nation's first independent civilian review board (1958), to meliorate police–community tensions suggests the limitations of civil rights liberalism: an inability to confront the role of police as “dirty workers,” who performed the unacknowledged but widely demanded function of maintaining racial hierarchy in the postwar city. Working-class African Americans, the most frequent victims of police brutality, came to see civilian review as a charade and rejected the limited vision of civil rights liberals. The PAB's failure shows that police reform is impossible without a broader commitment to overturning racial hierarchy.

## Keywords

police–community relations, civilian review boards, liberalism, police reform

... the only way to police a ghetto is to be oppressive.

—James Baldwin<sup>1</sup>

Decades of frustration at brutal treatment and police harassment exploded along North Philadelphia's Columbia Avenue on August 28, 1964. Like nearly all of the ghetto uprisings of the 1960s, this one began with a routine police action. Mrs. Odessa Bradford quarreled with her

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husband, Rush, after their car stalled in the middle of a busy intersection. Rush stood outside the car yelling at his wife, while Odessa attempted to restart the engine; both were drunk and the car would not move. A police car arrived at the scene, and Officers Robert Wells, an African American, and John Hoff, who was white, attempted to get Mrs. Bradford to move the car. When she was unable to do so, the officers tried to extract Mrs. Bradford from behind the wheel. Friday night revelers packed the bars near the intersection, and patrons gathered to watch the show outside. That one officer was black was less important than the fact that two police officers appeared to be mishandling a woman. The crowd grew increasingly restive as the officers wrestled with Mrs. Bradford, and a bystander, James Mettles, struck Officer Hoff. His partner radioed an “assist officer” call, and a few minutes later a police wagon arrived along with other police cars. After placing everyone under arrest, the police cleared the intersection as bricks and bottles rained down from the roofs of nearby buildings. The presence of some twenty-five officers seemed to quell the disturbance, and police left.<sup>2</sup>

However, a rumor started in the neighborhood that a white police officer had either shot and killed a pregnant black woman, or had beaten her to death in a jail cell. Rumors of police killings swirled through black communities and sometimes directly precipitated a violent response.<sup>3</sup> Such stories seemed credible since abuse of black civilians by police was so common—physical violence to be sure but also less extreme cases of discourtesy, the use of racist language, and harassment. Philadelphia police were notorious for using the “third degree” and severely beating suspects, as one black attorney put it, “before even asking the Negro if he committed the crime.” Feelings that police treated blacks unfairly, that they offered “neither justice nor protection,” were widespread and of long standing, according to a study published by the Philadelphia’s Bureau of Municipal Research in 1947. The Philadelphia police were also a bastion of whiteness: in 1950, only 195 out of 4,500 officers in the Philadelphia Police Department were black, a smaller percentage than had existed in the 1920s. Racism was entrenched in a department where a survey revealed that 59 percent of white officers objected to partnering with a black officer. In this environment, police mistreatment of black civilians was ignored, leading to bitter confrontations between police and community members. Incidents, such as police shootings, led to marches around City Hall in 1960 and a near riot in 1963. The 1964 uprising tapped a deep vein of grievances against police.<sup>4</sup>

The anger against police mistreatment boiled over as the rumor of Mrs. Bradford’s death spread. Crowds filled Columbia Avenue, a main street in North Philadelphia, which was already thick with pedestrians on a warm August night. A woman yelled to the crowd, “We’re going to get an eye for an eye, a life for a life,” while someone else hollered, “Let’s run them out of North Philadelphia. Those white cops have no business up here.” Shortly after, a police car heading up Columbia had its rear window broken by debris hurled by pedestrians, and an “assist officer’s” call drew police cars back to the area. Crowds attacked police, smashed store windows, and looted businesses along the main commercial streets, and police were unable to control them. Some 600 police officers cordoned off the area to keep unrest from spreading farther.<sup>5</sup>

The uprising also made apparent the frustration of common folk with middle-class African American leaders and their liberal civil rights agenda. In the midst of the looting, African American ministers, political leaders, and civil rights activists rode through the streets on flatbed trucks and used megaphones to urge people to disperse. The largely young and male crowd (categorized as “hoodlums” by the mainstream black press) would have none of it and mocked middle-class black leaders. Judge Raymond Pace Alexander, the city’s most prominent African American, told the crowd that looting only made things worse. Someone yelled in response, “Go home you Uncle Tom. We don’t need any handkerchief-head judges around here.” Cecil B. Moore, the activist president of the National Association for the Advancement of Colored People (NAACP), who lived in the neighborhood and made his living as a firebrand criminal defense attorney, famously called more moderate civil rights leaders “part-time Negroes.” Yet even

Moore found himself stoned and jeered by the crowd—a measure of people’s impatience with moderation. “We don’t need civil rights,” one yelled, “We can take care of ourselves.”<sup>6</sup>

Police arrested rioters—308 altogether—but it was just a fraction of the total, and they refrained from firing weapons or using other forms of force to suppress the disturbance. This became a major issue later as police claimed they had been “handcuffed” by their superiors. Police Commissioner Howard Leary had ordered police to keep their weapons holstered unless attacked and to leave their department-issued blackjacks in their back pockets unless absolutely necessary. Leary wanted to de-escalate the situation and was willing to sacrifice property in return for fewer casualties, even though this alienated rank and file police.<sup>7</sup>

Leary’s approach to the violence was controversial. Some African American leaders called for a sterner response, perhaps realizing that a community with few jobs and resources was in the process of losing even those. Obviously, white business owners were angry at the loss of their properties and disagreed with Leary’s handling of the violence. Observers noted Deputy Police Commissioner Frank Rizzo, popular with the rank and file, arguing heatedly with Leary about his orders. Afterward, however, the media and many public officials credited Leary for the restraint shown by Philadelphia police. Philadelphia suffered far fewer casualties than other American cities during the 1960s uprisings: only two people died and 339 were injured, including about a hundred police officers. Leary’s handling of the disturbance led directly to his appointment as police commissioner in New York City, which opened the door to Frank Rizzo’s eventual appointment as a very different kind of police commissioner, one who emboldened Philadelphia police to act more aggressively.<sup>8</sup>

Investigations of 1960s urban uprisings pointed directly to police actions as immediate triggers to civil disturbances, and reform of police practices was one of the core demands of civil rights activists. Harlen Hahn, Judson Jeffries, Robert Fogelson, and Thomas Sugrue have all noted the relationship between police actions and civil disorders, while case studies by Leonard Moore on New Orleans, Matthew Countryman on Philadelphia, Dwight Watson on Houston, Patrick Jones on Milwaukee, and Tera Agyepong on Chicago explore more specific contexts of the police mistreatment of civilians that frequently worsened during the civil rights era as white supremacy was challenged.<sup>9</sup> While many other issues contributed to the civil unrest of the 1960s, the actions of police were the most readily visible. Unlike housing discrimination, overcrowded and segregated schools, limited employment opportunities, and general poverty, the perpetrators of police abuse were obvious and at hand. At the same time, police misbehavior seemed more remediable, if only because it did not require vast changes in public attitude or large infusions of federal money. A coalition of interracial liberals—the American Civil Liberties Union (ACLU), the NAACP, the Congress of Racial Equality, and other civil rights activists—promoted civilian review of police actions as the best check on abusive policing. As Martha Biondi has noted, demands for civilian review became a staple of civil rights activism as early as the 1940s, and, a generation later, the Kerner Commission included civilian review as a necessary reform in its report on civil disorders.<sup>10</sup>

Yet Philadelphia already had a civilian review board, the first independent board in the nation, established in 1958. Despite that, the city had exploded with the same rage found in other cities. That uprising contributed to the eventual demise of the Philadelphia’s Police Advisory Board (PAB) and to New York City’s fractious debate over civilian review. Historians have analyzed the defeat of a civilian review board in New York City, but little attention has been paid to the nation’s first and longest lived board.<sup>11</sup> And although there is a growing literature on police and police–community relations, many historians, as Themis Chronopoulos has noted, “have taken the antagonistic police–community relationship for granted.”<sup>12</sup> The case files of the PAB, although incomplete, provide evidence of the fractious relations between police and members of minority communities in the period leading up to and immediately following the 1964 civil disturbance.<sup>13</sup> The turbulent history of the PAB, which was eliminated by Mayor James Tate in 1969 at the

behest of then Police Commissioner Frank Rizzo, is an ideal lens through which to view the limitations of postwar liberalism, the difficulties of police reform, and the endemic nature of police–minority community violence.

Police–minority community violence was endemic because police were “dirty workers,” in sociologist Lee Rainwater’s phrase, performing tasks that mainstream society wanted done but did not wish to recognize overtly.<sup>14</sup> Dirty workers’ role was to confine and control out-groups, submerged and disenfranchised people, and for police in the United States, this has frequently meant African Americans. Increasingly in the twentieth century as black urban populations swelled with migration, dirty work meant upholding the informal apartheid found in American cities. Intensive policing—car stops, frisks, and frequent searches of persons and property—concentrated in minority communities in part because of their high crime rates but also as a way of controlling and surveilling a restive population.<sup>15</sup> As dirty work, however, the police’s maintenance of racial order could not be directly acknowledged—in fact it was officially denied—and therefore it was not something learned in training manuals or found in directives from police headquarters. Rather, new officers learned how to patrol minority communities as part of the informal norms of policing, the “street knowledge” or “worklore” imparted by veterans.<sup>16</sup> Moreover, with mid-twentieth-century police forces still dominated by white ethnic, frequently Irish Catholic, males, intensive policing of black neighborhoods was a form of self-interest with the intent of containing a threatening population.<sup>17</sup> Official tolerance for different standards of policing for different communities, and for all but the most extreme examples of police abuse, made individual self-interest into collective dirty work. Since civilian review threatened to subject dirty work to public scrutiny, police and their supporters vehemently resisted it in Philadelphia and prevented its implementation in other cities, such as New York, when it was proposed. Opponents argued that civilians could never judge police actions fairly, that civilian review was subversive of public order, and that any complaint about an officer could only be handled internally by the police department. What white liberals and civil rights advocates wanted to expose, police and their supporters wished to leave covered up. Dirty work by its very nature had to remain under wraps.

The creation of Philadelphia’s review board was the last product of the interracial liberals who shaped the city in the 1950s. A coalition of “young Turks,” supported by black and ethnic white voters, the Americans for Democratic Action, and business interests tired of the corruption of Philadelphia’s Republican machine and concerned about the visible decay of the city, marched into power in 1951 with the election of Joseph Clark as mayor and Richardson Dilworth as district attorney. Simultaneously, a new home rule charter banned discrimination in public employment, housing, and accommodations, and established a Commission on Human Relations to investigate discriminatory practices. The reformers wanted to open Philadelphia government up to those previously unrepresented, including African Americans, but they were primarily interested in good government. They wanted to make meritorious rather than patronage appointments and to bring expertise to bear on the city’s social and economic problems, so theirs was a technocratic liberalism as much as one concerned with civil rights and social justice.<sup>18</sup> As District Attorney (DA), Dilworth responded to demands from the civil rights community for inclusion and appointed the first African Americans and women to the DA’s office in the city’s history, and the prospects for interracial liberalism seemed bright. But by the time Dilworth succeeded Clark as mayor in 1956, the interracial coalition that had supported reform was showing signs of fracture. Urban renewal of the city’s downtown, which appealed to the city’s business elite, had worsened a crisis of affordable housing; white home owners, who had supported the idea of more responsive government, opposed the movement of African Americans into their neighborhoods; and Dilworth’s proposal for scattered site public housing was blocked in city council.<sup>19</sup> Although the Democrats had cemented their control over the city’s power structure, passage of civil rights–related legislation had become more difficult as reform Democrats were outmaneuvered by

“regulars” more attentive to white ethnic voters than to African Americans. When concerns about police practices grew too numerous to ignore by the late 1950s, the city council held hearings but was unable to agree on a legislative remedy.

Civilian review of police actions had not been part of the original set of reform proposals enacted in the early 1950s—attention was focused more on an unfolding police corruption scandal and removing the Republican machine’s holdover appointments to the police department—and the city charter left the police commissioner, who received the recommendations of a Police Trial Board, with the sole authority to discipline police officers. The Trial Board, which consisted of three members of the police department, focused on internal disciplinary issues brought by superior officers, not civilian complaints, and the Philadelphia ACLU found that not a single civilian complaint about police abuse had been upheld by the department’s internal review process. Anger at police raids of numbers writing establishments (illegal lotteries) that often were in people’s homes or in storefront businesses led to city council hearings on police practices in 1957. Concerns about warrantless searches soon expanded to include other forms of abuse of city residents, particularly African Americans. Henry Sawyer, the president of the Philadelphia ACLU who was also a city council member and a key ally of Mayor Dilworth, introduced a bill to establish a civilian review board, but the city council rejected it. Sawyer then approached Mayor Dilworth, who bypassed the council and used his executive authority to establish the Police Review Board in the fall of 1958.<sup>20</sup>

The Police Review Board, as it was initially titled, was charged with investigating complaints brought to it by any party (not necessarily the victim) concerning police abuse, racial or religious discrimination, or a violation of state or constitutional rights. Any member of the five-person board, all of whom were appointed by the mayor, could order an investigation, but before any punitive action could be recommended to the police commissioner, a police officer had a right to a public hearing and legal representation. At least three members had to be present for the hearing, and a majority had to agree on a recommendation.<sup>21</sup>

The review board faced immediate challenges. Since Dilworth established it by executive order, the board confronted significant financial and administrative hurdles. Miffed at the mayor, the city council refused to appropriate money for its support, and the five-member volunteer board had neither subpoena power nor an investigative staff. Although the city council eventually appropriated sufficient funding to hire a part-time executive director and a secretary, the other administrative problems were never addressed, and the board never received any independent legislative authorization, meaning that any future mayor could eliminate it. Its investigations continued to be conducted by members of the police department, and any disciplinary sanctions it proposed were only recommendations to the police commissioner, who had the sole power to implement them.<sup>22</sup>

Despite the obvious weaknesses of the review board, it faced immediate political opposition from the Fraternal Order of Police (FOP), which represented the interests of police rank and file. The FOP, which had argued that there would be a “revolt” in the department if the board were created, filed a court challenge requesting an injunction against the board’s operations, alleging that its creation exceeded the mayor’s authority. The FOP and the city avoided legal confrontation by reaching a face-saving agreement that renamed the board the Police Advisory Board (the city charter stated that the mayor had the power to appoint advisory boards, although that did not prevent two later court challenges from the FOP on similar grounds). According to the agreement, investigations could be requested, but not ordered; an investigation of a police officer’s conduct would be postponed until any criminal charges against him were resolved, and the agreement acknowledged the FOP’s right to represent officers at a hearing, while it retained the somewhat toothless administrative structure of the board.<sup>23</sup>

The national office of the FOP, located in Philadelphia, continued to fulminate about the PAB and proposals to create civilian review boards in other cities. The FOP asked how police could do

their jobs if they “are bound in chains” and argued that the real purpose of review boards was to undermine police forces and sap police morale. Asking who would benefit from the collapse of law and order in the United States, the FOP answered, “there is no question that the boards can serve as spearheads for the Communists.”<sup>24</sup> Despite the overblown rhetoric emanating from the national office, the Philadelphia FOP called a truce with the PAB after the 1960 settlement with the city, only resuming its guerilla warfare against the board in 1964.

The most obvious reason for the Philadelphia FOP’s quiescence, even as the national office continued to agitate, lay in the structure and functioning of the board. The compromise with the city established an official role for the FOP in hearings, and since the FOP would only represent members, it incentivized police officers to join in case charges were ever filed against them.<sup>25</sup> The national FOP’s extreme rhetoric also helped in a backhanded way. By raising the specter of hostile panels predisposed to second guess an officer’s actions, it highlighted the local FOP’s role as sole defender of the ordinary patrolman.

The advisory board also acted very cautiously in this politically fraught atmosphere. The cumulative effect of the FOP lawsuit, the reliance on volunteers to staff hearing panels, the use of police department investigators, the lack of enthusiasm for the board by factions within the Democratic Party, and a general absence of publicity meant the PAB investigated few (thirty-two) complaints in its first year. Thereafter, activity picked up with seventy-five complaints in its second year and 107 in its third.<sup>26</sup> The vast majority of these complaints were settled informally in a meeting with the executive director, where, according to the board, most complainants left satisfied once their concerns had been aired. Other complaints were settled with an apology from the police officer or with an agreement to expunge the record of an unjustified arrest, while in cases where a police action was legitimate, with an explanation of the law to a complainant. The board may have exaggerated its salutary effects upon Philadelphia’s citizenry when it argued that it was a safety valve in police–community relations, but at the conclusion of its fourth year, only twelve complaints advanced as far as a public hearing out of 108 cases closed. Only six of those twelve cases were decided against the police, again suggesting the caution with which the board operated.<sup>27</sup> It is therefore not surprising that Police Commissioner Thomas Gibbons, who initially opposed civilian review, when asked whether or not the board had lowered the morale of the police, stated,

Well, if you talk to some individual officer who has appeared before the Board, then I guess the answer would be that this has a harmful effect, but from my point of view as Commissioner, I think the Board has not only aided me, but has aided the Police Department.<sup>28</sup>

The simple existence of an independent review board seemed to some to make a difference. Philadelphia’s Urban League head Andrew Freeman claimed in 1964 that, since the PAB’s creation, there had been a steady decline in the number of brutality charges lodged against police.<sup>29</sup>

The case records of the PAB provide the basis for a less sanguine conclusion. Even if the vast majority of complaints were settled informally or with the complainant failing to follow up, patterns of police harassment are clearly visible in the records. Police targeted interracial groups for particular attention and initiated questioning in the absence of any complaint or evidence of wrongdoing. This served as a form of boundary maintenance as people who were “out of place” were de facto targets of suspicion. Spencer Coxe, the executive director of the ACLU and one of the five members of the PAB board, commented that even orderly social gatherings taking place in private residences were raided “apparently solely on the grounds that both whites and Negroes were present.” As a result of these incidents, the mayor warned the police department that the interracial nature of a gathering was not grounds for intervention.<sup>30</sup> Nonetheless, harassment continued. An interracial group returning from an amusement park, where scuffles had broken out with white park goers, found themselves harassed and one of their number arrested

when police stormed onto their train upon returning to the city. The board repeatedly requested an end to police stops and interrogations that seemed based only on the interracial background of a group.<sup>31</sup> A few years later, Mercer Tate, an attorney and former chairman of the PAB, supplied an affidavit based on his experience in support of a lawsuit against the Philadelphia Police Department alleging discriminatory treatment of African Americans. Tate cited “the stopping of interracial couples for no reason other than . . . the mixing of races” as an ongoing practice.<sup>32</sup> A white minister driving with a young black woman complained that they were stopped on the grounds of suspected prostitution, something police frequently cited as the reason for questioning interracial couples. The board again requested that the police commissioner issue a directive forbidding police from investigating mixed groups without evidence of a crime.<sup>33</sup> While this might suggest that the board acted effectively, the fact that complaints continued over the lifetime of the PAB indicates that it was better at revealing the contours of dirty work than in preventing it.

Commanding public space and controlling those who moved through it were fundamental parts of a police officer’s job regardless of where he was stationed, but in black neighborhoods, it took on the added significance of reinforcing racial hierarchy. In the city’s working-class row house neighborhoods, where lounging on street corners or sitting on stoops was a common leisure time activity, especially in the heat of the summer, police would tell groups to move on and inquire where they lived. Needless to say, the experiences of being stopped and questioned, of being frisked, and prodded, of feeling under surveillance even on one’s own block or doorstep provoked deep resentment of police and seemed particularly oppressive. One woman, a community activist involved with the public schools, wrote,

In my experience, the police consider black people to be less than human and subject them to special oppressive tactics. These tactics involve daily frisking, questioning and detaining. My children grew up realizing that a part of life was to be constantly stopped by the police without any reason given.

She noted that police behavior had changed over time. When she first moved to the neighborhood, it was white and “the police were nice and respectful.” “But when the color of the area changed, so did the police service. Things have become terrible and the police are always on our backs.”<sup>34</sup>

Car stops compounded the frustration with police. One man, writing in September 1962, said he was stopped and taken to the police station, where he and his car were searched. The search did not yield anything incriminatory and he was released, but he complained that this was the seventh time he had been stopped since June. As Jonathan Rubinstein noted in his 1960s ethnographic study of Philadelphia patrolmen, the police had an “unqualified right” under Pennsylvania law to stop any car on a public street and check the license and registration, and they frequently did so. Usually stops occurred for some minor traffic violation, such as not signaling for a turn or failing to come to a complete stop at a stop sign, or from equipment failure, such as a broken tail light. Car stops and writing tickets generated activity for a police officer, which increased the opportunity for getting noticed by the brass and earning a promotion, and perhaps for making a good arrest if a driver or passenger had an outstanding warrant. Such stops concentrated in “high crime,” usually black, neighborhoods and did not add appreciably to public safety, though they did to the black public’s irritation. In cases where a stop and search revealed nothing illegal, drivers felt violated—targeted for racial reasons—and their frustration could boil over into confrontation, especially if police became abusive as their authority was questioned.<sup>35</sup>

The disrespectful language used by police in such confrontations accounted for about one-third of all complaints.<sup>36</sup> One man was ordered out of his car with “Hey, boy, get out of that car.” When he objected that he was twenty-five and no longer a boy, the officer allegedly said, “You’re not only a boy, but a damn Nigger.” This sort of thing happened sufficiently frequently that the

Reverend (later Representative) William Gray III, when he served as chairman of the PAB, wrote to Mayor James Tate asking for a mayoral directive to the police:

It was emphatically stated by Mr. B . . . that the officer referred to him repeatedly as "boy." While Officer M . . . denied this, it is the Board's feeling that the use of this salutation by Officer M . . . had much to do with the personality clashes which ensued and culminated in Mr. B . . . 's arrest. The Board has received repeated complaints from Negro citizens that they have been addressed as "boy" by officers. We would like to respectfully suggest that you caution the police against such salutation because of historical sensitivity of minority groups to such terms.<sup>37</sup>

Searches of homes, with or without warrants, were a persistent problem, especially when residents in poor communities relied on the informal economy to make a living. While the informal economy operated in white low-income communities as well, the intensive policing of black communities made these activities more visible to police. Moreover, there were numerous complaints that police arrested low-level operators while ignoring the white organized crime members who frequently oversaw illegal enterprise. Writing numbers, selling alcohol after hours, dealing narcotics, making moonshine, and hosting card games in return for a percentage of the pot generated income for people who had little opportunity for legal employment. Raids without actual search warrants raised the issue of corruption, as cash was frequently seized, and those arrested were simply held overnight and never formally charged. One shoe shine shop owner complained that police raided his quarters, which also served as his home, on two different occasions, no doubt suspecting gambling, without a warrant and harassed his customers. Both times he was arrested for running a disorderly house, but the charges were dropped. Another woman complained indignantly that while she played the numbers, she did not write them, and although she was found with slips of paper, the trial magistrate dismissed the charges. Similarly, the owner of a beauty shop complained that police raided her business with a warrant alleging that it was a numbers collection site, but nothing was found and no charges were filed.<sup>38</sup> Arrests of small-time black hustlers while police were alleged to take bribes to ignore major gamblers or drug dealers fueled the sense of injustice that police padded their arrest records with people struggling to get by.<sup>39</sup>

Officers serving arrest or "body" warrants crashed through the doors of people's homes and taking control of the space often involved physically subduing residents.<sup>40</sup> One officer serving a notice for a suspect to appear at police district headquarters encountered resistance from the suspect's mother and fourteen-year-old brother.

As he handed the message to Mrs. B . . . a young boy [who was on crutches for a broken leg] came to the door and began to berate him using profanity. He told the boy to keep quiet but he continued to abuse the officer. In the meantime, a large crowd was congregating around the porch and steps.

The officer attempted to arrest the boy for breach of peace, and apparently knocked him over, but his entry into the house was then blocked by the mother. The officer returned to his car, calling for assistance, and he and fellow officers then charged into the house and

began to beat Ronald with their clubs causing him to fall to the floor. Someone kicked him in the groin. Officer S . . . was on top of Ronald and began to choke him . . . and Ronald finally passed out.

Several officers testified that the boy had used one of his crutches to swing at the officers and that they had simply used force to subdue him and affect his arrest. In this case, the PAB decided that the incident had been initiated by the family's resistance to receiving a summons, that injuries in the melee were insignificant and did not appear to sustain the family's account, and the board concluded that no disciplinary action was necessary.<sup>41</sup>



Brutality charges accounted for nearly half (43%) of all complaints to the board. About two-thirds of all complaints to the board were made by blacks in a city in which they comprised only about one-quarter of the population. But when it came to the use of force, Philadelphia police brutalized both whites and blacks, at least as suggested by the filing of complaints—whites submitted 30 percent of brutality complaints versus 32 percent by blacks—and the training officers received emphasized taking quick, and often physical, command of a situation regardless of the race of an arrestee. Nonetheless, the fact that a disproportionate number of all complainants were black reflected the nature of the dirty work involved in policing minority communities.<sup>42</sup>

If an officer's mere presence was insufficient to command obedience, a physical confrontation frequently followed. The case records make clear that police demanded immediate obedience to their directives, and even asking an officer the basis of a car or pedestrian stop was sometimes sufficient to set off an altercation. The tools of the trade were designed to inflict sufficient pain as to make a prolonged fight unlikely. A policeman used a nightstick to jab the midsection or the ribs, or to rake across the shins and other bones, to break a nose, hand, or an ankle if necessary. He brought out a blackjack from his back pocket for use close to the body to concuss a suspect with a quick sharp blow to the head. Despite the hierarchical command structure and military organization of police forces, a lot had to be left to a patrolman's discretion since commanders had little opportunity for direct supervision. Commanders had to trust their officers and second-guessing was at a minimum. An attack on a police officer was an attack on public order and ultimately on the state's authority, and the officer knew that he could subdue a suspect by any means necessary. If a suspect complained, a patrolman would be supported by his commanders, by the district attorney, and usually by the courts.<sup>43</sup>

Suspects maintained police beat them as part of an arrest (in "alley court"), especially if charges were flimsy and the police thought that the suspect might beat the rap. The worse the beating, generally the more serious and more numerous the charges levied against a suspect. As the PAB noted, "It seemed to be standard police procedure to charge a person with resisting arrest or disorderly conduct wherever the person charges the police with brutality." These charges, known as "cover charges," gave the district attorney leeway for a plea bargain or for negotiating the dropping of charges in return for a complainant not seeking legal redress against an arresting officer.<sup>44</sup> Jonathan Rubinstein recounted the capture of a child molester who was held in custody at the station house: "Any squad member who wished was allowed to beat the suspect from the ankles to the armpits with his stick. Men came off the street to participate in the beating and then returned to patrol." Curbstone justice was swift while the criminal justice system was slow, and police saw themselves as enforcers of moral as well as racial order.<sup>45</sup>

The PAB was as reluctant as other arms of the criminal justice system to second guess police in the use of force. In one instance, where a mother lodged a complaint that her son had been arrested for throwing rocks and was then beaten with a nightstick and required hospital treatment, the board concluded there was "insufficient evidence" of wrongdoing. "There is an obvious conflict in the testimony between M . . . , who was supported and corroborated by his mother, and Q . . . , who was supported and corroborated by his fellow officers." The charges against the officer were not supported by the independent evidence "necessary to take action which might adversely affect a police officer's entire career." Police covered for one another, and in view of conflicting testimony and the murky line between necessary and excessive force, the PAB gave the police the benefit of the doubt.<sup>46</sup>

The PAB's record of hearing citizens' complaints and reprimanding officers for abuses of power was disappointing at best. Fairly or not, community critics came to perceive the PAB as being pro-police because of the small number of complaints that it found justified.<sup>47</sup> Out of 932 cases brought in its nine years of operation, the PAB recommended that twenty officers be suspended, thirty reprimanded, and one fired.<sup>48</sup> Despite this seemingly anemic record, civil rights liberals, like the Urban League's Andrew Freeman, lauded the PAB, which was also defended by

coalitions of African American ministers, the Fellowship Commission, and the *Philadelphia Tribune*, the city's African American newspaper.<sup>49</sup> The board retained support from moderates, who saw no contradiction between civil rights and law and order, but who wanted better police service and hoped the PAB might help deliver it.<sup>50</sup> Supporters acknowledged the PAB's limitations—most of which were structural ones, stemming from its origins in an executive order, or political ones, deriving from the board's awareness of its tenuous public support—but continued to see it as an answer to police abuse and a way of relieving community tension.

The view from the streets was different. The PAB had not been able to stop police abuses, few policemen had been punished, and activists began to discourage people from reporting incidents in what seemed like a futile enterprise. Increasingly radical activists attacked both police and moderate civil rights leaders, and to the degree that their voices reflected a broader shift in black popular opinion, the work of institutions like the PAB became untenable. Civilian review was a decidedly moderate response to police abuse, one that held that the problem was an individual one, fixable through reprimands and suspensions of officers that deterred other police from committing similar offenses, and preventable by adding community relations courses to police academy training. It did not confront the essential task of policing, the unacknowledged dirty work needed to control a subjugated population, which was systemic and institutional, not individual.<sup>51</sup> The violence directed against police during the 1964 disturbance indicates that the PAB's role as a "safety valve" was exaggerated, an optimistic fantasy promoted by the city's moderate civil rights leadership. And as the PAB lost support on the left, it came under increasing attack from the right.

The PAB's death throes began with the 1964 Columbia Avenue riot, which initiated a rising crescendo of conservative critiques. Police argued that they had been handcuffed by fear of brutality charges, a claim later echoed by the Federal Bureau of Investigation's J. Edgar Hoover, who also called review boards "sidewalk kangaroo courts."<sup>52</sup> John Harrington, who twice ran unsuccessfully for election as president of the local FOP before discovering the PAB issue, castigated the FOP's leadership for their lack of aggressiveness in opposing the board. He blamed the board for declining respect for law and order, declaring, "Minority groups don't fear arrest. They spit and curse officers and refuse to obey laws because they know policemen can't arrest them"<sup>53</sup> Harrington also used the PAB's caution against it, saying twenty-three reprimands and three temporary suspensions of police officers since 1958 proved that police were doing their jobs and the board was not needed.<sup>54</sup> The city's mainstream newspapers in their coverage of the riot stressed that the police had stood down, afraid to intervene, which was now blamed on the PAB, and provided fodder for its critics.<sup>55</sup> When discussing the Columbia Avenue disorder, Harrington claimed (erroneously) that ten square miles of the city had been destroyed by rioters, and he argued that "police . . . were trained in the use of night sticks and blackjacks but were afraid to use them." Harrington claimed that only after hearing from Mayor Tate that no one would be taken before the PAB for manhandling a rioter, which he conveyed to the rank and file, was the riot extinguished "in four hours." Harrington used his charges against civilian review boards to vault into the leadership of both the local and the national FOP and to convince white voters that police were afraid to do the dirty work necessary to maintain public order.<sup>56</sup>

That virtually all of this was fantasy did not matter—as Spencer Coxe of the PAB pointed out in a letter to the *Philadelphia Inquirer*, the city's second largest daily, ten square miles would have added up to 1,200 blocks, when "actually, the stores that were severely damaged, along perhaps two miles of streets could probably be fitted into a few city blocks." That Philadelphia suffered few casualties and less damage than other cities did not seem to matter in countering conservative demagoguery.<sup>57</sup>

The FOP's battle against the advisory board was overshadowed by the tumultuous debate over the creation of a civilian review board in New York City, which drew national attention. Conservative demagoguery reached its crescendo in New York City, where the John Birch

Society worked with the Police Benevolent Association (New York's version of the FOP) to organize demonstrations against civilian review and in support of police outside of City Hall. Two separate efforts to pass legislation in city council failed, but John Lindsay made civilian review of police part of his election campaign, and when he took office as mayor in 1966, the campaign for civilian review resurged. Lindsay proposed adding four civilians to an existing three-person police department review board, a compromise position, and hired Philadelphia's Howard Leary to reform the New York Police Department (NYPD). The Patrolmen's Benevolent Association (PBA), with the help of the Conservative Party and community groups, collected 100,000 signatures to force a referendum, and then ran a grassroots campaign against civilian review funded by national conservative organizations. Despite support from New York's liberal icons—Republican Senator Jacob Javits and Democratic Senator Robert Kennedy headed a pro-review board coalition—the civilian review board was rejected by a crushing margin. In this bastion of liberalism, 63 percent out of a near record two million votes were cast against it.<sup>58</sup>

The PBA and conservative politicians played on fear of crime and disorder and used thinly veiled racial appeals to stir the electorate. Economic decline, structural shifts in the job market, the social dislocation caused by urban renewal projects, and racism all played a role in the way voters responded to the referendum. But so did New York City's rising crime rate: the annual number of murders increased steadily from 390 in 1960 to 631 in 1965, a 61 percent jump. Murder, like other crime, was spatialized and racialized, concentrating in specific police precincts that covered low-income black neighborhoods, but fear of crime was widespread. The increase in murders in the nation's largest cities—Los Angeles (62%), Chicago (8%), Philadelphia (37%), and Detroit (25%)—was significant in the same five-year period.<sup>59</sup> Such startling increases over a short period of time fed anxiety about crime more generally. In this context, one did not have to be a racist to fear a proposal that allegedly “handcuffed” police, and opponents of civilian review exploited that fear adroitly.

The FOP's Harrington, sensing an opportunity after the Columbia Avenue disturbance and the political turmoil around civilian review in New York, initiated a new court challenge to the advisory board in 1965. The FOP argued that the PAB's creation was not authorized by the city charter, a matter that had been left unsettled after the out-of-court compromise between the FOP and the city in 1960. The FOP now sought an injunction to keep the board from holding hearings, which was granted in September 1965. Meanwhile, following the departure of the executive director, Mayor Tate failed to make a new appointment for the first six months of 1965—reflecting his ambivalence about civilian review in the wake of the 1964 disturbance. And once a new director was appointed, the police department informed him that its officers were too busy handling civil rights demonstrations to be able to serve as investigators in abuse cases. Although the injunction against the PAB was lifted in the spring of 1966, nearly fifteen months of limited activity took its toll. Complaints had accumulated with no professional staff to review them, no police to investigate them, and no hearing panels to decide them. Although the board resumed its work, the delays added to doubts within the city's already skeptical working-class black community about the PAB's effectiveness and willingness to confront police abuse. Then all the stonewalling paid off the following year, when Court of Common Pleas Judge Leo Weinrott decided in favor of the FOP and ordered the PAB disbanded in March 1967, declaring that Mayor Dilworth had in fact exceeded his authority in creating the board.<sup>60</sup>

Mayor James Tate, an Irish Catholic machine Democrat who lacked the reforming zeal of the Clark-Dilworth liberal coalition, did not mourn the court's decision. While the PAB's supporters urged the mayor to appeal, Tate dawdled, reflecting his reading of the political winds. With mayoral elections on the horizon, doing nothing probably seemed like the best option. Tate did not want to jeopardize his standing with moderate black leaders by declaring the board dead, or with the FOP and its white supporters by initiating an appeal. Only the threat by individual members

of the board to hire their own lawyers to defend what was in fact a city agency finally forced Tate's hand.<sup>61</sup>

Tate had decided to marry his political fortunes to Frank Rizzo, appointing Rizzo as acting police commissioner shortly after the Democratic primary in 1967, knowing that it would cement his standing among crime-fearing white voters before the general election. Frank Rizzo, like most police officers, was a constant critic of the PAB, and he took his cue from the FOP's Harrington, arguing that the board's inability to find patterns of abuse or even very many individual cases proved that the board was unnecessary. As commissioner, Rizzo declared categorically, "police abuse absolutely does not exist in Philadelphia." In only "one instance were any policemen convicted in a court of law," and he called evidence of police abuse a media fabrication.<sup>62</sup> Although the city's appeal of Judge Weinrott's decision to disband the PAB wended its way through the higher courts for two more years, the end of the board was in sight.

The PAB, however, refused to go quickly or quietly. The city finally "won" its court case in June 1969, when the Pennsylvania Supreme Court reversed the lower court. The PAB issued a press release that it was being reconstituted, but then nothing happened. Regardless of the court decision upholding the PAB's legitimacy, no one could force the mayor to make it operational. Tate signaled his intentions, declaring, "Commissioner Rizzo does not want . . . [the PAB], and if Commissioner Rizzo does not want it, I do not want it."<sup>63</sup> Hoping that he could kill the board without fanfare, Tate left it in limbo, still in existence, but with the office furniture removed, the office space reassigned to another agency, and the secretary posted to another job, all without notification to the board. The chairman, Mercer Tate (no relation to the mayor), wrote the mayor a public letter saying, "Your actions now make it apparent that you have irrevocably decided to prohibit any independent review of police activities."<sup>64</sup>

If Chairman Tate was gambling that he could embarrass the mayor into reassembling the PAB, he was wrong. Since the PAB still existed, albeit as a shadow of its former self, Tate announced it would hold its first public hearing in two years. While there were any number of cases Tate might have picked, he chose to review the killing of Isaiah McFadden Davis, which had occurred on New Year's Day, 1966, nearly four years earlier. Davis's killing by an off-duty police officer was particularly egregious. No issue was more readily guaranteed to create controversy, which seemed to be Tate's intent. He declared, "I expect that after our first hearing that Rizzo will explode and that Mayor Tate might even dissolve the board," adding, "I have been expecting a phone call from him all week . . . telling me that he was doing that."<sup>65</sup>

In the absence of city office space, the hearing was scheduled for the White Hope Baptist Church and seemed more like a community meeting than an official hearing. Commissioner Rizzo ordered his police not to cooperate with the panel, but the board had several eyewitnesses willing to appear as well as a record of the Medical Examiner's inquest into Davis's death, at which the two officers involved in the shooting, John J. Boyd and John Thomas Jr., had testified. In an act of political theater, as witnesses appeared, Tate repeatedly asked if anyone was there from the police department who wished to cross-examine, but as he expected, "no one identified himself as a policeman."<sup>66</sup>

The Medical Examiner's record provided the most complete testimony about the shooting, at least from the police's perspective. Boyd and Thomas had been at a New Year's Eve party when someone told Boyd that his car had been stolen and was seen careening down the street. The officers, both in plain clothes, decided to drive around the neighborhood looking for the car, which they spotted parked on a nearby street, with the ignition torn out. Since the hood was still warm and an overcoat was in the back seat, they figured the car thieves would be nearby, so they disabled the starter and decided to lie in wait for their return.

Nineteen-year-old Isaiah Davis and fifteen-year-old William Rainey got in the car and attempted to start it. Officer Thomas pulled his car up and blocked the passenger side door, while Boyd jumped out and ran to the driver. Thomas said Boyd had his badge out and identified

himself as a police officer and he did the same. "By the time I got around the opposite side, Officer Boyd had the door open and was scuffling." Neither youth would get out of the car, and Thomas recalled,

Finally I started pulling him [Rainey] out of the car. He kept on swinging. After I got him outside the car, he was swinging and kicking; so, I had the revolver in my hand. I hit him on the head a couple times.

After getting Rainey "quieted down," he turned and saw Davis backed up against a wall with a knife in his hand facing Boyd; Rainey took the opportunity to slip his grasp and run away, and while Thomas went in chase, he heard a shot fired, turned, and saw Davis lying on the pavement.

Officer Boyd amplified on Thomas's account, and said the shooting was an accident. After repeatedly telling Davis that he was under arrest and that he should stop fighting, Boyd claimed Davis pulled a knife and slashed at him. Boyd hit him several times with the revolver.

So, he jerked loose, and he grabbed this milk crate and came back with the milk crate and hit me. I leaned back and kicked. When I kicked, I fell back . . . [and] my arm hit the pole. That's all the pressure was needed to set it [the revolver] off because I had a tight grip on it.

Other officers, who arrived at the scene, recalled seeing Davis lying in a pool of blood; no one recalled seeing a knife at the scene, though one was produced later by the police, and William Rainey, the surviving youth, allegedly identified the knife to police as one taken from his mother's kitchen.

Rainey's version of the incident was different. Rainey said, "We went to get out of the car but before we could one man grabbed Davis and the other grabbed me. They start beating up on our heads with pistols." Rainey eluded Thomas's grasp and ran up the street to his grandmother's house: "Thomas stopped chasing me and I heard a shot." He admitted that Davis had a screwdriver with him so he could pop the ignition on a car, but he denied that either of them had knives, and he stated that he had never seen the knife that police produced. Mrs. Rainey also stated emphatically, "I never saw that knife before." When confronted with his statement to police in which he identified the knife, Rainey said, "I told him I had a knife like it at home, but I didn't say it was the knife." An eye witness, Lydia Coppedge, largely corroborated Rainey's testimony, though she was watching Thomas chase Rainey and did not see the actual shooting.<sup>67</sup>

Despite the Medical Examiner's conclusion that Davis died as a result of a homicide, that the concentration of blows on Davis's skull, which made him nearly unrecognizable, contradicted Boyd's account of a free-swinging melee, and that the force needed to pull the trigger on Boyd's service revolver was greater than an accidental jarring of his arm could cause, the Grand Jury declined to indict Boyd, and the case was closed.

The PAB had no legal standing to reopen a nearly four-year-old murder case. The board could only hear evidence, partial as it was, and hope to expose the abusive practices that were the essence of dirty work. Tate concluded the hearing, saying the board would review the testimony and the Medical Examiner's records, and decide whether or not the case qualified as one of police abuse. But before any conclusions could be drawn, Mayor Tate dissolved the PAB.<sup>68</sup> Police Commissioner Rizzo called the decision a Christmas present to the police.

The PAB was a quintessential expression of interracial liberalism and the faith that there were governmental solutions to difficult social problems. The liberal coalition of patrician reformers, business elites, working-class whites, and African Americans that had swept the corrupt Republican machine out of power combined disparate class and racial interests and was inherently unstable. By the late 1950s, even as the review board was being created, ties among the groups began to unravel. The board's structural weaknesses were a legacy of these divisions,

which led the city council to reject civilian review, and forced the board to rely solely on the mayor's executive power. This hampered the board's operations from its start. The PAB lost support among African Americans for its tepid handling of police abuse accusations, and then, while the police did everything in their power to stymie the board, it succumbed to fears among whites that even a modest attempt to confront abuses by officers shackled the police and prevented them from defending public order. The 1964 disturbance on Columbia Avenue crystallized these conflicting views and signaled the failure of the PAB as a solution to community-police relations, even as civilian review was being proposed for other cities.

More importantly, civilian review could not solve the problem it was created to confront. Even with the more aggressive stance taken in its final year, the PAB never moved beyond its position that police abuse of minority citizens was the product of individual officers rather than evidence of institutional and systemic racism. The board retained a case-by-case approach, and it relied on both the goodwill of complainants to place their faith in a fact-finding, legalistic response to police abuse, and the educability of individual police officers. Ultimately, neither assumption proved correct. Many African Americans, as evidenced by the 1964 riot, had lost faith in liberal solutions to police abuse, while the police resisted any effort to subject their work to public scrutiny, and rallied the white public behind them. The disbanding of the PAB meant civilian review of police was a dead issue in Philadelphia for another twenty-five years.<sup>69</sup>

While whites did suffer from police abuse—as the records of the PAB attest—it is also clear that much of the white public supported the police in enacting curbstome justice. There was no referendum per se on civilian review in Philadelphia, but Frank Rizzo, running for mayor as “America's toughest cop,” won two elections with overwhelming white support and barely campaigning in black neighborhoods.<sup>70</sup> A majority of white voters supported both Rizzo and the dirty work necessary to maintain the city's racial order.

Can civilian review of police actions improve police-minority community relations? In the fifty years since the debates over civilian review boards first roiled American politics, police have become more militarized and the war on drugs has further poisoned the relationship between police and minority communities.<sup>71</sup> Patterns of discriminatory policing, physical abuse, and violations of constitutional rights, according to Department of Justice investigations, remain commonplace in many police departments and in other sectors of the criminal justice system.<sup>72</sup> Even as police forces have become more diverse in terms of gender and race, aggressive policing remains the all-too-frequent first response to reports of crime or disorder. Scholars have noted that better training, more accountability, greater transparency, and the widespread acceptance of citizen and independent auditor reviews of citizen complaints have characterized most big-city police departments since the 1990s.<sup>73</sup> But, as recent events make clear, a strong current of dirty work continues to characterize the ways in which police interact with minority communities. If James Baldwin was right, and the only way to police a ghetto is to be oppressive, the limited possibilities of police reform are obvious.

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## Notes

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2. *Philadelphia Tribune*, September 1, 1964; *Chicago Tribune*, August 30, 1964.
3. Cheryl Lynn Greenberg, "*Or Does It Explode?*": *Black Harlem in the Great Depression* (New York, 1991).
4. G. Gordon Brown, *Law Administration and Negro-White Relations in Philadelphia: A Study in Race Relations* (Philadelphia, 1947), 100-22. For the composition of Philadelphia Police Department and the survey of attitudes, see Harlan Hahn and Judson L. Jeffries, *Urban America and Its Police: From the Postcolonial Era to the Turbulent 1960s* (Boulder, 2003), 126; Karl E. Johnson, "Police-Black Community Relations in Postwar Philadelphia: Race and Criminalization in Urban Social Spaces, 1945-1960," *Journal of African American History* 89, no. 2 (Spring, 2004): 118-34; *Philadelphia Tribune*, June 7, 1960; Matthew J. Countryman, *Up South: Civil Rights and Black Power in Philadelphia* (Philadelphia, 2006), 154-55.
5. Participants are quoted in the *Philadelphia Tribune*, September 1, 1964.
6. *Philadelphia Tribune*, September 1, 1964; Lenora E. Berson, "Case Study of a Riot: The Philadelphia Story," Institute of Human Relations Press, Pamphlet No. 7 (New York, 1966), 15-20; Countryman, *Up South*, 155-57. On characterizations of the crowd as young and lower class, see Nicole Maurantonio, "Standing By: Police Paralysis, Race, and the 1964 Philadelphia Riot," *Journalism History* 38, no. 2 (Summer 2012): 110-21. This was also a trope used by more middle-class blacks to distance themselves from the looters.
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10. Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City* (Cambridge, 2003); Moore, *Black Rage in New Orleans*, 55-57, 126-28; Watson, *Race and the Houston Police Department*, 127; Report of the National Advisory Commission on Civil Disorders (New York, 1968), 310-11.
11. With the exception of a few references in Countryman, *Up South*, Maurantonio, "Standing By," and Timothy J. Lombardo, *Blue-Collar Conservatism: Frank Rizzo's Philadelphia and the Politics of the Urban Crisis* (University of Pennsylvania Press, forthcoming), the Police Advisory Board (PAB) has been ignored by historians. Samuel Walker has a brief account in *Police Accountability: The Role of Citizen Oversight* (Belmont, CA, 2001), 23-5. For the New York City Review Board, see Michael W. Flamm, "'Law and Order' at Large: The New York Civilian Review Board Referendum of 1966 and the Crisis of Liberalism," *Historian* 64, no. 3-4 (2002): 643-65 and Marilyn S. Johnson, *Street Justice: A History of Police Violence in New York City* (Boston, 2003), chap. 7. For the background of the Philadelphia Board, see A. Alexander Morisey Jr., "The Philadelphia Police Advisory Board" (Master's thesis, University of Pennsylvania, 1963), 10-12; Spencer Coxe, "Police Advisory Board: The Philadelphia Story," *Connecticut Bar Journal* 35 (1961): 138-55. Coxe was the executive director of the Philadelphia ACLU (American Civil Liberties Union), where he began in 1952.
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13. The PAB records, cited below, are in the Mercer Tate Papers at the Temple University Urban Archives (TUUA). The record of complaints and resolutions is incomplete, but when supplemented by letters, memoranda, newspaper clippings, and so on, they give a reasonably full picture both of the operations of the PAB and the nature of the complaints received. While there is a risk in extrapolating from these complaints to a broader argument about police-community relations—the board collected complaints about police, not encomiums—the sources together fit with both historical and contemporary analyses of policing in inner city communities.
  14. Lee Rainwater, "Revolt of the Dirty Workers," *Society* 5, no. 1 (November, 1967), 2. Rainwater borrowed the term from Everett C. Hughes, "Good People and Dirty Work," *Social Problems* 10, no. 1 (1962-1963): 3-11 and applied it to a U.S. context.
  15. Johnson, *Street Justice*, passim; Johnson, "Police-Black Community Relations," 123-27; Balto, "Occupied Territory," 234-36. On the influence of the racial composition of neighborhoods on policing, see Douglas A. Smith, "The Neighborhood Context of Police Behavior," *Communities and Crime*, ed. Albert J. Reiss and Michael Tonry (Chicago, 1986), 313-42. On the geographic concentration of crime, see Eric Schneider, *Smack: Heroin and the American City* (Philadelphia, 2008), 116-21.
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  17. See Arthur Niederhoffer, *Behind the Shield: Police in Urban Society* (Garden City, NY, 1969) for ethnic composition of police and Lombardo, *Blue-Collar Conservatism*, chap. 1, on the link between police and white ethnic neighborhoods.
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  21. Bray, "Philadelphia's Police Advisory Board," 658.
  22. Letter from Mercer Tate to Maurice Fagan, Fellowship Commission, July 31, 1969, PAB, box 1, TUUA. The names of complainants and police officers are indicated using the first initial of the last name and ellipses (unless they are part of the public record) and I have not used file names since they frequently contain the names of complainants, as per agreement with TUUA.



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27. Bray, "Philadelphia's Police Advisory Board," 661; Coxe, "The Philadelphia Police Advisory Board," 180-81.
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32. Affidavit from Mercer Tate, Alexander, et al., v. Rizzo et al., PAB, box 3.
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34. Affidavit from DW, Alexander, et al., v. Rizzo et al., PAB, box 3; Joseph D. Lohman and Gordon Misner, *The Police and the Community: The Dynamics of Their Relationship in a Changing Society* (Washington, D.C., 1966), 121-29; Werthman and Piliavin, "Gang Members and the Police," 56-7.
35. Correspondence, Chairman, February-June, 1963, case 314, PAB, box 1; Rubinstein, *City Police*, 249; Hahn and Jeffries, *Urban America and Its Police*, chap. 2; James R. Hudson, "Police-Citizen Encounters that Lead to Citizen Complaints," *Social Problems* 18, no. 2 (Autumn 1970): 179-93; for a spatial argument on the location of drug markets, see Schneider, *Smack*, and on vice, see Sacks, "To Show Who Was In Charge," 811-13.
36. Letter from Mercer Tate to Mayor James Tate, May 29, 1967, Correspondence, Chairman, 1967, PAB, box 1.
37. Correspondence, Chairman, February-June, 1963, case 317, PAB, box 1; Letter from William Gray to Mayor James Tate, July 15, 1964, PAB, box 1.
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40. For a contemporary account of police practice in serving warrants in Philadelphia, see Alice Goffman, *On the Run: Fugitive Life in an American City* (Chicago, 2014).
41. Opinion, Complaint of Ronald R and Maxine R against Policemen B and S, PAB, box 3.
42. Letter from Mercer Tate to Mayor James Tate, May 29, 1967, PAB, box 1; Hudson, "Civilian Review Board Issue," 22. On the commonplace nature of these complaints in black communities, see Hahn and Jeffries, *Urban America and Its Police*, 111-16.
43. Rubinstein, *City Police*, chap. 7; Hahn and Jeffries, *Urban America and Its Police*, chap. 3; Fogelson, *Violence as Protest*, 55-60; Lohman and Misner, *The Police and the Community*, 121-29, 142-53; David Kairys, *Philadelphia Freedom: Memoir of a Civil Rights Lawyer* (Ann Arbor, 2008), 146-51, 155-61. The case files in box 3 of the PAB records are full of reports of incidents, mostly car stops, escalating into physical confrontations even when complainants did not offer any initial physical resistance to interrogation.
44. PAB, Annual Report, 1959, 5; Johnson, *Street Justice*, 252-53; United States Commission on Civil Rights, *Police Practices and Civil Rights: Hearings Held in Philadelphia, Pennsylvania, February 6, 1979; April 16-17, 1979* (Washington, D.C., 1979), 47.
45. Rubinstein, *City Police*, 183; Johnson, *Street Justice*, 243-44; Christopher Lowen Agee, *The Streets of San Francisco: Policing and the Creation of a Cosmopolitan Liberal Politics, 1950-1972* (Chicago, 2014); Hahn and Jeffries, *Urban America and Its Police*, 88-92.

46. Opinion, Complaint of Mrs. Marie R and George M against Sgt. Donald C, Policeman John Q, and Policeman Peter E, PAB, box 1. See also Letter from William Gray to Mayor James Tate, June 16, 1964, PAB, box 1.
47. *New York Times*, July 24, 1964, in which the Congress of Racial Equality (CORE) called the PAB useless.
48. PAB, Annual Report, 1966, Appendix D; Countryman, *Up South*, 283-84; Lohman and Misner, *Police and the Community*, 213-23.
49. *Philadelphia Tribune*, August 8, 1964, on Andrew Freeman; "Why Do Police Fear Advisory Board," *Philadelphia Tribune*, October 1, 1966; "Can Police Really Police Policemen?," *Philadelphia Tribune*, April 4, 1967; *Philadelphia Tribune*, April 29, 1967.
50. See Michael Javen Fortner, *The Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* (Cambridge, 2015); Chronopoulos, "Police Misconduct, Community Opposition, and Urban Governance," 12; Moore, *Black Rage in New Orleans*, 4, on support for police especially by middle-class blacks.
51. Countryman, *Up South*, 149-52; Sugrue, *Sweet Land of Liberty*, 320-22; Balto, "Occupied Territory."
52. Halpern, "Police Employee Organizations," quotes Hoover on page 568.
53. *Philadelphia Bulletin*, September 7, 1965, Newspaper clippings, 1959-69, PAB, box 2.
54. John Harrington, WCAU editorial, September 28, 1965, Newspaper clippings, 1959-69, PAB, box 2.
55. Maurantonio, "Standing By," 114-15.
56. *Philadelphia Bulletin*, September 7, 1965; *Philadelphia Inquirer*, October 19, 1966; Newspaper clippings, 1959-65, PAB, box 2; Halpern, "Police Employee Organizations," 563-64; Coxe, "Philadelphia Police Advisory Board," 183; Countryman, *Up South*, 162-64.
57. Letter from Spence Coxe to the *Philadelphia Inquirer*, November 2, 1966, Correspondence, Chairman, 1966, PAB, box 1.
58. Johnson, *Street Justice*, chap. 7; Flamm, "'Law and Order' at Large," 652-61. Fortner shows that opposition to the board among whites varied by religion and class and rejects the notion of a uniform white backlash. See Fortner, *The Black Silent Majority*, 227-28.
59. These are my calculations based on the Federal Bureau of Investigation Uniform Crime Reports. Crime statistics are a better measure of police activity than they are crime and have been justly criticized for overemphasizing and reinforcing notions of black criminality. See Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge, 2010) and Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge, 2016). However, a murder produces an artifact that has to be accounted for, and while there may be some misclassifications and errors, the murder rate is a solid measure of the most lethal form of violence. It is significant that the nation's largest cities show an increase in murder starting around 1960, which belies the argument that crime rates did not rise in the early 1960s. On the latter, see Hinton, *From the War on Poverty to the War on Crime*, and Heather Ann Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *Journal of American History* 97 (December 2010): 703-34. My sample of murders in Philadelphia shows significant geographic concentration of homicides in three black neighborhoods for the 1940s-1960s. See Marvin Wolfgang, *Patterns in Criminal Homicide* (Philadelphia, 1958), 32-33, who found that for 1948 to 1952, a period of low homicide rates nationally, the homicide rate in Philadelphia for whites was 1.9 per 100,000 versus 22.5 per 100,000 for blacks.
60. *Philadelphia Bulletin*, January 11, 1966; Letter from Mercer Tate to Mayor James Tate, Ninth Annual Report, 1967, PAB, box 1; Fellowship Commission, Committee on Community Tensions, Minutes, January 7, 1966, PAB, box 2.
61. *Philadelphia Bulletin*, July 24, 1968; Lombardo, *Blue-Collar Conservatism*, chap. 2 has a more sympathetic view of Tate.
62. United States Commission on Civil Rights, *Police Practices*, 245.
63. *Philadelphia Tribune*, July 12, 1969.
64. Reinstatement of the PAB, Press Release, July 2, 1969; Letter from Mercer Tate to Mayor James Tate, September 4, 1969; Correspondence, chairman, 1969, PAB, box 1; *Philadelphia Tribune*, September 13, 1969.
65. *Philadelphia Tribune*, December 13, 1969.

66. *Philadelphia Tribune*, December 23, 1969.
67. Hearing of the [Medical] Examiner, 1966, PAB, box 2.
68. *Philadelphia Tribune*, December 23, 1969.
69. The Police Advisory Commission was established in 1993 by Mayor Edward Rendell.
70. Paolantonio, Frank Rizzo; Daughen and Binzen, *The Cop Who Would Be King*; Lombardo, *Blue-Collar Conservatism*, chap. 5.
71. Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York, 2010).
72. <https://www.justice.gov/crt/special-litigation-section-cases-and-matters0#police>.
73. Walker, *Police Accountability*, 6; Joe Domanick, *Blue: The LAPD and the Battle to Reform American Policing* (New York, 2015). In Philadelphia, the FOP has resisted the Police Advisory Commission with the same vigor that it resisted the PAB, and critiques of the commission that it fails to protect citizens from police brutality are similar to criticism of the PAB. See Human Rights Watch, *Shielded from Justice: Police Brutality and Accountability in the United States* (1998), <https://www.hrw.org/legacy/reports98/police/uspo110.htm>; Michael Coard, "Can Citizens Keep Philly Cops in Line?" *Philadelphia Magazine* (February 17, 2012), <http://www.phillymag.com/news/2012/02/17/police-advisory-commission-perfunctory-condemnable/>.

### Author Biographies

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