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WHAT'S UP WITH *POLICING*?

After one and one-half decades it seems that everything's changed. And nothing.



For Police Issues by Julius (Jay) Wachtel. Would you accept candy from this cop? Sans the holiday treat, this perhaps forgettable image was the centerpiece of our banner for “Liberal Pig,” the blog’s name when we kicked things off in 2007. Alas, in academia-land (teaching was our then-gig) the oinker got little respect, so we promptly renamed the site. But our indifference to the ideological winds remains. So you can expect that this essay will as usual be rough on everyone, including the cops.

Incidentally, it’s also our *four-hundredth* post. Pop a cork!

So where have our peace-keepers landed? For a hint, let’s consider [Torrance](#). Located in the southwest corner of the Los Angeles metropolitan area, the city of 143,592 residents ([2019 ACS](#)) seems a prosperous place. It boasts a robust household median income (\$93,492) and a low poverty level (6.9 percent) that have its immense neighbor (HMI \$62,142, pov. 18 percent) decidedly beat. Its crime rate is also comparatively modest. According to the FBI Crime Data Explorer’s “[offenses known to law enforcement](#)” download, Torrance had 2,935 property crimes and 274 violent crimes during 2020. Its property crime rate of 20.5/1,000 seems well in line with the [nation’s 19.6](#) and [L.A.’s 21.5](#). And its violent crime rate, 1.9, literally sparkles: it’s only *half* the national 4.0 and *less than one-third* L.A.’s eye-popping 7.2.

Thanks to Torrance’s favorable situation, its cops wouldn’t be expected to repeatedly come under Federal watch. Yet grab a look at that recent [searing editorial](#) in the *L.A. Times*. A “rot in the police culture” is how the blunt piece assesses things. And it’s not

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just about a single foul-up. Indeed, Torrance has been under the gun for more than *two decades*.

Torrance P.D.'s current predicament dates back to 1993, when the U.S. Justice Department [filed a lawsuit](#) alleging that the city's hiring process for police and firefighters unlawfully discriminated against Blacks, Hispanics and Asians. Torrance P.D.'s then-233 officer force had [three Blacks \(1.3%\), six Asians and fifteen Latinos \(6.4%\)](#). Fire department ranks were also minority-thin. What's more, the Feds alleged that this wasn't for a lack of candidates, but on purpose. Two aspects of the police hiring process were said to unfairly exclude minorities: the writing literacy exam and the background investigation. More ominously, the department was also accused of tolerating "a racially hostile environment" within its ranks.

It wasn't just Torrance. [DOJ had advanced similar allegations](#) against three other L.A.-area communities: El Monte, Alhambra and Pomona. Each ultimately settled with the Feds and paid damages to unsuccessful minority applicants. But although only one year had passed since the [1992 Los Angeles riots](#) highlighted the sorry state of police-minority relations, Torrance said "no" and dug in for a fight.

Promptly more stuff happened. [On May 27, 1994](#) three 17-year old boys from L.A. were in a car on their way home after celebrating graduation. Two, both Black, were in front, and the third, who was White, was lying down in the back. Their path took them through Torrance. Suddenly a police car began to follow. After a time, a pair of White officers stopped the teens for "defective taillight" and "seat belt" violations. According to the youths, the cops ordered them out at gunpoint and brutally searched them. (And we mean, *brutally*.) Their car was also searched but nothing was found, and ultimately all were let go.

What the cops didn't know was that one of the kids' parents was an assistant city attorney. A Federal lawsuit was promptly filed. It claimed that the stop and search were illegal and the force used was completely unnecessary. And as one pores through [the appellate decision](#), a strong whiff of racial animus is clearly evident:

...when the officers first decided to make a U-turn and follow the plaintiffs' car, all they had seen were two young African American males driving down a major boulevard in an unremarkable manner...The officer asked [the White teen] whether he knew the two black teens, whether they were actually his friends, and how long he had known them...No comparable questions were asked of the black plaintiffs. Instead, [the officer] asked [the Black teens] "What are you doing out here?" The officer also told [one of the Black teens] "You're not supposed to be here."

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That brought back the Department of Justice for another look. [And what they discovered wasn't pretty](#). Many Blacks were indeed leery of Torrance's cops. According to a local NAACP head, Torrance police had "one of the worst" reputations for "harassing minorities." Activists and civil libertarians considered the city's cops as "among the most racially biased and militaristic in Southern California." But Torrance officials disputed those assertions. Instead, they pointed to their community's relatively low crime rate and bragged about residents' "exceptionally high" support for the police. Mayor Dee Hardison agreed that good police departments do get "some heat from time to time." But she insisted that her cops made it all work. "We catch 'em, and the community likes that."

Perhaps so. But some former officers, including minority group members who failed probation, offered troubling observations. Racial epithets were supposedly in common use. Training officers spoke of the difference between "street (epithet)" and "upstanding black citizens." And so forth.

Even so, the Feds apparently didn't find enough to open a "pattern or practice" investigation. And three years later, in September 1998, the judge overseeing DOJ's hiring practices lawsuit [fully absolved Torrance of wrongdoing](#). Not only that, but he ordered the Feds to fork over \$1,714,727.50 to cover the city's litigation expenses. His actions [were affirmed on appeal](#).

On the other hand, the youths' lawsuit against the cops yielded a \$245,000 judgment in favor of the plaintiffs. [It, too, was upheld on appeal](#).

According to the *Washington Post's* "[Fatal Force database](#)," five persons have been shot and killed by Torrance police officers since January 1, 2015. Except for the most recent episode, which appears to remain under investigation, each is linked to the [OIS investigative report](#) prepared by the L.A. County D.A.:

- October 31, 2016: [Michelle Lee Shirley](#) (Black, 39, resident of Los Angeles). Ms. Shirley, a law school graduate, [suffered from severe mental problems](#). Police opened fire after a prolonged encounter in which Shirley purposely crashed into other vehicles, including police cars, then allegedly tried to run down officers who intervened. The D.A. concluded there was insufficient evidence to prove beyond a reasonable doubt that officers used unreasonable force.
- October 14, 2017: [Michael David Lopez](#) (Hispanic, 44, resident of San Gabriel Valley). Mr. Lopez had reportedly served two prison terms: one for assault with a deadly weapon, and another for "[felony reckless evading](#)." Torrance police began to pursue Mr. Lopez, who was thought to be drunk, after he evaded officers in an

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adjoining city. Mr. Lopez sped through multiple intersections and against traffic signals but was ultimately stopped with “PIT” maneuvers. As officers approached on foot, he reached down as though going for a weapon, then revved his pickup. Two officers opened fire as the vehicle lurched towards them. According to the D.A. they acted in lawful self-defense. Three other officers also fired; the D.A. concluded they also acted legally, in defense of their colleagues.

- June 1, 2018: [Juan Carlos Perez-Victor](#) (Hispanic, 38, residence unknown). Police were called to a commercial area where Mr. Perez-Victor was reportedly [acting bizarrely and flaunting a knife](#). He had supposedly run up to a car and placed the knife to the driver’s window. When officers arrived Mr. Perez-Victor was uncooperative and aggressive, and they responded with pepper spray and impact munitions. Neither stopped him, and he soon charged at them with a knife. They responded with gunfire. Meth and a second knife were found in his pockets. The D.A. concluded that the officers acted lawfully, in self-defense and in defense of their colleagues. (Mr. Perez-Victor’s entry lacks his name and incorrectly identifies him as White in the *Washington Post* database.)
- December 9, 2018: [Christopher Deandre Mitchell](#) (Black, 23, resident of Los Angeles). [Mr. Mitchell was approached by two officers](#) as he sat at the wheel of a parked car that a citizen had just reported stolen. Mr. Mitchell, who wore gang-like tattoos on his face, had what seemed to be a firearm on his lap. During the encounter he allegedly reached for it and persisted even when told to stop. Both officers fired their guns. It turned out that Mr. Mitchell had an air rifle whose stock had been cut into a hand grip. The D.A. concluded that the officers “acted lawfully in self-defense.”
- March 8, 2020: **Desiree Nicole Garza** (Hispanic, 28, resident of Torrance). In this incident, which apparently remains under D.A. review, [police were summoned by “multiple” neighbors](#) who reported “a person was breaking items inside a home and refusing to let go of a knife.” Exactly what happened when they arrived is unknown.

Mr. Mitchell’s killing caught fire with the Black community. Termed “[The South Bay’s Biggest Story of the Decade](#)” by Black Lives Matter, the tragic episode sparked demonstrations and [prompted demands](#) that the officers who shot him be fired and prosecuted. During his recent election campaign, L.A.’s new D.A., George Gascon, [pledged to reopen his office’s inquiry](#). In June 2021 he formed [a special team](#) to “re-examine” this incident and other past uses of force. Its progress is unknown.

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Dug in or not, Torrance's lid soon blew, big-time. On January 27, 2020 the owner of a vehicle that had been impounded by the city's cops [discovered, to his horror](#), that "a happy face had been spray painted on the front passenger seat and a swastika symbol on the rear seat." To the department's credit, an internal investigation was promptly launched. Within a few months, two officers, including one who had shot Mr. Lopez, were no longer on the force. Both have been referred for prosecution.

After [reporting on the vandalized car](#), the *Los Angeles Times* came in for a closer look. What it uncovered (we assume, with help from a friendly insider) was appalling. It seems that during the investigation of Mr. Lopez's death, police detectives and D.A. investigators came across [years of online chatter](#) among thirteen Torrance officers and a cop from nearby Long Beach. It featured numerous messages and images that "championed violence against Black people and members of the LGBTQ community, joked about beating up suspects and mocked the idea of internal affairs investigations into racial profiling."

That finally proved too much. Fifteen Torrance officers whom the *Times* connected to "at least seven serious or fatal uses of force against Black or Latino men since 2013" have been placed on leave. In addition, "at least 85" criminal cases in which they participated have been dismissed, and literally [hundreds of prosecutions are in peril](#).

After all, would *you* trust the truthfulness and accuracy of these officers' reports?

On December 8, 2021, California Attorney General Rob Bonta announced that his office has [opened a formal investigation](#) of Torrance P.D.:

California Attorney General Rob Bonta today announced launching an independent review of the Torrance Police Department (TPD) as part of an effort to identify and correct potential systemic failures in the department's policies and practices. The review comes amidst deeply concerning allegations of excessive force, racist text messages, and other discriminatory misconduct, and follows a request for assistance by the Torrance Chief of Police. More broadly, the review will aim to promote public safety and rebuild trust between TPD and the community it serves.

City police chief Jay Hart is supposedly onboard. So a full reckoning seems on the horizon.

One and one-half decades ago, when our oinker came to be, cops weren't running around wearing body cameras. Text messaging and such was a distant dream. So just when Torrance PD's culture began to rot we'll never know. In any event, simply blaming

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cops feels like a sell-out. Torrance has more than two-hundred officers in uniform. Should all be labeled “racists”?

As we’ve emphasized over the years, police personalities differ. When it comes to explaining officer behavior, such differences really, *really* matter. Let’s self-plagiarize from a couple of prior posts:

Officer temperament is crucial. Cops who are easily rattled, risk-intolerant, impulsive or aggressive are more likely to resort to force or apply it inappropriately. (“[Three Inexplicable Shootings](#)”)

When it comes to shaping outcomes, officer personalities and skill sets, the availability of human and material resources, and the quantity and quality of information are clearly important. And that’s not all. We’ve often mentioned “confirmation bias,” the all-too-human tendency to interpret things in a way that’s consistent with one’s pre-existing understandings and beliefs. That can affect what both cops and citizens do. (“[Want Happy Endings? Don’t Chase](#)”)



On December 18, long-serving *L.A. Times* columnist Steve Lopez [likened Torrance’s police scandal](#) to L.A.’s history of racial discrimination. His piece drew a letter from Torrance High School District’s first-ever Black principal. Mr. Sidney Morrison wrote that he received “outstanding support” from the police over the years. And both times that he was pulled over, he “quickly mentioned my relationship to the school district” and was treated cordially. But he pointed out that “those perceived as outsiders were treated differently.”

Who might these “outsiders” be? Torrance sits next to [LAPD’s Harbor Division](#), which serves about 171,000 residents in the communities of Harbor Gateway, Wilmington, Harbor City, San Pedro and Terminal Island. Between January 1, 2020 and December 18, 2020 – not quite a full year – this area logged [1,149 violent crimes](#). That produced a violent crime rate of 6.7/1,000, *more than three times* Torrance’s full-year rate of 1.9. Just Northeast of Torrance lies LAPD’s South Bureau. As every cop in Southern California knows, it’s been besieged by

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violence for decades (for a detailed account see “[Location, Location, Location.](#)”) Consider, for example, the violence-prone [77th. Street Division](#). Serving a population of about 175,000, it [logged 3,369 violent crimes](#) between January 1 and December 18, 2020. That yields an astronomical per/1,000 rate of 19.3, *more than ten times* Torrance’s.

Switch to murder. For that we turn to the *L.A. Times*’ “[The Homicide Report](#),” which tracks deaths reported by the Los Angeles County coroner. During the twelve months preceding this essay – more or less the year 2021 – [Torrance suffered two murders](#) – one by gunshot, the other by stabbing. In contrast, the largest community served by Harbor Division, [San Pedro \(pop. 78,900\)](#), reported [four homicides](#), each from gunfire. During the same period Watts (pop. 175,000) [lost twenty-three of its citizens to murder](#); twenty-one from gunfire and two by a knife.

Below is a chart with this data. Violence is per/1,000 pop., and homicide is per/100,000 pop. Demographics are from the [Statistical Atlas of the U.S.](#) (its numbers for Torrance vary slightly from the Census.)

	Pop	Pct White	Pct Black	Pct <u>Hisp.</u>	Pct Asian	Median income	Viol rate	Hom rate
Torrance	147,307	40.3	2.6	17	34.3	80.9	1.9	1.4
San Pedro	78,900	35.8	6.8	47	5.9	64.5	6.7	5.1
Watts	175,000	0.6	24.0	73.6	0.7	29.6	19.3	13.1

Let’s return to the ex-principal’s observation that “outsiders” were more likely to catch heat from the cops. Torrance’s officers work in a tranquil city whose residents are primarily White or of Asian descent. They know there are less peaceful communities nearby. They’re fully aware that these places, which are populated by substantially larger proportions of Blacks and Hispanics, are far less prosperous if not outright poor. Torrance’s good cops – and we’re convinced they’re in the vast majority – understand that, as our “[Neighborhoods](#)” essays repeatedly emphasize, it’s not race but economic conditions that drive crime. So when danger lurks they set aside any biases or preconceptions they might have formed and strive to avoid acting on impulse. That’s what the craft of policing is all about.

Alas, thanks to text messaging and such, we’ve learned that some Torrance cops can’t possibly meet that standard. What’s most concerning is that their hideous notions could easily affect the complex decision-making calculus that good policing requires, distorting the response to everyday incidents and placing both cops and citizens at needless risk.

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In “[Third, Fourth and Fifth Chances](#)” we discussed the consequences of ignoring officer misconduct. Here they are in money terms:

- Chicago: About \$253 million since 2015
- Dallas: \$3.7 million since 2015
- Detroit: \$28.5 million since 2015
- District of Columbia: More than \$40 million since 2016
- Los Angeles County: More than \$238 million since 2015
- New York City: More than \$1.1 billion since 2015
- Minneapolis: Incalculable

But it's not *all* bad news. Torrance now has the opportunity – yes, *opportunity* – to fix its cop shop before...well, scan the list. Second chances don't come around real often. They ought not be missed.