

## **The NYPD: The Nation's Largest Police Department as a Study in Public Information**

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*The New York City Police Department (NYPD) is the largest police department in the United States, with 32,284 officers as of 2009, and serving the combined populations of the Bronx, Brooklyn, Manhattan, Queens and Staten Island. As with many police departments in major cities, the public is most often exposed to their activities via media coverage. This media attention also appears most often in conjunction with high profile crimes or scandals.*

*In analyzing communication with the media, this paper will focus attention on coverage in The New York Times, which is the largest local metropolitan newspaper in the United States, with a daily circulation of 928,000, and has been published in New York City since its founding in 1851.*

*The newspaper article analysis is supplemented by interviews with individuals with unique perspectives on communication techniques of the NYPD. These individuals include NYPD Detective Cheryl Crispin, a member of the Office of the Deputy Commissioner, Public Information, Professor Dorothy M. Schulz, Ph.D. of New York-based John Jay College of Criminal Justice and former Newsday police columnist and author Leonard Levitt.*

*Being a large public service department, the public communication of the NYPD differs from that of a typical organization or a smaller public service department. By reviewing the existing models of public relations and examining the communication of four major NYPD cases from the last four decades, this paper examines the models of communication that have been utilized by the NYPD in the past, and discusses a public information hybrid model that could be effective in their future communication.*

### **LITERATURE REVIEW**

#### **WHAT IS PUBLIC INFORMATION?**

Similar to the federal, state and local governments, many police departments rarely use the term “public relations” to describe their communication offices, due to its connotation as persuasive, even overly persuasive, forms of communication. In lieu of this term, public relations practitioners within these departments choose alternative phrasing to categorize their positions, such as public information (Guth, 2009). Citizens want the communication techniques of police departments to inform, not persuade.

The ostensible goal of any public information office is to communicate objectively to the media and other constituencies. This public information model, the second of the four models of public relations identified by Grunig and Hunt, is categorized by a general lack of regard for the self interests of the organization for whom the public relations practitioner works (Doorley & Garcia, 2007).

The director of public relations in the NYPD is the Deputy Commissioner, Public Information (New York City Police Department, 2010). Public information officers, in the simple definition, are advised to have media relations as their first responsibility. In short, “the public information officer is an individual selected to serve as the central source of information to be released to the media and the public at large” (Brown, 2004).

According to Detective Cheryl Crispin, an employee of the Office of the Deputy Commissioner, Public Information, the office is comprised of all ranks of officers from the NYPD, who have been deemed highly qualified and an asset to the department. She defines the office as “a liaison between the police department and the media, 24 hours a day.” She adds that the office is interested in events occurring in and out of the city (Crispin, 2010).

Regarding the volume of press inquiries, Detective Crispin said that the volume fluctuates according to what activities are going on, but that it can reach thousands of incoming requests per month. The spokespeople assigned to these inquiries changes depending upon the department and agency within the NYPD. The NYPD utilizes officers assigned to the public information office as spokespeople, as well as non-members of the office, depending on the incident (Crispin, 2010).

Public relations practitioners aim to utilize traditional as well as new and different strategies and tactics to reach and interact with constituencies important to the organization. This element of interaction is generally lacking in public information departments, as the goal of the public information officer is to release all relevant information to the media, and through the media to the public, without stressing the need for feedback.

## **MODELS OF PUBLIC RELATIONS**

### *Part 1: Grunig and Hunt's Four Models*

In their 1984 book, “Managing Public Relations,” Professors James E. Grunig and Todd Hunt developed four models to define forms of public relations communication. These four models are: press agency/publicity, public information, two-way asymmetrical and two-way symmetrical.

The press agency/publicity model is described as an early form of communication by Grunig and Hunt. This model utilizes one-way communication to project messages from the source to the audience, with the goal of winning media attention. In today's age of communication, this model is most widely seen in the techniques of celebrity publicists.

The public information model is typically favored by governmental bodies. The difference between this model and the previous model is that while both involve one-way communication, public information aims to inform rather than persuade.

Communication begins to get more sophisticated with the two-way asymmetrical model. In this approach, the organization disseminates its information and also receives feedback from its audiences about the messages. Under the asymmetrical model, the organization would likely alter responses to more effectively persuade based on the feedback from audiences, not necessarily changing messages or making decisions to benefit its publics.

The most sophisticated approach as determined by Grunig and Hunt is the two-way symmetrical model. This model promotes the free and equal flow of information between the organization and its publics. There should be a mutual understanding between the two bodies. Instead of the public relations professional working solely on behalf of the organization, in this two-way model the communicator serves as a mediator between the organization and publics (Seitel, 2007).

### *Part 2: Additional Models: The Public Engagement and Personal Influence Models*

Over the years, two additional models have evolved which will not be analyzed in this paper but are worth mentioning for background. These models are the public engagement model, popularized by Richard Edelman, and the personal influence model, developed by Krishnamurthy Sriramesh.

The Edelman public engagement model aims to extend beyond the traditional practices of public relations to achieve true engagement and conversation with the audience (Edelman, 2008). This model is defined in six steps: define, research, strategy, ideate, execute and evaluate.

The public engagement model is based on the idea that there is a large amount of cross-influence within the world of expression, and by creating a dialogue where members of the audience are interacting with one another about the organization, the public relations practitioners will be able to learn more about the audience's thoughts and feedback, therefore altering tactics to increase public knowledge of the brand or cause. This enhanced version of the two-way symmetrical model has the goal of exciting the audience about the campaign, so they become the organization's greatest brand-ambassadors (Edelman, 2010).

The personal influence model acknowledges the fact that much of the success in public relations comes from the personal networks built by the public relations professional. When utilizing this model, the public relations practitioner will aim to establish personal relationships, even to the point of forming friendships, with key individuals in groups that communicate with the publics. These individuals could be in the media, activist groups, community groups or the government (Johnson, 2010).

The next step of this model is to expand the personal relationships into organizational relationships. Contemporary practitioners believe that this personal influence model can find success at a greater level if the organization nurtures these personal relationships with influencers (Johnson, 2010).

## **NYPD CASES EXAMINED IN THIS PAPER**

The four cases that are examined in this paper are the Son of Sam serial murder case (1976-1977), the Bernard Goetz subway shooting (1984-1987), the Amadou Diallo shooting (1999-2000) and the Sean Bell shooting (2006-2008). The author chose these four cases to provide one situation from each of the last four decades, therefore providing examples of changes in NYPD communication procedures over time. Additionally, the first two cases involve the NYPD investigating the actions of others and the last two cases are examples of investigation of NYPD actions. These four cases will provide examples of how the NYPD interacts with the media when the police are doing the investigating versus being investigated themselves.

While the NYPD employs a public information office staff, by learning from past interactions and adopting new practices, the department could evolve its communication into a more effective model while maintaining the free flow of information that exists today.

## **THE SON OF SAM CASE (1976 – 1977)**

### *Part 1: Background*

David Berkowitz, also known as the Son of Sam and the .44 Caliber Killer, terrorized New York City from July 1976 until August 1977. Following his arrest in August 1977, Berkowitz confessed to killing six people and wounding seven in a total of eight shooting episodes. In prison since 1977, he has claimed that his neighbor's dog, possessed by a demon, commanded him to kill (Blum, 1977).

Coverage of the killings and the search for the shooter in the New York Times provides a background for analyzing the public information activities of the NYPD during the late 1970s, under the administration of New York City Mayor Abraham Beame and Police Commissioner Michael Codd.

In a total of 45 articles reviewed, the police commissioner, detectives and other members of the department were directly quoted in 30 articles. Members of the media had very open access to the department during this case, publishing profiles of officers involved in the case and sometimes including controversial statements.

*Part 2: Behavior of Spokespeople*

For example, on May 21, 1977 Molly Ivins wrote “Stalking a Man called ‘Son of Sam,’ the .44-Caliber Killer.” In writing this article, the journalist was provided with open access to Inspector Joseph Dowd, who was in charge of the special police unit tracking the killer. In the article, Ivins provided informal commentary from Dowd about his frustrations with the case, including:

“‘This right of privacy is a real pain,’ said Inspector Dowd. ‘That and the doctor-patient relationship. We’re not asking for diagnoses, or anything, we’d just like to know if anyone’s treated this guy. But it’s invasion of the right of privacy. I tell you frankly, if the police got everything they wanted to make their job easy, everyone would have a number tattooed on his arm and there’d be no freedom at all’” (Ivins, 1977).

The dissemination of quotes such as those above show that modern two-way public relations strategies were typically not in play within the NYPD. The officers appeared to speak as they wished to the media; discussing any information that they wished to provide. This is a striking difference from the policies of almost all corporations today, where official statements are reviewed multiple times and the responses of the audiences are anticipated and communicators tailored to elicit positive feedback.

The relationship between the media and the police department was so strong during the Son of Sam case that Berkowitz may have picked up on it, sending a handwritten letter about his crimes not directly to the police, but to New York Daily News columnist Jimmy Breslin (Author Unknown, 1977).

In their interactions with the media, the officers working on the case were quoted in the press more often than the Deputy Police Commissioner for Public Information, Francis McLoughlin. Inspector Dowd and Chief of Detectives John L. Keenan, among others, provided commentary about the state of the case, new leads and pleas to the public for information. Comparatively, McLoughlin was quoted providing general information, including that the year-long series of attacks was among the longest by a single assailant in New York history (Perlmutter, 1977).

*Part 3: Police and Media Relationships*

The coverage of the Son of Sam case showed a more open relationship between the police and the media than most would expect today. The media covered the case using information provided during formal press conferences, but also through in-depth interviews at the station houses. The officers, at times, appeared to perform for the media. Officers were compared to Kojak and Columbo and the human side of the officers was described in articles alongside the facts of the investigation. In exchanges that most likely would not be published today, Inspector Dowd joked with the media along with providing information about the case. A June 28, 1977 press conference at the task force office, on the second floor of the 109th Precinct station house in Flushing, Queens, was covered in articles, including the following exchange: “‘Do you enjoy your job?’ [Dowd] asked in grave-faced joshing of the reporter. ‘No,’ the reporter, equally grave-faced, replied. ‘But I beat my wife’” (Clines, 1977).

During the same press conference, newspaper reporters were described by a New York Times journalist as roaming the station house, taking pictures of the squad room, while respecting Dowd’s requests not to photograph sections of the station house that included information that could prove “offensive” to the families of the victims.

While providing information to the media about the case and what the department was learning about the killer, officers also voiced their frustrations about lack of activity in the case. An example of this is a quote from Police Commissioner Codd:

“This is worse than looking for a needle in a haystack,’ Police Commissioner Michael J. Codd commented. ‘In that situation at least you know where the haystack is. Here we don’t even know what the haystack looks like’” (Clines, 1977).

In the majority of communications to the media, many contemporary public relations departments are hesitant to admit that the organization is unsure of its actions. The statement above by Codd shows that the public information model typically does not take self-interest of the department into consideration. The police commissioner was open, expressing frustration about the case and the fact that the department needed the assistance of the public in developing leads, which is something that many would not expect a police department to admit.

*Part 4: Utilizing the Public Information Model*

Codd’s quote shows that there was an element of respect that existed between the police department and the media and public during the Son of Sam era. The department was happy to provide as much information as possible and trust that the public would provide helpful information in return in the form of leads. The

department largely used the public information model in this case, but there was a glimmer of the emersion of a two-way relationship between the department and the public.

The public information model may have also backfired in certain aspects of the case. Multiple articles discussed the increase in police activity in Queens and the Bronx, in areas where the killer struck in the past. Leading up to the July 31, 1977 attack in Bath Beach, Brooklyn, multiple newspaper articles included information about the increased numbers of officers canvassing the Queens and Bronx areas (Blum, 1977).

In an August 1 statement, Sergeant John Coffey of the homicide force admitted that increased media coverage, and therefore police interaction with the media, may have led to the killer altering from his previous areas of attack. Coffey was quoted as saying, "We had 2,000 cops out looking for Sam this weekend. We thought for sure he'd strike in Queens or the Bronx, but all the publicity must have driven him into Brooklyn" (Blum, 1977).

Shortly after this August 1 quote, Chief of Detectives John L. Keenan requested that reporters stop tracking down witnesses to the killings. Increased media outreach to witnesses had made some other witnesses reluctant to speak with the police because they did not want the media to come looking for them. An August 5, 1977 article outlines the conflicting feelings of the department towards media coverage now that they were over a year into the case:

"The police have mixed feelings about the newspaper and television coverage of the so-called 'Son of Sam' killings.

"On one hand, it has given the police an opportunity to publicize what they think they know about the killer and his methods and to appeal to the public to call in details on the special telephone line that has been set up.

"On the other hand, the coverage by newspapers, radio and television has been so extensive that reporters have sometimes got to witnesses before the police, according to Deputy Commissioner Francis McLoughlin, who is in charge of public information" (Carmody, 1977).

This situation showed a problem with the public information model. The agency utilizing this model provides the media with a wealth of information. Sometimes, due to this amount of available information, the media can unintentionally interfere with the workings of the department. While this behavior by the media is often not malicious and only an effort to provide more information to the public, it is a downfall of the open relationship that existed in the public information model and in the Son of Sam case between the media and the NYPD.

Reviewing coverage of the case, many activities of the police department tied in directly to Grunig and Hunt's public information model. Objective information was provided, generally without regard to the self-interest of the police department or the reaction of the public. The communication between the police and the media appeared candid and relaxed.

While this communication model can encourage trust by the public in the police department that officers are providing all information, some of the candid statements provided by the police department in the efforts to provide honest and open information could offend groups of the public and turn them against the department in future circumstances. These candid conversations could also have provided information that diluted the official position of the NYPD. Due to these unregulated statements being provided to the media, the NYPD may not have gotten its official position and messages heard.

#### *Part 5: Moving Towards Two-Way Communication*

The NYPD began to grow a two-way relationship with the public during the Son of Sam case by requesting the public to provide information and leads. These requests and relationships could have, with proper policies in place, evolved in the future towards a two-way model of communication for the department.

### **THE BERNARD GOETZ CASE (1984-1987)**

#### *Part One: Background*

The public information department of the NYPD and officers' communication with the media became more formalized in the years following the Son of Sam case. An example of the increased formality in procedures and communication is the case of Bernard Goetz. On Sunday, December 22, 1984, Goetz shot four teenagers on the New York City subway, then called the Interborough Rapid Transit (IRT). Following the shooting, Goetz claimed that the teenagers had approached him and asked for money, and that Goetz anticipated they were going to rob him. Upon the teenagers asking him for money, Goetz shot each of them. Three teenagers had previously mugged Goetz in January 1981, and some in the police and media speculated that his anger at the New York City criminal justice system had led Goetz to become a vigilante and shoot the teenagers on the subway (Sanger, 1984).

The case started a nationwide debate on vigilantism and the limits of self-defense. Goetz was first praised by the media and public and then vilified. Following a seven-week trial, he was acquitted of all charges related to the shooting in 1987, including four counts of assault and four counts of attempted murder. He was only found guilty of criminal possession of a weapon in the third degree, a D-level violent felony. While this class of felony typically carries a minimum sentence of at least one year in jail, Goetz served only eight months.

Following his sentencing, Goetz maintained that he believed he was in danger when he shot the teenagers, and insisted that he had a right to protect himself, even though he had been denied a gun permit by the city (Johnson, 1987). The case and trial of Goetz took place under the administration of New York City Mayor Edward Koch and Police Commissioner Benjamin Ward.

### *Part 2: Police Spokespeople*

The importance of this case is not the public opinion of Goetz or his actions, but how the police communicated about and reacted to the case. In the Son of Sam case, the New York Times coverage often contained candid comments from multiple police officers. These candid comments were not seen in coverage of the Goetz case. In the majority of coverage, comments by police were released by and attributed to Police Commissioner Benjamin Ward or his spokespeople, Alice McGillion and Raymond O'Donnell.

While the number of voices on behalf of the police department decreased, the tone of the comments to the media changed. Statements from Ward and McGillion were largely formal in nature. For example, in a December 25, 1984 story in the New York Times, Ward was attributed twice. One of these statements said that police coverage would be increased during the Christmas holiday and another that the department was working to find the gunman (who turned out to be Goetz) but with limited knowledge (Sanger, 1984).

### *Part 3: Moving Toward a Two-Way Asymmetrical Model*

There were few instances in the coverage where the police commissioner was quoted providing some personal comments, which did not appear to be pre-approved by the police department. One of these few cases appeared in a January 5, 1985 article where Ward discusses vigilantism. He said, "I have a little different definition of a vigilante too... I would equate – maybe it's my background – I think those fellows wearing those pointy white hats and white sheets call themselves vigilantes, too" (Chambers, 1985).

This is an example of where Ward appeared to break away from the evolving standardization of communication by the department. The majority of the statements by Ward and his spokespeople were purely fact-based and of a nature that the public would not easily criticize.

Many of the statements, compared to those given during the Son of Sam case, read as pre-written and pre-approved by the public information department. They show an element of self-preservation that was not seen in the 1970s. This is the first step in developing an argument that the police department moved toward a two-way asymmetrical public relations model during the Goetz case.

The police and the mayor's offices speaking out against vigilantism was a common theme during the Goetz case. This was typically a reaction to the public, early in the case, praising Goetz for standing up to the four teenagers and defending himself on what was seen as a lawless subway system.

Both Ward and Koch also spoke out against the perception of crime rates in the subway during this case. Ward and Koch seemed to minimize the public's fear of crime, saying that it was a fear all over the country, not just in New York, and that the perception was greater than reality (McFadden, 1985).

That the police and mayor spoke out about these issues, in a contrary view to that of the public, showed another element of the two-way asymmetrical model (Fein, 1985). The department was clearly listening to what the public was saying, and beginning a two-way communication model. Instead of tailoring a message to better suit the opinions of the public, the department chose to sometimes publicly disagree with popular opinion. In such, the department was still following a public information model by not entirely looking out for its self-interest.

Turning back to the formality of police statements in the Goetz case, the police spokespeople began to have a heightened profile. Instead of having comments about the case come through the actual detectives working on it, they often came through the statements of Alice McGillion. McGillion's role in a lot of the media coverage was to provide the background facts of the case, including information about witness accounts and Goetz' statements (Chambers, 1985).

The use of spokespeople is a connection to the public relations departments of many corporations. While executives of corporations will sometimes provide comments, they will often speak through their spokespeople. This is a way to maintain the self-interest of the corporation by ensuring consistency, or in this case the department, by assigning a third-party to communicate pre-cleared statements to the media audience. The use of pre-approved spokespeople also ensures that the department will speak with a united voice. As in any corporation, it is important for the police department to provide a clear, single message to the public to maintain order within the communication department and to avoid the mixed messages that could be conveyed by multiple unapproved spokespeople.

Actions towards the end of the media coverage of the case showed that the police department was moving toward a two-way symmetrical model of public communication. Following the Goetz shooting, a public outcry arose about crime on the subway system. While first dismissed by Ward, on February 22, 1985, he admitted recognition of the public's fears:

“I think there's a tremendous amount of frustration over what's going on the subways and, in fact, what's going on in this city in terms of quality of life... I believe that the public has become frustrated with a criminal-justice

system that's decriminalized, without the blessing of legislation, so many acts that used to be criminal" (Purnick, 1985).

Answering calls for more security on the subway system, city and transit officials announced on April 20, 1985 that they were negotiating the details of merging the transit police force into the NYPD, in response to a report from Mayor Koch's office.

The article said:

"The mayoral report was one of several crime initiatives announced by Mr. Koch earlier this year, partly in response to the widely publicized shooting by Bernhard H. Goetz last December of four subway passengers who he said were trying to rob him" (Roberts, 1985).

While the transit authority did not merge with the NYPD until April 1995, the fact that officials began negotiations in response to public outcry and opinion showed that elements of a two-way symmetrical model were evolving. The police department was beginning to listen to the public and institute changes based on the messages it was receiving. A true two-way symmetrical model was not in existence during the Goetz case, but the police department acted in ways that utilized communication techniques not existing in the public information model and adopting a two-way asymmetrical model to communicate with the media and the public.

## **THE AMODOU DIALLO CASE (1999-2000)**

### *Part 1: Background*

In the previous two cases, the police were investigating crimes committed by citizens. In the cases of the shootings of Amadou Diallo and Sean Bell, the investigation was of the actions of police officers.

On February 4, 1999, Amadou Diallo, a 23-year-old Guinean immigrant who worked as a peddler on 14th Street in Manhattan, was shot and killed by four NYPD plain-clothes officers in the Bronx. The officers involved were Sean Carroll, Edward McMellon, Kenneth Boss and Richard Murphy. The officers fired a total of 41 shots at the unarmed Diallo, after mistaking him for a rape suspect that they were searching for in the area. The officers, who were a part of the Street Crimes Unit, were dressed in street clothes at the time of the shooting.

While patrolling the area, they saw Diallo standing on the stoop of his apartment building and later claimed he was acting suspiciously. When the officers went to approach Diallo, he ran into the vestibule of the building and the officers claimed he was digging in his pockets, then turned towards them with something in his hand. At this point the officers began shooting, and only after Diallo had been hit

by 19 of the 41 bullets that were fired, the officers realized that the object in his hand had been his wallet (Fritsch, 2000).

The trial of the four officers was moved to Albany, New York, after lawyers convinced an appeals court that the public attention to the case in the Bronx would not allow the officers to have a fair trial. The officers faced charges from second-degree murder to criminally negligent homicide and reckless endangerment of bystanders (Fritsch, 2000).

On February 26, 2000, the four officers were acquitted of all charges, but the case brought about outrage both within and outside New York City around issues such as racial profiling, police brutality and the training of police officers (Cooper, 1999).

### *Part 2: Moving Back To Public Information / Renegade Spokespeople*

This case saw the communication function of the NYPD move back towards the public information model, rather than the two-way model that had begun to emerge in the Goetz case.

In reviewing coverage of the case in the New York Times, statements are largely given by New York City Mayor Rudolph Giuliani or Police Commissioner Howard Safir. The few cases where other members of the police department spoke, they were quoted anonymously (Cooper, 1999).

The unapproved statements given by anonymous officers may have helped spark the controversy around the shooting. One police official who spoke anonymously said about the case: “We don’t know what happened, because we haven’t spoken to them, but it looks like one guy may have panicked and the rest followed suit” (Cooper, 1999).

A second officer spoke anonymously about the street crimes unit, to which the four officers who shot Diallo belonged. The anonymous officer was another unapproved spokesperson, and his statements provided a negative view of the unit.

His statement included:

“There are guys who are willing to toss anyone who’s walking with his hands in his pockets... We frisk 20, maybe 30 people a day. Are they all by the book? Of course not; it’s safer and easier just to toss people. And if it’s the 25th of the month and you haven’t got your gun yet? Things can get a little desperate” (Kocieniewski, 1999).

The statements above by the two anonymous officers displayed the danger of speculation and unapproved spokespersons communicating on behalf of an entity. The first statement was speculative and the second may or may not have basis

in fact. Read by the public, they could convey the idea that the police officers involved were not well trained, and that the street crimes unit as a whole was corrupt. These statements assumed a mindset and situation and placed blame on officers for reacting in a way that may not have actually occurred. For reasons like this, organizations must always select and train specific spokespeople and ensure that they are utilizing approved messages when speaking with the media.

### *Part 3: Diallo vs. Son of Sam and Goetz*

During the Diallo case, there appeared to be much less communication with the media than during the Goetz and Son of Sam cases. The main difference between these cases is that the Diallo case was an investigation of NYPD members. In the way that a corporation's spokesperson may say "no comment" when confronted with a negative story about its internal workings, silence on behalf of the NYPD during this case was their form of "no comment." Like a corporation refusing to release comment can only make the public believe this may be an admission of guilt and encourage the story to grow and become more speculative, the same occurred in the Diallo case. As the NYPD remained quiet, speaking only periodically through Safir and Giuliani, public outrage about the shooting grew in frequency and fervor.

In the situations where Giuliani and Safir did speak to the media, their comments were largely uninformative and defensive of the NYPD. During the investigation, Giuliani often appeared to ignore the feelings of the family and community and purely defend the NYPD. His statements included:

"This individual incident is of great concern, and it is one that should be investigated very thoroughly... But it would be very unfair to jump from this incident to accuse an entire Police Department and to take away from the credit they deserve for being just about the most restrained Police Department in the country" (McFadden, 1999).

It is understandable that the mayor of the city would want to defend his police department, and his statement above was accurate in that one incident should not have caused judgment of the entire department. However, he missed one of the first rules of public relations: when you harm another party, the most important thing to do is to say you are sorry and explain how you are going to fix the situation. Giuliani stated that the incident would be investigated, however he did not include a statement showing remorse for the loss of the Diallo family. At the start of the investigation, the only truth that was widely known was that Diallo was an unarmed, innocent victim. This point was not acknowledged enough by the NYPD or mayor's office, and may have helped in fanning the growing flames of public disapproval.

*Part 4: The Dangers of Doubt and Losing Trust*

Due to the ongoing investigation of the NYPD officers involved in the shooting, there was a lack of facts communicated to the media. For the basic public information model to be a successful means of communication, there needs to be information to disseminate. With the facts being determined by the activity in the courts, the communication from the NYPD and mayor's office often appeared as speculative and easily doubtful. Commissioner Safir was even quoted saying that theories surrounding what occurred that evening were purely speculative (Flynn, 1999). Police spokesperson Michael Collins also provided more doubt when commenting about the sketch of the rape suspect that the officers were carrying on the night of the Diallo shooting. Collins said, "I don't know that it looks like everybody. It might look like lots of people" (Kifner, 1999).

Speculation and doubt brings about distrust, especially when coming from a police department. From the viewpoint of the public, if a police department cannot identify the facts behind what happened in an incident that took an innocent life then how could its previous and future communication of what they say be trusted? If the methods which the public has learned to trust, like police sketches to identify suspects, are not supported by police officials, then additional established methods will not be trusted either.

Once the public loses trust in a publicly traded company, the stock price will often plummet and the business may even fail. When the public loses trust in its police department, the result can be even more disastrous, leading to lawlessness and violence against the police and others.

In a snapshot, the police communication during the Diallo case was ineffective and led to distrust by the public in the NYPD. Limiting the number of spokespeople during a crisis can be effective in situations where facts are known, apologies are made and the communication is made quickly. In this situation, there were few facts, comments were speculative and apologies were lacking.

Mayor Giuliani and Commissioner Safir communicated at the media and the public, not with them. A case involving the police department should illicit a different response than when the NYPD is investigating someone outside of the department, but basic communication rules should still apply. The communication during this case damaged the reputation of the NYPD further, instead of working to maintain the department's reputation and interacting with the public to move past the shooting and towards the future.

## **THE SEAN BELL CASE (2006-2008)**

### *Part 1: Background*

The final case this paper will analyze is also an investigation of the actions of members of the NYPD. On November 25, 2006, a team of plain-clothes and undercover detectives shot three African-American men. The NYPD officers involved were Detectives Gescard F. Isnora, Michael Oliver and Marc Cooper. The officers shot at the men a total of 50 times, and one, Sean Bell, was killed. The shooting occurred in the early morning hours of the day when Bell had planned to be married to his fiancée, Nicole Paultre.

The officers testified that prior to the shooting, Bell was involved in a confrontation with another individual outside of Club Kalua in Queens, where he had attended his bachelor party. During this exchange, the officers claimed they heard a threat about getting a gun. After confronting the three men and identifying themselves as police officers, Bell accelerated the vehicle he was in, striking one of the detectives in the leg, as well as hitting the police officer's van twice. After Bell struck the officer and the van, police testified that they saw Bell's friend, Joseph Guzman, reach for his waistband. At this point the officers began firing (Wilson, 2008).

On April 25, 2008, a Queens judge acquitted the three detectives charged in the shooting (Baker, 2007). The judge said that the prosecutors had failed to prove their case, and that the wounded friends of Sean Bell had given testimony that he did not believe (Wilson, 2008).

As the Bell shooting occurred less than eight years after the Diallo case, the wounds from the late 1990s were reopened during this investigation.

### *Part 2: Communication Similarities and Differences*

Communication from the NYPD at the beginning of the Bell case appeared very similar to that during the Diallo case. New York City Mayor Michael Bloomberg and Police Commissioner Raymond Kelly served as the main spokespeople from the city. The day after the shooting, Mayor Bloomberg said that it was too early to draw conclusions and Police Commissioner Kelly said much about the incident was unclear. This uncertainty could have continued throughout the case, causing the public distrust to grow (McFadden, 2006).

However, the NYPD soon started communicating facts to the public, even if they would show the department in a negative light. On November 28, three days after the shooting, Commissioner Kelly discussed the incident with the media. Among the topics discussed by Kelly were how much alcohol was consumed by the undercover officers that evening, which was determined to be two beers between

1:00 a.m. and 4:00 a.m. by one or two officers, and how many shots were fired by each officer (Wilson, 2006).

When Bloomberg first spoke out about the case on the same day as the shooting, he continued to break away from the delayed communication of the Diallo case.

He said:

“A lot of people feel that this on top of other incidents that have happened in the past is a pattern that is unacceptable. I find that pattern unacceptable as well... There is no evidence that they (the men who were shot) were doing anything wrong” (Cardwell & Chan, 2006).

Later in the investigation, Bloomberg and Kelly were forthright with information that showed elements of guilt on the part of the officers. One example specifically surrounded police department policy on shooting at a motor vehicle. The NYPD policy said that officers cannot fire at a car unless other deadly force is coming from the vehicle. In this case there was no additional force coming from the vehicle, and Bloomberg and Kelly presented this information to the media in an open and honest fashion. In fact, the Bloomberg statement included: “It would appear that the policies of the Police Department were broken” (Baker, 2006).

These statements by Kelly and Bloomberg had a refreshing honesty that was not present during the Diallo case. Kelly provided facts about the case, and Bloomberg’s statements included his feelings that the public could relate to. The Bloomberg statements fell short of an apology, but he showed that he related to the feelings and outrage of the public.

Like Giuliani, Bloomberg also defended the police department in statements to the media, but his statements provided a human element that Giuliani’s did not. Bloomberg acknowledged that many people believed that the NYPD took part in racial profiling, but he reiterated that racial profiling was not the policy of the department (Chan, 2006).

### *Part 3: The Mayor Emerging as a Trusted Spokesperson*

According to the 2010 Edelman Trust Barometer, the firm’s annual trust and credibility survey, 44 percent of people trust “people like me.” While this is a three percent drop from the percentage of people in 2009 who trusted people like themselves, this category is still more trusted than CEOs or government officials (Edelman, 2010).

The public wants to see a spokesperson who they can relate to. Bloomberg served this role by showing that he understood the feelings of the public. Where Giuliani appeared defensive during the Diallo case, Bloomberg allowed Kelly to

assume the role of defending the police department, where he was the figure who was relatable to the public.

Kelly, in his role as police commissioner, provided the facts of the case and defended the NYPD and its officers, where Bloomberg met with the Bell family and assumed the role of representing the public. Bloomberg didn't require the public to believe the police department, but asked them to relate to the officers. When the case continued into 2007, Bloomberg said on March 20:

“It also needs to be said that being a police officer, as we were reminded several times last week, is a very dangerous job. And although a trial will decide whether crimes were committed in this case, day in and day out the NYPD does an incredible job under very difficult circumstances” (Barry & Moynihan, 2007).

These two roles played by Bloomberg and Kelly during the case showed that the NYPD was working to move back towards a two-way communication model, even if it was a siloed form of two-way communication. Kelly spoke at the public where Bloomberg spoke with the public. While this was not the perfect example of a two-way communication model, it was much more successful than the one-way speculation of the Diallo case.

#### *Part 4: Back to Two-Way Communication, Listening to the Public*

The police department began an investigation of itself based on the shooting incident. The NYPD commissioned an independent review of its firearms training following the Bell shooting, with the goal of determining if their current training needed to be altered (Buckley, 2007). Following the Diallo and Bell shootings and the outrage that followed, the independent investigation was an example of how the NYPD heard the response of the public to the incidents and took the step in response to public concerns. The response to public concern and communication was another example of utilizing a two-way model of communication, moving towards the symmetrical model where both the organization and the public's benefit.

If the communication during the Diallo case marked a low point among the four situations studied in communication by the NYPD, the reaction to the Bell case was a high point. Perhaps learning from previous faltering communication or due to a change in police commissioner and mayor, the actions on behalf of the NYPD in response to the Bell shooting showed an openness and honesty that did not exist in the 1990s, and harkened back to the candor of officers during the Son of Sam case. The Bell communication was more refined than during the Son of Sam case, with specified spokespeople and more controlled messages, but its success helped stem a tide of distrust and anger that could have continued through the Bloomberg administration. Bloomberg's approval remained strong enough to earn him a third term as mayor in 2009.

## **AN ACADEMIC'S VIEWPOINT OF POLICE / MEDIA RELATIONS**

John Jay College of Criminal Justice is an internationally recognized leader in scholarly research on criminal justice, with classes taught by experts in their fields. The college's mid-Manhattan location places it within the heart of New York City, drawing many individuals to the faculty who are familiar with the criminal justice workings of the city (The City University, 2010).

One such individual is Professor Dorothy M. Schulz, Ph.D. Professor Schulz, a tenured professor within the department of law, police studies and criminal justice administration, has also held law enforcement positions, including commanding officer in the Metro-North Commuter Railroad Police Department (Schulz, 2010).

As a former law enforcement officer, Schulz stated that while a captain in a department of around 100 people she was aware of the media and public information function of her department, as she was often the individual selected to deal with the media by her Chief or the agency's public information personnel.

However, she added that generally police officers avoid interacting directly with the media because they could face disciplinary actions for unauthorized discussions with the media. These disciplinary actions have nothing to do with the accuracy of the statements given by the police officer, but can occur simply because they made comments. Therefore, many police officers will most likely refer media representatives to their supervisory officers.

This is not a practice only within the NYPD. Schulz said that most agencies, regardless of size, limit individual officers dealing with the press or answering questions. In virtually all of the procedures manuals of police departments, she said that you will find regulations limiting police events and business with outsiders, including the press. She added that the NYPD generally has a media professional leading the press office, and this is often the only person with permission to be quoted on record, where smaller agencies often have sworn officers in similar positions who have the authority to hold press conferences and officially respond to media queries.

Schulz said that the NYPD is not a good example of relations between police and the media and that the Department of the Commissioner of Public Information tends to be reactive rather than proactive and "is really more of a press office for the [Police] Commissioner than for the department." When asked about police and media relations on a broader scale, Schulz said that smaller agencies are often more proactive, alerting local media to positive activities by individual police officers, including not only arrests, but also community activities (Schulz, 2010).

## **A FORMER POLICE JOURNALIST'S VIEWPOINT**

Leonard Levitt wrote the column “One Police Plaza” about the NYPD, for New York’s Newsday from 1995 to 2005. Levitt’s journalism career traces back long before Newsday, having previously worked as a reporter for the Associated Press and the Detroit News, as a correspondent for Time Magazine and as the investigations editor of the New York Post (Levitt, 2010).

Following his column at Newsday, Levitt has continued covering the NYPD on his Web site, NYPD Confidential. In total, Levitt has covered the NYPD for about 20 years, on and off.

In 2009, Levitt published NYPD Confidential: Power and Corruption in the Country’s Greatest Police Force. The book provides a comprehensive view of his experience writing about the NYPD, Levitt agreed to provide some background on his experiences for inclusion in this paper.

In his experience with multiple NYPD public information departments under different administrations, Levitt defined the public information department as most media-friendly under Police Commissioners Robert McGuire (1978 through 1983) and Bernard Kerik (2000 through 2001). Levitt credits the media-friendly nature of McGuire’s department to the work of Alice McGillon, who has since moved to a public relations agency career at Rubenstein Associates. McGillon’s work with the NYPD was displayed during the Goetz case (Levitt, 2010).

Exemplifying the NYPD’s communications function as following the one-way public information model of Grunig and Hunt, Levitt describes the department in NYPD Confidential: “The Public Information Office was expert in managing the media and presenting the department in a favorable light” (Levitt, 2009).

When asked if Levitt had seen the public information practices of the NYPD change drastically after a single event, he advised that everything changed after September 11, 2001.

Based on his experiences, Levitt said that the average police officer has no clue about the workings of the public information office. Looking back on more than 20 years of interaction with the NYPD, Levitt had one tip for the future employees of the NYPD public information office: the media becomes your enemy when you stonewall (Levitt, 2010).

## **NYPD PUBLIC RELATIONS TACTICS**

### *Part 1: Press Releases*

One of the most basic tactics is the press release, a prepared statement providing specific facts around an event or incident. This document provides the

basic “who, what, when, where and why” of a previous or upcoming event (Brown, 2004). Specific functions for public safety professionals could be the following:

- Notifying the media of public relations events, such as open houses or promotion ceremonies
- Announcing public education events
- Providing notice of public health or safety issues
- Providing notice of hazardous weather conditions
- Making requests to locate missing or sought after individuals
- Providing notice of significant interdepartmental events, both positive and negative (Brown, 2004).

Public safety professionals are also advised that the press release can be used to get facts onto paper so that they are less open to interpretation.

Between September 6, 2002 and March 26, 2010, the NYPD released a total of 526 press releases. The releases cover activities such as promotions, Police Activity League activities, street closures and upcoming events that would lead to traffic and security changes. Prior to November 10, 2005, the press releases also included updates on arrests made in the city for crimes such as drug sales, insurance fraud and robbery rings. This change in information provided in press releases came under the administrations of Mayor Michael Bloomberg and Police Commissioner Raymond Kelly, both assuming their posts in 2002.

Between September 6, 2002 and November 10, 2005, 67 of 237 press releases discussed arrests or activities leading to arrests. According to Detective Crispin, the NYPD’s Web site has transitioned into what the public has shown to be most interested in based on the feedback received by the Department of the Commissioner of Public Information (Crispin, 2010).

### *Part 2: Podcasting*

The year 2005 brought other changes to the public information function of the NYPD, with the beginning of audio podcasting. Made available to the public in June 2007, the Inside the NYPD podcast aims to provide the public and prospective recruits with a look inside the department (New York City Police Department, 2010).

The audio and video podcasts cover different elements of the NYPD including an inside view of its different divisions (housing bureau, gang division, transit bureau, etc.) to show the public the roles of the officers in each unit and the benefits that they provide to the public. These podcasts were created as an additional outlet to communicate with the public, said Detective Crispin (Crispin, 2010).

### *Part 3: Public Information Department Functions*

The function of public information or public relations departments is different within every public service agency. The NYPD outlines its public information office within the NYPD Operations page on its website at [www.nyc.gov/nypd](http://www.nyc.gov/nypd). This operations site explains the role of the Deputy Commissioner, Public Information as “to receive police information from the NYPD Operations Unit, other department commands, outside governmental agencies, and to disseminate information to the media.”

The NYPD also outlines the amount of activity that it participates in per year, stating that: “a reasonable estimate of telephone traffic in and out of the office ranges from six hundred to one thousand calls on weekdays to several hundred per day on the weekend.” With this volume of calls going in and out of the office, it is understandable that the department has created a system where spokespeople are defined and kept to a small number of people in order to maintain that the messages disseminated to the media and the public are as controlled as possible.

### *Part 4: Non-Releasable Information*

While the department of public information disseminates information to the media and public about ongoing cases, the department also provides additional information about its operations on the website. Topics that are outlined on the site include what is non-releasable information.

A corporation often has internal memos for its spokespeople and public relations department outlining what information about the company can be released to the public and what information is private. Making the public information department of the NYPD more transparent than the average public relations department of a corporation, the NYPD provides the public with information about what is private to the department, including:

- Information posing an undue risk to the personal safety of members of the Department, media representatives, victims or others.
- Information that may interfere with police operations.
- Information that adversely affects the rights of an accused or the investigation or prosecution of a crime.
- Information concerning the identity of children under 16 years of age who are complainants or arrested except when arrested for a crime which would classify them as a Juvenile Offender.
- Information concerning the victim of a sex crime (New York City Police Department, 2010).

When interacting with the media, the phrase “no comment” has become synonymous with evasion, and it can give the media and public a negative impression of the organization and spokesperson (Doorley & Garcia, 2007).

When presented with a difficult question that cannot be answered, finding another way to say “no comment” is better than using this phrase.

#### *Part 5: Training and Access*

Public relations and public information are not areas that have formal certification or accreditation necessary to practice. As methods and trends change in the industry, it’s necessary for public relations and information professionals to update their training. The NYPD includes on its website that the Deputy Commissioner, commanding officer and supervisors in the public information office participate in training sessions and executive development courses that are scheduled by the police academy and detective bureau to update themselves on the police and the media.

On-the-job training is also necessary to bring junior employees up to speed about the organization for which they are working. The NYPD also provides training to police officers and detectives who are assigned to the public information office, under the oversight of a supervisor and experienced member of the staff. This training, as in a corporation, ensures that all public information employees have the same information about the operations of the department and their roles and responsibilities, as well as information on policing as a whole (New York City Police Department, 2010).

In order to make sure that the media know how and for what matters they can reach the public information department, the Web site also outlines how to request interviews. Requests for interviews can be made for any member of the NYPD, from the police commissioner to any police officer walking the beat. To keep all requests coming into one source, local, national and international media are required to submit requests for interviews in writing to the public information office (New York City Police Department, 2010).

## **LESSONS LEARNED & CREATING A HYBRID MODEL**

#### *Part 1: Lessons Learned From the Cases*

The four cases examined in this paper highlight examples of beneficial and damaging communication by the NYPD. As outlined by Grunig and Hunt, the public information model of public relations is the model most often utilized by government and public service organizations. As the nation’s largest police department, it is not a surprise that the NYPD utilizes this public information model, disseminating information to the media and the public.

In such a large department, organization is crucial in all aspects of operation. Communication is another element that must be organized so it can also be monitored. In the Son of Sam case, multiple detectives and officers served as spokespeople for the NYPD. Whether they were approved as spokespeople was

unclear, but the media had frequent access to these officers. During this case the officers were open in providing commentary about the case along with the facts to the media. While this created a trustworthy feeling with the public during this case, it is important to remember that this case occurred in the 1970s, when the population of New York City was about 7.9 million people, approximately half a million fewer than live in the city today. As the city's population grew, so did the size of its police department and the need to organize and streamline the operations of the public information department.

The public information function of the NYPD became more formalized, as was shown in the Goetz case. The candid comments from detectives became less frequent, and specific police spokespeople were named and quoted in the press more often. The Police Commissioner and the Mayor also emerged as key spokespeople, which was not seen in the Son of Sam case. This shift showed a move into a formal function of public information, instead of casual communication between officers and the media.

The public information model is effective in providing the facts to the media and public, if there are facts available to provide. The potentially damaging circumstances occur when facts are not readily available to be communicated and speculation begins.

As the Diallo case showed, when facts about the case were not available, the NYPD's main spokespeople, the Police Commissioner Safir and Mayor Giuliani, began providing largely uninformative and defensive statements. By not providing information that the public demanded, or even acknowledging their request for more information, these spokespeople and the NYPD became even less trustworthy.

The NYPD found a steadier balance of communication in the Sean Bell case. The public information model succeeded in providing information to the public, but an element of humanity existed that had not been present since the Son of Sam case. Mayor Bloomberg emerged during the Bell case as a spokesperson who on one hand represented the city, but who also related to the public and their emotions about the case.

### *Part 2: The Public Information Hybrid Model*

With the Bell case, the NYPD emerged with what the author has determined as a public information hybrid model of public relations. Due to the size of the NYPD and the volume of incoming requests the public information department receives each day, the only logical existing model to adopt is the public information model. A true feedback loop that exists in a two-way model would become a burden to the department and hamper the turnaround time and effectiveness of its communication. Therefore, a two-pronged approach, following the pattern that existed during the Bell case may prove most effective.

The public information department, with the Deputy Commissioner of Public Information or the Police Commissioner as the spokesperson, serves to provide the facts of the case to the media and the public. There are critics that believe that the NYPD needs to do a better job of proactively disseminating information instead of being largely reactive, and this is a process that can be adapted and refined. The public information department must focus on providing information as quickly and proactively as possible. Like the public relations agency that works with a client, the agency wants to provide as much information to the client upfront before the client has to ask for it. Public information departments should aim to do the same with the media and the public: provide the information before it is requested.

As with any public service agency, the citizens want to believe there is a part of the entity that is listening to them and understands their concerns. This role should not fall to the public information office, but to another spokesperson. In the current administration, Mayor Michael Bloomberg has fulfilled this role. Perhaps this is because prior to becoming the mayor of New York City in 2002 Bloomberg was a businessman and a citizen of New York, so he can relate to the public. In the role of spokesperson, Bloomberg has provided the human element to communication that is needed to continue the feeling of trust between the public and the city, and therefore the NYPD.

Mayor Bloomberg's third term as mayor will end in 2013. It is unclear whether the position of mayor will remain a publicly relatable voice for the NYPD in difficult times. Whether this role continues to be fulfilled by the next mayor or not, it is clear that someone in the administration of New York City or the NYPD must step up and take this role. The NYPD cannot retreat back to a purely public information model once Bloomberg leaves office. It has seen too many ups and downs in public and police relations in the past, and now that relations appear to be on an upswing, at least from the standpoint of media relations in major cases, the NYPD cannot afford to go backwards in time to the communication of the era of the Diallo case.

### *Part 3: Conclusion and Moving Forward*

The public information model is most effective for a public service agency, especially for a large agency because it organizes information and spokespeople and provides a single channel of interaction to the media and public, providing facts as they are available. Proactive communication is crucial in making this model succeed. A secondary spokesperson whose role is to relate to the public and its needs and desires is also important in building a bond of trust and security with the public. The NYPD and New York City have begun to adopt this public information hybrid model, and with further refinement and growth it could work to continue this model into future communications and build a more

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beneficial relationship between the citizens of New York City and the police officers who serve and protect them.

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