

3. The security of the police would be increased by permitting them to discover weapons that may be used to attack them and by making it illegal to resist arrest by a known police officer.

4. Higher standards of service and stricter adherence to the legal restrictions imposed on the police would result when a community or other political subdivision was penalized for abuse of authority by its police.

If Rhode Island has an arrest law that many, many police administrators are hoping to get, it behooves each officer to adhere strictly to the letter of the statutes to avoid adverse criticism and publicity that could possibly lead to legislative changes that could tie our hands in fighting crime.

V. SUMMARY AND CONCLUSIONS

In this training bulletin we have discussed civil rights, human rights and police privileges all in relation to the Rhode Island arrest law.

We tried to show that there are certain basic rights which the policemen of today must respect. There are certain human dignities which we must uphold. Ours is a difficult task. We are sworn to uphold the law, to repress crime, to detect the criminal, to charge the criminal, to preserve order. We must accomplish these missions and not deviate from the letter of the laws ourselves.

It can be done. Intelligent investigation, intelligent interrogation, and a dedication and devotion to duty along with knowledge and commonsense are the most important factors in accomplishing our mission.

The modern policeman must shed his prejudices. He must treat all persons alike. He cannot arrest because a person's eyes are crossed, or his skin is a different color, or because he speaks with an accent. Any police officer that arrests for these reasons is making an unlawful arrest and is subject to departmental and civil action.

When a policeman makes an arrest he should make it and not stand in the middle of a street arguing with a person threatening to make an arrest. Arrests of this type could lead to mobs gathering and possible riot action. For that reason the cruiser personnel should stay in service except for emergency. The cruisers could be the difference between a riot developing or not developing when a policeman is making an arrest. If the policeman making the arrest and the person being arrested are made to wait out in the street for considerable time while a cruiser has to come from the other side of the city many things could develop because the cruiser in the area was out of service for some trivial reason. Because of the delay of the cruiser, tension could build up and serious consequences could result.

This paper is intended in no way to discourage arrests. On the contrary the writer feels that if a police officer is armed with the knowledge as to what he can do and what he cannot do, it will give him confidence to perform duties that he perhaps neglected because of uncertainty as to procedure or tactics. On the other hand we are not looking for a policeman to violate any civil or human rights. In this connection the head of the FBI, John Edgar Hoover, has said, "one of the quickest ways for any law enforcement officer to bring public disrepute upon himself, his organization, and the entire profession is to be found guilty of a violation of civil rights. Civil rights violations are all the more regrettable because they are so unnecessary. Professional standards in law enforcement provide for fighting crime with intelligence rather than force."

POLICE DEPARTMENT,
CITY OF PHILADELPHIA,
Philadelphia, Pa., April 14, 1961.

Chief ROBERT V. MURRAY,
*Police Department,
Washington, D.C.*

DEAR CHIEF MURRAY: Your letter of April 4, 1961, to Commissioner Brown has been referred to me for reply.

When the Honorable Mayor Dilworth was district attorney for the city and county of Philadelphia, he established a 24-hour rule which, in essence, means that no one can remain in the custody of police for more than 24 hours without the benefit of a formal hearing. After the formal hearing, of course, the defendant is either discharged or held for court. For purposes of interrogation, etc., the department loses the defendant as he is transferred to the custody of the prison guards. Should we wish to formally interrogate him at a later date,