

# ADDRESS BY LOS ANGELES POLICE CHIEF EDWARD M. DAVIS TO THE ASAC

I'm going to talk about crime and the control of crime and wind up saying something about guns at the tail end. Now there are all kinds of so-called experts in this crime field. Every so-and-so and his brother, who gets into political office at least, can tell you immediately how to control crime. And most of them are very dangerous quacks and this country is listening to a bunch of dangerous quacks on crime.

Now, let me give you my qualifications, as John did. I'm an honors graduate of the School of Public Administration at USC. I've taught there as a professor and at the University of California at Los Angeles for a period of 18 years prior to my becoming Chief, while I was a law enforcement officer working my way up through the ranks from a street cop walking the tough Main Street beats on up into this office, which I've held now for about six years. I've got some 35 years of experience in this profession. In September, I'll become the 1st Vice President of the International Association of Chiefs of Police. So I think I have the credentials needed for my profession.

I think the real test of the pudding is in the eating. In other words, what can a police chief deliver? You hire him to keep crime down. The reason they got old Matt Dillon was to cut down on crime in Dodge City. If he had run off at the mouth about gun control and homosexuals and allowing pornography and a bunch of other stuff, you wouldn't have thought he was a great Marshal of Dodge City. He sort of cleaned it up and made it safe. So let's take a look at my record as Chief of Police. Let's take five full years; 1970, '71, '72, '73, '74. In that five years, crime in the United States went up 26%. Crime in the five largest cities went up 22.8%. Then you look at the record for Los Angeles and it went down 3.5%. So in my city we have a 1969 level of crime. There is no other city in the country that has this kind of a record, and particularly no major city with this kind of record. And so I can say to the critics that I have delivered. If I'm a doctor of crime, my patient is well—the rest of them are dying.

You'll hear a lot of chiefs talking for gun control, talking for homosexuality, pornography and a lot of other things, and all I can say is look at their records. Pat Murphy, the former Commissioner in New York, gave a big speech in Washington the other day and he said we have to stop rounding up prostitutes, and we have to stop doing this to homosexuals, and we have to put in gun control,



and we have to do this and that, and most departments are poorly administered. The city of New York went to hell under him.

Now, take a look at what we've had to work with in Los Angeles—we're the third largest city in the nation, but we're only one and a half percent of the population of the United States. Most of America is outside the big cities where you hear these loud voices. When we look at police officers per thousand population in Washington, D.C., where Jerry Wilson, who talks hard for gun control, comes from, there are six policemen per thousand population—not counting the Park Police or the Capitol Police. If you add all those personnel together, it would come out to about ten policemen per thousand. New York City, where Pat Murphy comes from, has four police officers per thousand. Los Angeles has 2.4 per thousand, almost half of what New York has and about a third of what Washington, D.C., has. And so, we've done our job with a helluva lot less burden on the taxpayers. We have the lowest per capita expenditure on police of any of the major cities. Sometimes you get ripped off by building in an army of policemen so some chief can tell you that he's got a bunch of women and he's got a bunch of this kind of people and a bunch of that kind of people and a bunch of the other kind of people. Well, you don't bring safety to the public that way. I'd like to ask you whether you would have felt safe walking the streets of New York or Washington, D.C., when these fellows were in office. Even today when I go to those other cities, they advise me not to go across the street from the hotel to buy a newspaper at night. These cities have fine policemen, but it takes years to reverse crime trends.

Now, our success wasn't accidental. Let's take a look at some of the factors. We've applied science and technology as much as possible in computer systems and in other scientific and technological

devices about as good as anyone. But that really doesn't cut crime, because crime is a people sort of thing. Another thing we've done, we have kept a high quality of manpower. We have kept our standards and we don't have any immoral people in our police department. If they become immoral, we get rid of them. Another thing we have is leadership by principle and by objective. My men know exactly what they're in business for and they know the principles by which they're supposed to achieve those objectives.

We have another thing that's vital to a police agency, because policemen can't do the job by themselves unless they have a high degree of public cooperation. So we put in a thing about five and a half years ago that my wife and I thought up. When I was about to make Chief, she said, "How are you going to do it?" and I said, "I don't know." So we sat down in our den, during the few days that I had taken off to think about taking the exam, and we came up with a plan that would confine the policemen to pretty small districts. We were going to have them meet with the people as frequently as possible, wherever the district happened to be, the middle of Watts, the middle of the Mexican barrio, in the Jewish Westside, or the Valley area—wherever it happened to be. The police were going to learn about those people, the people were going to learn about the police. We were going to try to develop a high degree of public cooperation. When this plan started, we began with meetings in school houses once a month, and the men finally said, "Look, let us go into the peoples' homes, and if there's a burglary threat we'll sit there and we'll talk to them about how to fortify their homes and what they have to do if they're attacked and what to do to prevent being attacked and how to help one another from being ripped off." And last year, my men met with about 500,000 people; about 170,000 of those people met us in their living rooms with their neighbors. One policeman or two policemen and maybe 20 or 30 neighbors coming in.

Another thing that we have done which is very vital to safety is getting the cooperation of the rest of the criminal justice system. I blasted judges for a couple of years, then I called them in with the District Attorney and the City Attorney and the Sheriff and the probation people and the correctional people and we set up a criminal justice discussion group that's into its fourth year. We can take our hair down, sit around the table and talk about—not about any pending case—but about the necessity for everyone getting into the act. You can have the best damn police force in the world and if the prosecutor won't file anything, you get nowhere; and if the judges give the store away, you'll get nowhere; and if when you put them in prison and they put them out on three-day passes so they can murder and rape and pillage, you'll get nowhere. All of those things were going on, and while our judges are a long ways from

perfect, they're doing a lot better job now than they were before we started talking to them.

We recently put in a thing called Team Policing, where we totally reorganized the Department. We have 65 teams, each with a Lieutenant in charge. He has the detectives, the uniform men, the juvenile officers and the traffic men. In each of these 65 separate areas of the city, they work in concert with the people and they get a tremendous amount of public cooperation. Businessmen get together and take care of a financial need, maybe for baseballs and bats and moving pictures in some of the places—we have some places in Watts that haven't had a movie theater for 15 years. And so my men show pictures in the summer time during their off-duty hours and they organize some baseball games and they buy skivvy shirts for these kids and they identify with the young people in the community. Women come out and they'll serve coffee at the meetings. We have 1300 to 1400 Explorer Scouts, boys and girls, young men and women, working with us.

Another thing that has helped us is communication within our organization. Now, as a professor, I've taught all of this stuff about unity of command and span of control and all that baloney that doesn't work. When you have a big organization of 10,000 people with seven or eight levels in the hierarchy and a boss who sits on top and thinks he's going to run something and get things done at the bottom the way he wants it done, he's full of baloney if he thinks he's going to do it through the hierarchy and I work with my hierarchy, but I go down and listen to the policemen who are in touch with the people and they give me a pretty good idea of what's happening and what the problem areas are and how we have to adjust ourselves. Then I have verticle staff meetings and get four or five levels of people in the organization together in one room and I do a lot of listening. So I believe that I have a feel on the pulse beat of the city.

Another thing we have in Los Angeles is a civilian Board of Police Commissioners. We had this when my grandfather came here in 1890. We've always had a sort of a five-man board of directors. Having this board of directors, whether it's under a conservative mayor like Yorty or a liberal mayor like Bradley, is a very important thing because it makes a Chief of Police more sensitive when this Board really has the ultimate authority for making the policy of the Department.

Another thing that's made us successful is — I am the meanest man in town! Nobody pushes my men around! Nobody pushes me around! I am an American! That flag gave me the Bill of Rights just the same as it gave it to everyone else. And I have a right to free speech and I exercise my right to free speech and I don't give a damn whether anyone likes me or not. What I want is for my men to do a good job of protecting the citizens of the city. Now that's an important ingredient. You can't have a

pussycat running a police organization and so that has helped a great deal.

And then, of course, our ultimate measure of success is whether we have peace in the city, and we have had relative peace. When I came in, the Black Panthers and an organization called US had a contest going between themselves. They terrorized the black section of the city, they were pointing guns at policemen, and within a few months we went in and took those Black Panthers at gunpoint. We took them into court—one of my men was shot and had to be put on a disability pension—but the Black Panthers lost their power in the City of Los Angeles. When the SLA came in they lasted 45 minutes and that's about as long as any paramilitary group of guerillas who try to shoot it out with my men are going to last in the city of Los Angeles.

Another mission, in addition to peace, is traffic. You can walk across the street. You start walking and the cars are going to start stopping. There are not many places in the world where that happens.

But the ultimate measure of success is crime. We've decreased crime and my objective is to cut crime in half. I don't see why people have to be afraid of other people. We have about ½ of one percent of the human population that are no-good miserable sons-of-bitches; they are dangerous to other people and they have to be locked up and put in cages. Father Flanagan started the philosophy that there's no such thing as a bad boy and I used to send him money when I was young. But if he were alive today, I wouldn't send him a nickel because he's got a bunch of judges convinced that there's no such thing as a bad boy. There are some people who are sociopathic, who can't change their behavior. No psychiatrist could turn around guys like Charlie Manson. There's only one thing to do with them and that's put them away, if you can't hang them. We've put back the hanging law in California which was eliminated by the California Supreme Court. I put the first money into the campaign to take the initiative power and put it back in our Constitution. The people of the State of California voted capital punishment back in by a two-thirds majority. That's where the people are. I don't argue whether it's a deterrent or not because you don't shoot a rabid dog to make an example of him to other dogs, you shoot him to keep him from biting and killing other people.

Let's take a look at some of the "quacks," you know, whose crime has gone to hell while they've come into a governmental position. One of the biggest quackeries we have in America today is the concept that says if the police would stop enforcing so-called victimless crime that crime would be solved. That is a lot of baloney. They say that if we eliminated our enforcement of vice and narcotics and homosexuality and so forth, that we'd have so much manpower left we'd go out and stifle crime. Most police departments have about five percent of their force handling narcotics and

sex laws, and if you didn't have that enforcement, believe me, you couldn't live in your cities. Let's take dope, for example. About one-third of all property crimes in major areas in the United States are committed by heroin addicts.

Let me tell you something else about crime in general. It's not in the ghettos or the barrios anymore. For the last two or three years, crime has been going up the most in the suburbs and the rural areas of America. It used to be the black kid and the Mexican kid who were viewed as taking the dope and shooting heroin. Now it's the lawyer's son, the doctor's son, the engineer's son, the prosperous middle and upper-middle classes and upper class of America that is going to hell in a bread basket. I saw this thing in the paper yesterday, where Senator Cranston of California and Senator Javits of New York and Senator Brooks of Massachusetts proposed that we eliminate criminal laws for small quantities of marijuana and make it a civil offense and fine them a little bit and invoke the civil penalty. This, if it goes through the Congress, will ruin the United States of America. In the first place, these Senators and a few others with them have decided to turn their backs on the rest of the world. America's word no longer means anything in the rest of the world. President Marcos of the Philippines said the other day, "Maybe we ought to get rid of the American bases in the Philippines because you can't believe the United States Government anymore."

Our President is going to NATO to try to reassure people that you can believe whatever conventions and treaties and agreements we have with the Europeans. But let me tell you about dope and what these Senators are proposing. In 1961 we entered into the Single Convention on Narcotics with over a hundred nations and we have a sacred obligation to eliminate the source of narcotics, to eliminate the processing of narcotics, to eliminate trafficking in narcotics, and to make illegal the use of narcotics. We have certain source nations in the world, such as Turkey, which grow the opium poppy from which opium is made and transported to other places in the world—it used to be France—and it comes back and winds up in the veins of American kids. We had that pipeline cut off quite a bit, but now Turkey is growing opium poppies like mad. It'll start hitting the market in another six months. It will be in the veins of some of your relatives, possibly, or some of your friends or some of your neighbors within months. Thailand is now exporting brown cocaine or heroin to Europe and to the United States and a year ago nothing was coming out of the Golden Triangle. Mexico has a tremendous growth of marijuana and heroin from opium poppies and the government of Mexico has been doing a much better job with it than any other source country in the world. Peru is producing cocaine, and one of the agents I debriefed in Washington last week

said they will continue to produce it as long as you and I are alive.

Now, we have a Drug Enforcement Administration at the national level, it's an agency of the United States Department of Justice. I'm the only police advisor to that group; they have other people, Governors and scientists and a mayor or so. I get the opportunity to see the inside picture of what our agents have been able to do around the world. Under this 1961 Convention, we can exchange agents, we can put an agent in an American Embassy in various parts of the world and we have done this. I listened to our man from Europe tell us about the increased use of heroin in Europe and the concern there for the use of marijuana. I listened to our man from Bangkok talk about the tremendous increase in the dope problem coming out of the Near East. I listened to our man in Turkey, in the Near East, talking about the conversations in the coffee houses between the Corsican traffickers from France, from Marseilles even against all of the pressures of the French Government. In South America we have Colombia exporting all kinds of things, processing cocaine which is produced in Peru. Our agents who travel up and down South America say that they are absolutely aghast at the talk of the Americans to legalize marijuana. In Central America they call the use of marijuana "galloping lethargy." In India, where they've used it for centuries, Dr. Chopra did very excellent scientific papers showing the physiological and the psychological consequences of marijuana use. And so, what are we going to do, stop our cooperation with all of these nations? No, we'll try to cooperate with them, but they've told us no civilized country has legalized marijuana. None of our signatory countries to our Treaty have legalized it and here we have the Congress of the United States talking about legalizing it. When that happens, then they are going to say, to hell with us on keeping cocaine and keeping heroin out of the United States of America. And so I say, shame on Senators Cranston and Brooks and the rest of them back there in Washington and Senator Moscone in California who is about to put a bill through our Legislature. I've written a letter, a plea to Governor Brown saying I'm sure these crazy fools are going to pass this traffic ticket thing on marijuana, but I'm asking you to veto it so we don't have this country inundated from the rest of the world with the hard drugs because we've been getting cooperation in keeping it out for a long time.

If the California Legislature puts it through, and if the Governor signs it, let me tell you what will happen. You know, they did that to us once before when the California Supreme Court eliminated our death penalty. We went to the people with initiative legislation. We took money out of our pockets and got women and men to go door-to-door and get our petitions signed. We put it on the ballot and we have the death penalty in California because of the power of the people. Not

those crazy politicians in the state house. If they legalize marijuana or make it a traffic ticket offense, in the 1976 elections in California I'm going to have an initiative measure that will put the controls back on marijuana in California.

Now, let's talk about gun control. Another one of the things that the quacks say is that the solution to crime is to register guns and to abolish the handgun. They're full of prunes—California prunes, by the way. Now, if you know anything about the crime business, you'll know that the great increase in crime is in burglary and thefts and auto thefts and rape; it's not in robberies and murders, they're a miniscule percentage of the crime. So they're liars right to start with. The burglar doesn't usually carry a gun, the thief doesn't carry one, except on very rare exceptions. The thing that strikes the greatest fear in anyone is that his cave is invaded, his home is invaded, whether it's his gun collection or other possessions. But more importantly, the ghetto dweller whose biggest possession is maybe a color T.V. is afraid some s.o.b. is going to come in and steal his T.V. while he's away working. That has nothing to do with guns. And so, statistically, gun control would not cut crime. Even if you had gun control and if people violated it, we don't have judges in America with the intestinal fortitude to enforce the law and so the law wouldn't mean a thing. Even if the judges had the guts, the cops couldn't enforce the law because the decisions of the United States Supreme Court which have given us the right of protection against unlawful search and seizure would make it impossible for the police to do anything about enforcing any kind of gun control laws that went on the books. So, the only people that would abide by the law would be the good guys, the criminals would take full advantage of their Fourth Amendment rights in search and seizure and their Fifth Amendment rights in self-incrimination and they'd go free on their own recognizance, since we don't have to have bail anymore, and they'd have a publicity-paid public defender lawyer to get them off the hook. Gun control is the most impractical and I think the most false doctrine that's ever been preached in America.

Last week I was at a banquet and I was able to meet the new Attorney General of the United States, Edward Levi, and before the dinner I said, "You know, General, since you have been Attorney General we have had the greatest crime increase in the history of the United States." And that's true. Now he has only been in a short time, but crime has gone up more rapidly in the last quarter of 1974 than at any other time. This year it looks like crime in the country is up 20%, although those figures won't be out for three or four months. I thought the Attorney General would listen to me. He got up there and he gave his speech and he said, "There has been the greatest increase in crime in the history of the United States. I am very concerned

about crime and I have a plan.” And he said, “We’re going to take any metropolitan statistical area that has a 20% increase over the national average per capita rate of crime and we’re going to impose a federal law that will control guns, except in a home or in a business. Then, any city that has a 10% increase over its crime rate a year before, we will impose this new federal law.” And I thought, my God, this man was the dean of the law school of the University of Chicago, he was the president of that university and he hasn’t even heard of the 14th Amendment to the United States Constitution. You can’t make laws that are enforced only against certain people, in certain parts of the country at certain times. And I thought, my God, he’s not even heard of the Second Amendment to the United States Constitution, which has to do with the right of the people to keep and bear arms. Then I wondered, he’s going to put a federal law in because crime is up in a certain city. Federal law has to be enforced by federal officers. Where is he going to get all these federal cops? Are our cities going to be invaded by some federalists from Washington who are going to come in and take over with a sort of martial law? The FBI can’t do it with the handful of men they have. It’s federal law; the local cops can’t do it. Where is he going to get all the judges who are going to sentence all the people who violate these laws? And furthermore, what about the laws that we all have now that cover the same thing, laws that say that you can’t walk around the street carrying a gun concealed without a permit. We don’t need his federal law.

And so, what I’m afraid of, from the kind of conversation the Attorney General of the United States is engaging in, is a federal police state. I got his lawyer/advisor after the speech who looked me up because he knows I’m the biggest loudmouth in the United States about this sort of thing. He said, “What do you think of it?” I said, “I’m absolutely aghast.” He said, “Well, we did it in the voter registration law.” I said, “You can’t do it.” He said, “Well, we did it in the voter registration . . .” I said, “Wait a minute, you know, there you’re talking about a civil sanction against the state to require it to allow everyone to vote. Here you are talking about making criminals out of people and that’s protected by the first Ten Amendments to the Constitution, particularly by the Second and the Fifth and also by the Fourteenth.” Well, he’s thinking about it. But, honest to God, I can’t believe, really, that such a fine, nice, decent, scholarly man who really knows the law could express such abject ignorance of your rights.

Now, let’s take a look at this Second Amendment, where we got it. You know the English had the right to keep and bear arms in their Bill of Rights in 1689 until they gave it up. However, about 200 years ago, old General Gage in the Boston area sort of pulled a fast one. He said, hey, all you fellers, we got a quonset hut set aside here and you know we may be attacked by Indians

or the enemy, so let’s put all our guns together for the common good; then if you want to go to New York or Virginia or Pennsylvania, we’ll let you come and take your gun. And so all those fools took their guns over and they put them in this quonset hut. You know what General Gage, who was the Governor General, did? He gave them to the British soldiers. You know that started the American Revolution.

Now a few weeks ago, Jerry Tamayo, who is a Brigadier General and the Chief of Police of Manila, visited me for a week and I had him up to my graduation. It was the first time I got a chance to talk to Jerry and I said, “Jerry, how are things going?” He said, “Just great.” He said, “You know a few years ago we put in gun registration,” and he said, “Last year, President Marcos told us to go out and go get them.” And he said, “We went out and picked those guns up and things are a lot better.”

My wife and I sat for 11 hours next to a fellow on the way back from London, great big guy, he’s a petroleum geologist up in the L.A. area now, and we got to talking. He said this Germanic accent and he said, “Well, I’m from Czechoslovakia but I live in California now.” He got to talking and he said he was a fugitive from there but most of his family was back there and it’s under Communist domination. I said, “Well, you’re a great big guy, my God, you’re bigger than I am. Why didn’t you stay there and fight those commies and win your liberty?” He said, “Well, I’ll tell you why.” He said, “You know, the first thing they did is have us register all our guns and he said then they came around one day and they picked them all up and they redistributed them to ten percent of the population.” He said, “There was one guy that lived on the kittycorner from me there that was a no-good commie so-and-so for years, and he got my gun.” He said, “I’m a big guy but how big am I against a bullet?” And so he said, “That’s why I’m in the United States and I can’t go back and save my family.” That has happened whether it’s a right-wing dictatorship or a left-wing dictatorship, whether it’s General Gage—whenever that happens you’re going to have tyranny later. They’re afraid of the people.

Okay, in 1789, you know, we had a Constitution, but we had some fellows that were dissatisfied with it, amongst them were George Mason of Virginia and Patrick Henry. They said, we’re not going to go along with this federal Constitution unless there are some things built into it that are going to protect us from the tyranny of those cats back there in Washington. We don’t trust them anymore. How do we know they’re not going to be as bad as King George the Third? And so they said we have to build in some protection as free men. We fought for it, we’ve given our blood, and we have to be guaranteed against the tyranny of a federal government. So, these antifederalists—George Mason and Patrick Henry, particularly, led the battle—put in 12 Amendments to the

Constitution. The first two were defeated but the 3 through 12 were adopted. Three became one and four became two and so on. When you read the Second Amendment it states, "A well regulated militia being necessary to the preservation of a free State, the right of the people to keep and bear arms shall not be infringed." When you go back and look at the arguments (and I've read every word of every recorded argument on this subject. I own some of the books. There are very few books in the country that have these arguments), the arguments were against the federal government having a standing army. They said if we give those cats back in Washington a standing army like every other place that's been done in, they'll send it back and they'll tyrannize the people internally within the country. We want to have the guys if we need them and we will call them up. And so in the words of Patrick Henry, the militia . . . He said, "What is the militia? The militia is every person, it's every farmer, it's every merchant, every printer, whomever it happens to be." He didn't say every able-bodied man, but every person, all you women way back then, Patrick Henry took care of you. There was no National Guard. They weren't talking about an organized military institution, they were talking about the right of the people and I have those words. And so what they did was to try to protect themselves from federal tyranny.

There's one case in the United States Supreme Court where they have made ruling case law on the Second Amendment, and that's *People vs. Miller*. That was a shotgun case where the right of the federal government to put through that shotgun amendment was challenged, and Miller lost. The United States Supreme Court said that a sawed-off shotgun is not normal military equipment and, therefore, the federal government could legislate in that case. And so the Supreme Court said that anything that is a regular part of militia equipment—like a rifle, and we had flintlock pistols in the Revolutionary War—are a part of the militia and are a right of the people. I have read every case

where a writ of certiorari has been denied by the Supreme Court, and it is excruciatingly clear that your state has the right under its police power to adopt whatever gun regulations it wants. But the federal government doesn't have one damn bit of business or right to make any law regarding your pistols or your rifles. We should never forget that. That's not a right of the state. It's a right of the people.

And so, when you hear men like Edward Levi make the proposal he made about ten days ago you should be indignant. You should take your pen in hand and you should write to him and you should write to President Ford and say, "I don't like the way Mr. Levi is talking about violating my constitutional rights." How many people write to the President? I bet very few do. If our revolutionary forefathers had sat back as we have, their rights would have been raped too, and there would never have been the United States of America.

And so let me tell you, there's a second coming of King George the Third. He's threatening you on every front. He's threatening your civil rights. This time, instead of taking a musket in hand or a flintlock pistol, you're going to have to take the law and you're going to have lawyers. You're going to have to do what the American Civil Liberties Union does in cases like this, and you're going to have to be prepared because they'll slip in on you with phony, slippery legislation such as was proposed by the Attorney General and it's going to be too late. They'll slip into court and have it interpreted and you'll be dead! You'll lose your Second Amendment rights. So, I'm saying that you must pick up your pen, you must have your lawyers pick up theirs. You'd better get legally ready for the second coming of King George the Third and you'd better keep your powder dry. Then, when they come in and move on you with some of these illegal laws, turn your lawyers loose and let 'em fire when they see the whites of their eyes.