

As a Police Policy Maker, Prosecutor, and Public Interest Lawyer, This Is What I Fear, and This Is What We Can Do Together

By [William John Cox](#)

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There is a new contagion sweeping across America, more deadly than the COVID-19 virus released by our collapsing environment, and even more dangerous than the world-wide economic collapse triggered by the pandemic. The widening collapse has undermined our local and state governments, precipitated by their failure to protect peaceful First Amendment protests against racial discrimination and the lack of accountability for police violence allowed by corrupt governments.

This new strain of plague is spread by burning and looting, as infected mobs destroy the structure and stability of our communities, eliminate the livelihoods of our working neighbors, and sever access to our own means of survival. The most critical stage will be the imposition of martial law by presidential decree, and the deployment of military and intelligence assets to defeat the righteous resistance of the People to corrupt government and loss of liberty.

I fear a long hot, dry, and volatile summer, as more and more people—of every race and culture, in every urban neighborhood, each with its own story of outrage—find themselves abandoned, without health care, income, rent, food, clean water, or hope, filled with nothing but anguish and anger. Things can only get worse. I fear police helicopters armed with automatic weapons shooting into crowds of desperate people driven to riot, and I am dismayed by the racial, class, and social intolerance encouraged by the callous manipulation of one political base against another. I dread tribalism and class warfare in an armed nation that can quickly overwhelm our ability to police ourselves and to maintain law and order in our communities.

Whatever Happened to Community-Based Policing? The law enforcement standards established by President Nixon's National Advisory Commission on Criminal Justice Standards and Goals in 1972 have never been replaced or repealed. These national standards endorsed:

- (1) community-based policing and the development of written policy to guide decision making; and
- (2) the investigation and prosecution of crimes at the lowest level possible—to ensure local control of the law enforcement function.

The Commission rejected the federalization of criminal law, and practices such as

preventative detention. Thereafter, federal funding by successive administrations encouraged the development and promulgation of professional policies and practices. This is the standard for self-policing:

The police in the United States should not be separate from the people. They should draw their authority from the will and consent of the people, and they recruit their officers from them. The police are the instrument of the people to achieve and maintain order; their efforts are founded on principles of public service and ultimate responsibility to the public.

Building on lessons learned from the devastating riots of the Sixties and early Seventies, the model of community-based policing successfully improved relationships between the People and their law enforcement agencies, as crime rates fell, and America avoided major riots. Everything changed on September 11, 2001, when the military-industrial-intelligence complex targeted homeland security as a market of opportunity, and began to push military and intelligence equipment, tactics, and training on police agencies, enlisting them in the fight against international terrorism. Reduced as a priority, the far more deadly attacks by homegrown right-wing terrorism were ignored by both political parties and overlooked in the media.

Suddenly, protesters were confronted and pepper-sprayed by robo-cops in full body armor, armed with riot gear and equipped with war surplus armored vehicles. Professional peace officers are sworn to protect, serve, and defend the communities that commission them, and they demonstrate their loyalty and bravery every day as they confront and resolve the disturbances that endanger our communal lives, practicing the arts of resolution and restraint in arresting violence. Peace officers reserve deadly force as a last resort, while soldiers are trained to kill in violent attacks. If foot soldiers cannot destroy an adversary, they call in air strikes by gun ships and drones equipped with rockets, operated by contractors at computer consoles on the other side of the country, without regard for constitutional protections or “collateral damage” to children. Upon this difference of mission, standards, and training, the lives and liberties of the American People hang in the balance.

This is What We Can Do Together. Following are three practical, nonviolent and nonpartisan public policy initiatives that can be immediately implemented at low cost in every civil jurisdiction in the United States to effectively address the concerns of the People about racial discrimination and police misconduct, and to reduce the violence that threatens our homes, families, and neighborhoods.

- Every community can adopt a written policy that “The People and Their Police are Peers for Peace” to serve as a practical expression of both the priority, *and* the equality, in the vital effort by The People to police themselves. Each community can establish its own formal Peer Review Committee, staffed by randomly selected registered voters and peace officers, moderated by *pro bono* lawyers, and empowered to quickly hear and record sworn complaints of police misconduct *in camera* and to issue initial findings.
- Truth and Tolerance Commissions can be empowered to record admissions and evidence of the truth about deceptions, failures, and corruption of government and officials, to provide the transparency required for lessons to be learned, and to pave the way to forgiveness and mutual respect.
- Memorializing the cure of intolerance and violence, every community can build metal sculptures in front of every police station and courthouse, constructed of voluntarily surrendered guns and knives, welded together in thousands of unique

creations, and expanded with weapons discarded as useless tools of violence.

The People may or may not be allowed to vote on November 3, 2020, but unless the election becomes a referendum on our corrupt and uncaring federal government—rather than another forced selection between the ineffective candidates and policies offered by our failed two-party system—things will only get much worse over the next four years. These remaining five months are critical, as our last chance to assert and defend our constitutional Rights of Liberty and Consent to be Governed.

Who am I to Say These Things? In the early Seventies, I wrote the Los Angeles Police Department Policy Manual, that continues to govern all police decision making in Los Angeles, and I wrote the earlier quoted standards of the Role of the Police in America for the National Advisory Commission on Criminal Justice Standards and Goals.

I once watched two robbers gunned down by Metro outside a bank in South Central, and I handcuffed one, as he lay dying with a nylon sock over his head in a pool of blood. I later chased down and faced off an armed man who had just shot a woman in front of me. He, thankfully, tossed his loaded pistol when I ordered him to “Drop it!” and I did not have to shoot him, nor did he kill me. As a sergeant, I staffed the Emergency Control Center, writing the situation report, during the all-day gun battle serving search warrants at the Black Panther headquarters, and the East LA Riots. I have had to physically fight for my life more than once, and the scars of the battles are hidden among the wrinkles of my face. I have attended the funerals of three friends murdered in the line of duty, and I am far from being naïve.

Overall, I served more than 40 years in the justice system, working in Washington, DC to implement national standards, and returning to Los Angeles as a Deputy District Attorney. I resigned to operate my own public interest law practice primarily devoted to helping young people in trouble with the law. I finally retired from running a team of investigators and prosecutors at the State Bar of California, seizing, and shuttering the practices of dishonest lawyers and criminal gangs operating illegal law offices. As a political and philosophical independent, I spent the last 14 years researching and writing articles and books, photographing protests, creating websites, drafting the Voter’s Bill of Rights, and petitioning the U.S. Supreme Court in 2018 to protect our constitutional Rights of Liberty *and* to assert our Reservation of Consent to Be Governed by a corrupt, ineffective, unrepresentative, and threatening government.

I empathize with the pain of racial discrimination suffered by every person of color in our society, and I share the sense of abandonment felt by everyone shouting a protest and signing petitions. I respect the frustration of those who no longer believe demonstrations are effective and that violence is required for change, and I appreciate the anger of a base of Americans who see their federal government as a joke, and who cast a F***You vote for president in 2016. I stand alongside our professional peace officers, as they resist being deployed as soldiers of occupation and oppression, against those they have sworn to protect.

Worried by the violence, I am encouraged by scenes of people linking arms with their peace officers, by people joining together to protect small businesses, by people who shamed and stood in the way of looters, and by people who gathered to help shop owners clean up the damage. The People continue to protest every day, but with less violence; yet, I am appalled by a presidential threat to unlawfully deploy America’s military within our states, even

against the wishes of our governors. Having once prosecuted The Holocaust Case against the neofascist deniers, I am horrified by the surreal vision of the commander of our nuclear missiles hunkered down in his White House basement bunker, berating governors on the phone for being weak—demanding that they dominate, surrounded by miles of black riot fencing, defended by federal forces—which he ordered to tear gas peaceful First Amendment protestors and petitioners to drive them from the People’s Park in a demonstration of his power, to stage publicity photos.

I am concerned about a presidential suspension or delay of the November election, but I more easily imagine a far happier ending on election day—when every American voter gets to be the “Boss!” Our rights impose a duty to objectively evaluate presidential performance *and* fitness for retention, as well as the qualifications of every other candidate who seeks our vote.

I continue to have great faith in the common goodness and wisdom of the American People, especially in the imagination and ingenuity of our Young People to clean up the mess we have made of things.

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William John Cox published The Choices of Mind: Extinction or Evolution? in January, which documents the crisis of imminent, serial environmental, economic, and governmental collapse and suggests strategies for survival. He maintains five websites, including his digital autobiography at WilliamJohnCox.com and TheVote.io where People can immediately vote on their constitutional Rights of Liberty, reservation of Consent to be Governed, and Voter’s Bill of Rights.

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