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From the Desire to Mark Essex: The Catalysts of Militarization for the New Orleans Police Department

Derrick W.A. Martin
University of New Orleans, dseabastain@live.com

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“From the Desire to Mark Essex: The Catalysts of Militarization for the New Orleans Police Department”

A Thesis

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University of New Orleans
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By

Derrick Martin

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Abstract

The ultimate goal in the South was to end segregation, but nationwide equal-rights were the common goal of all African-Americans. Nonviolent protests and over aggressive police departments became the norm within the African-American community. Understated in the history of the Civil Rights Era is the role of armed resistance and Black Nationalism. Marcus Garvey, Stokely Carmichael, Huey P. Newton, and Malcolm X were Black Nationalists that led the charge of Black Nationalism worldwide. The Deacons of Defense, the Lowndes County Freedom Organization (LCFO) and the Black Panther Party for Self Defense transformed the social makeup of the country and became major causes of the militarization of police departments across the United States. Many police departments across America began to create SWAT teams and use military-style weaponry following an outbreak of riots and the assassination of Dr. Martin Luther King Jr. In New Orleans, Louisiana, stand-offs and shoot-outs with Black Panther members warranted a call for military backup, but it was the acts of Mark James Robert Essex that totally militarized the New Orleans Police Department.

Keywords: Civil Rights Era, Huey P. Newton, Black Nationalism, SWAT, police militarization, Mark Essex, Black Panther Party, New Orleans, Desire Housing Projects, NOPD

Introduction

January 7, 1973, is a day that lives in infamy in New Orleans, for many residents. The name Mark Essex traveled through conversations of local New Orleansians rather frequent. The city of New Orleans was under attack, an ordeal that began seven days earlier. Mark James Robert Essex orchestrated “Seven Days of Hell.”¹ A title will forever accompany the name of Mark Essex -- “the New Orleans sniper.”² The details surrounding the seven days of terror vary depending on the person giving the data. Motives for the Essex crimes also differ from racial hatred to carrying out an agenda of the Black Panther Party.

The emergence of the Black Panther Party nationwide put police departments across the nation on notice. Civil unrest, protest, riots, and the Black Panthers provided police departments with valid reasons for making militarized changes within departments. The case of the New Orleans sniper discombobulated many in law enforcement. The fact a single perpetrator could inflict so much havoc was unimaginable. For tactical reasons, the Mark Essex incident became great teaching experience for law enforcement agencies across the United States. The Federal Bureau of Investigation (FBI) used the mistakes made by the New Orleans Police Department (NOPD) in building entry tactical procedure as a training mechanism for years following the incident. An ill-prepared and ill-equipped New Orleans Police Department added to the many embarrassments during the Essex ordeal.

New Orleans, Louisiana, not different from other cities in the United States; however the Black Panthers were only one of two major causes for militarization of the NOPD. New Orleans police and the Black Panther Party infamous shoot-outs, raids, and stand-offs are well

¹ Peter Herson, *A Terrible Thunder: The Story of the New Orleans Sniper*, (New Orleans: Garrett County Press, 2010), 5.

² Ibid. 3.

documented and recorded. Residents of the Desire Housing Projects, angry at an attempted infiltration of the Black Panthers, helped unleash the wrath of the New Orleans Police Department. September 15, 1970, the NOPD executed a raid on the Black Panther Headquarters in the Desire neighborhood on the premise of having arrest warrants for six people believed to live at the headquarters.³ The September 1970, confrontation between Panthers in Desire and police unveiled the militarized direction the NOPD was heading. The next two battles of the Panthers and NOPD ended in the biggest stand-off known to date in New Orleans and the end of the Black Panther Party in New Orleans. The end of the Black Panther Party in New Orleans coincides with the arrival of Mark Essex in the city.

The Black Panther Party and Mark Essex in particular emerged as reasons for militarization within the New Orleans Police Department. Essex's blatant attack on NOPD Central Lock-Up and subsequent murder of a police cadet advanced the New Orleans Police Department into the Twentieth century of policing. The terror acts of Mark Essex aired on local and national television. Police and civilians were terrified while many in the African-American community cheered the acts of Essex. Essex's ordeal embedded his name in infamy in New Orleans history along with the immediate changes within the New Orleans Police Department. This thesis shows cause of militarization in police departments due to the fear of rioting, civil unrest, and emergence of the Black Panther Party within the African-American community; however, the Panthers and Mark Essex pushed the militarization of the New Orleans Police Department.

Literature Review

³ "Why Twenty-Four Panthers Are Political Prisoners in Louisiana," *THE BLACK PANTHER: Intercommunal News Service*, June 12, 1971, accessed March 3, 2016, http://www.itsabouttimebpp.com/chapter_history/pdf/new_orleans/neworleans24.pdf.

The history of the Black Panther Party is controversial. Scholars have characterized the Black Panther Party as the most influential black movement organization of the late 1960s, and "the strongest link between the domestic Black Liberation Struggle and global opponents of American imperialism."⁴ Other commentators have described the Party as more criminal than political, characterized by "defiant posturing over substance."⁵ The historical writings on the Black Panther Party center on a theme of Civil Rights. However, it is the approach the Black Panther Party took in achieving equal civil rights that dictate the narrative in writings. For instance, several historians and writers have labeled the Black Panther Party as a terroristic organization and not a civil rights group.

For the Black Panthers, it was a theme of armed resistance that championed the nonviolent movement. The literary foundation of the Black Panthers ideology is drawn from Robert Williams' *Negroes With Guns*.⁶ In recent years works have emerged on the Panthers and their history. Charles J. Austin's, *Up Against the Wall: Violence in the Making and Unmaking of the Black Panther Party*,⁷ and Judson L. Jeffries, *On the Ground: The Black Panther Party in Communities across America*⁸ are respectable works. These works draw from literary contributions of former Black Panther members. Eldridge Cleaver, Angela Davis, David Hillard, Huey Newton, and Bobby Seale have all made significant contributions. However, historians question the works of former Black Panther members due to the members' intimacy with the

⁴ Joshua Bloom and Waldo E. Martin, *Black against Empire: The History and Politics of the Black Panther Party*, (Berkeley: University of California Press, 2013), 3.

⁵ Hugh Pearson, *The Shadow of the Panther: Huey Newton and the Price of Black Power in America*, (Cambridge: Perseus Publishing, 1994), 340.

⁶ Robert Williams, *Negroes With Guns*, (New York: Mazani & Munsell, 1962).

⁷ Curtis J. Austin, *Up Against the Wall: Violence in the Making and Unmaking of the Black Panther Party*, (Fayetteville: University of Arkansas Press, 2006).

⁸ Judson L. Jeffries, *On the Ground: The Black Panther in Communities across America*, (Oxford: University of Mississippi Press, 2011).

subject matter. Therefore, historians feel the works of Panther members may represent a conflict of interest.

Literature on the Black Panther Party of New Orleans is not as vast as literature on the party as a whole. The majority of works on the Black Panthers in New Orleans come from newspaper articles. A few historians have managed to produce significant literary works about the Black Panthers in New Orleans. Barbara Eckstein's, *Sustaining New Orleans: Literature, Local Memory, and the Fate of the City*,⁹ and Leonard N. Moore's, *Black Rage in New Orleans: Police Brutality and African American Activism*¹⁰ are suitable resources, but in both cases only dedicate a chapter to the Panthers. On the other hand, Orissa Arend's, *Showdown in Desire: The Black Panthers Take a Stand in New Orleans*,¹¹ is a detailed account of the Black Panthers in the Desire neighborhood. Arend also is responsible for several articles and a theatrical rendition of the standoff between the NOPD and the Black Panthers.

The historical writings on the subject of Mark Essex and his relation to the New Orleans Police Department are few and focus more on details of the massacre, not the manner the department adapted following the ordeal. Peter Herson conducted the most in depth research into the incident, enlisting the help of the then Police Chief, Clarence Giarrusso. Historical content presented within Herson's, *A Terrible Thunder: The Story of the New Orleans Sniper*,¹² is overshadowed by inconsistencies presentation. Some of the historical content is lost within the fictional presentation. The Mark Essex incident made news and newspaper headlines all over the

⁹ Barbara Eckstein, *Sustaining New Orleans: Literature, Local Memory, and the Fate of the City*, (New York: Routledge, 2006).

¹⁰ Leonard N. Moore, *Black Rage in New Orleans: Police Brutality and African American Activism*, (Baton Rouge: Louisiana State University Press, 2010).

¹¹ Orissa Arend, *Showdown in Desire: The Black Panthers Take a Stand in New Orleans*, (Fayetteville: University of Arkansas Press, 2009).

¹² Peter Herson, *A Terrible Thunder: The Story of the New Orleans Sniper*, (New Orleans: Garrett County Press, 2010).

country. Edward Nordskog's, *Torched Minds: Case Histories of Notorious Serial Arsonists*,¹³ uses the fires Essex set in the Howard Johnson Hotel as diversions to make a case about serial arsonist. Eckstein and Moore compose reliable one-chapter contributions to the Mark Essex story as well.

To date, an abundance of material on policing in America continues to circulate. Much of the literature focuses on policy and procedures of police departments. On the contrary, very little material has been produced on the militarization of police departments across the nation. The most important and significant literature created on the militarization of police departments is Radley Balko, *Rise of the Warrior Cop: The Militarization of America's Police Forces*.¹⁴ The work is noteworthy because it draws from the thoughts of current and former police officers on the state of militarization within police departments worldwide. Although controversial, Balko's book is considered the most meaningful work on militarized policing.

This thesis fills a void in the historical record by connecting the Black Panther Party and Mark Essex to the militarization of the New Orleans Police Department. This thesis will also serve as a reference tool for events surrounding the Black Panther Party of New Orleans, the New Orleans Police Department, and Mark Essex. The fear of urban unrest in the 1960s played a major role in the militarization of police departments across America and the creation of SWAT teams across the nation. However, in New Orleans violent confrontations between the New Orleans Police Department and the Black Panther Party followed by the terror of the Mark Essex incident pushed police militarization and the formation of NOPD SWAT. In spite of this,

¹³ Edward Nordskog, *Torched Minds: Case Histories of Notorious Serial Arsonist*, (Washington D.C.: Xlibris Corporation Press, 2011).

¹⁴ Radley Balko, *Rise of the Warrior Cop: The Militarization of America's Police Forces*, (New York: Perseus Book Group, 2013).

the type of SWAT team created by the NOPD became one of two types created in departments across America.

The History of SWAT in America

Two different types of SWAT teams developed within police departments across the nation during the Civil Rights Era. A standard-type of SWAT team, equipped with riot-shields, headgear, and extra long batons became the model for most departments.¹⁵ The other type of SWAT team to develop focused on specialized training, military-grade weapons, building entry, and hostage negotiation.¹⁶ The Philadelphia Police Department introduced the first formal SWAT team in response to an overwhelming increase in bank robberies. The unit's purpose was to quickly and decisively react to bank robberies while they were in progress, by utilizing a large number of specially trained officers who had at their disposal a great amount of firepower.¹⁷ The initial team of the Philadelphia Police Department consisted of one hundred special trained officers. Philadelphia Police Department's initial SWAT team helped to reduce the number of bank robberies.¹⁸ Overall the SWAT team was a success in Philadelphia and was later used to resolve other types of incidents involving heavily armed criminals. However, the Philadelphia

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ John S. Dempsey and Linda S. Frost, *An Introduction to Policing*, (New York: Cengage Press, 2010), 285.

¹⁸ Ibid. 288.

Police SWAT team did not fall into either of the two main types of SWAT teams. Over time, Philadelphia SWAT team evolved to include both types of SWAT teams in the department.

The public image of SWAT first became known through the LAPD, perhaps because of the city's proximity to the mass media, the size of the city, and professionalism of the Department. However, north of Los Angeles in the farming community of Delano California, on the border between Kern and Tulare Counties in the San Joaquin Valley, authorities conducted the first actual SWAT-type operations. At the time, the United Farm Workers union led by Cesar Chavez staged numerous protests in Delano, in a strike that would last over five years.¹⁹ The unrest in Delano introduced Americans to the riot-type of SWAT team. During the late 1960s, most departments across the nation added SWAT teams that focused on controlling riots and civil unrest.

Daryl F. Gates is mistakenly named as the founding father of the SWAT although his formation of a SWAT team came one year after the SWAT team's introduction in Philadelphia. Daryl F. Gates became chief of the Los Angeles police force, campaigned a sturdily armed squad of trained officers as an essential tool of law enforcement after the deadly Watts riots of 1965.²⁰ Los Angeles's SWAT team tested the team's mettle in 1969 against a local Black Panther militia and again in 1974 during a fierce firefight with the Symbionese Liberation Army. The confrontation between the Black Panthers and the LAPD resulted in Daryl F. Gates contacting the Department of Defense requesting and receiving permission to use a grenade launcher.²¹ However, the LAPD focused on both types of SWAT teams in their creation of SWAT. The

¹⁹ Clyde Haberman, "The Rise of the SWAT Team in American Policing," *The New York Times*, September 7, 2014.

²⁰ Ibid.

²¹ Radley Balko, *Rise of the Warrior Cop: The Militarization of America's Police Forces*, (New York: Perseus Book Group, 2013).

Symbionese Liberation Army was a bizarre but dangerous band of radicals' best known for having kidnapped the media heiress Patricia Hearst.

Following the Patty Hearst debacle, police departments across the nation were more and more in tune with developing plans of adding SWAT teams within local departments. By 1975, there are at least thirty-five SWAT teams in police departments across the country, an Associated Press survey showed.²² An exact figure is unknown because some teams are still secret and others are being formed almost daily.²³ Very unusual to the formation of SWAT teams throughout the United States, are little towns and cities without a large African-American population forming SWAT teams as well. The densely populated Daly City, California, was the model for unnecessary SWAT team formation. The city's small police force possessed an anti-sniper team since 1968, to combat the threat of militant groups, had yet to use the team by 1975.²⁴

Reasons for forming SWAT across the country varied, but it is evident SWAT teams are a bit of the norm for police departments across the United States. Some departments were motivated by the increase in political crimes; the Columbus, Ohio, SWAT team formed after the 1973 killings of athletes at the Olympic games in Munich.²⁵ Other cities such as Boston and St. Louis formed their respective SWAT teams to combat racial disturbances, which took place in those cities in previous years. Anti-war protest coupled with growing racial tension helped form SWAT teams in Minneapolis and the nation's capital. However, the rise of the Black Panther Party created the most significant reason for departments nationwide to add SWAT teams.

²² Linda Deutsch, Associated Press, "35 Police Departments Use SWAT," *San Antonio Express*, 17 Jul. 1975, 11-A, accessed 14 October 2015, http://www.newspapers.com/clip/3413054/swat_article_4/

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

The Black Panther Party

The Black Panther Party for Self Defense (BPP) was a progressive political organization that stood in the vanguard of the second reconstruction. It was the most powerful movement for social change in America since the Revolution of 1776 and the Civil War. Footage of a Black Panther member filmed for Stanley Nelson's PBS documentary praised the Black Panther Party as,

“The sole African-American organization in the entire history of African-American struggle against slavery and oppression in the United States that was armed, promoted a revolutionary agenda, and represents the last great thrust by the masses of African-American people for equality, justice, and freedom. Despite the demise of the Party, its history and lessons remain so challenging and controversial that established texts and media erase all reference to the Party from their portrayals of American history.”²⁶

The Black Panther Party developed from the vision of Huey P. Newton, the seventh son of a Louisiana family transplanted to Oakland, California. October 1966, in the wake of the assassination of African-American leader Malcolm X, on the heels of the massive African-American, urban uprising in Watts, California, and at the height of the Civil Rights Movement led by Dr. Martin Luther King Jr. Newton gathered a few of his longtime friends, including Bobby Seale and David Hilliard, and developed a skeletal outline for this organization.²⁷ The revolutionists formally named the organization the ‘Black Panther Party for Self-Defense.’ The Black Panther was used as the symbol because it was a powerful image, one that had been used effectively by the short-lived voting rights group the Lowndes County (Alabama) Freedom

²⁶ *The Black Panthers: Vanguard of the Revolution*, Directed, produced, and written by Stanley Nelson (Indie Documentary, 2014), aired 16 February 2016, on PBS.

²⁷ Richard Kreitne, “October 15, 1966: The Black Panther Party is Founded,” *The Nation*, 15 October 2015, accessed 15 October 2015, <http://www.thenation.com/article/october-15-1966-the-black-panther-party-is-founded/>. Also, *The Nation* published a story about the Oakland-based group, “The Black Panthers: Cornered Cats,” in July of 1968, written by Michael Harris, a longtime political reporter for the *San Francisco Chronicle* who died in October 2014, accessed October 15, 2015,

Organization.²⁸ The term “self-defense” was employed to distinguish the Party’s philosophy from the dominant nonviolent theme of the Civil Rights Movement, and in homage to the civil rights group the Louisiana-based Deacons for Defense. The two symbolic homage references were the only similarities between the Black Panther Party and other African-American organizations of the time period.

The leadership of the emerging Party outlined a Ten-Point Platform and Program. This platform and program articulated the fundamental wants and needs of the organization, and called for rectification of the long-standing grievances of the African-American masses in the United States, who were still alienated from and oppressed by society despite the abolition of slavery at the end of the Civil War.²⁹ Moreover, this platform and program was a manifesto that demanded the express needs met and oppression of Blacks ended immediately; the Panthers issued a demand for the right to self defense by revolutionary ideology and by the commitment of the membership of the Black Panther Party to promote its agenda for fundamental change in America.³⁰

In 1964, the U.S. Congress passed a civil rights act that outlawed racial segregation in public facilities. As the images of nonviolent Blacks and other civil rights workers and demonstrators being beaten, water-hosed by police, spat on, and jailed, merely for protesting social injustices broadcasted across America’s television screens, which was a new and compelling phenomenon in American life and popular culture, many young urban African-Americans rejected nonviolence. The full expression of African-Americans rejecting nonviolent

²⁸ Carson Clayborne, *In Struggle: SNCC and the Black Awakening of the 1960s*, (Cambridge: Harvard University Press, 1981); See also: Evans D. Hopkins, *Life After Life: A Story of Rage and Redemption* (New York: Free Press, 2005); accessed December 12, 2015, <http://www.hartford-hwp.com/archives/45a/473.html> and <http://www.blackpast.org/aah/lowndes-county-freedom-organization#sthash.g8m6S7ga.dpu>.

²⁹ *A Huey P. Newton Story*, directed by Spike Lee (Luna Ray Films LLC, 2002), Retrieved 7 June 2015, <http://www.pbs.org/hueypnewton/>. Also aired PBS 12 August 2015, and STARZ BLACK 16 February 2016.

³⁰ *Ibid.*

ideology is the violent protest to the brutal police beating of an African-American man in Watts, California. It was against this backdrop that Huey P. Newton organized the Black Panther Party for Self-Defense, boldly calling for a complete end to all forms of oppression of African-Americans and offering revolution as an option. At the same time, the Black Panther Party took the position that African-Americans in America and the Vietnamese in Vietnam engaged in a common struggle as comrades-in-arms against a common enemy: the U.S. government.³¹

The Black Power Movement of the late 1960s became the greatest domestic adversary known to the United States government to date. J. Edgar Hoover declared the Black Panther Party "the greatest threat to the internal security of the country,"³² and he supervised an extensive program which included surveillance, infiltration, perjury, and police harassment many other tactics designed to undermine Panther leadership, incriminate party members, discredit and criminalize the Party, and drain the organization of resources and manpower.³³ The program entitled 'COINTELPRO'³⁴ is accused of using assassination against Black Panther members. Police across the nation perpetrated constant arrests of Panther members, which disrupted the work of the organization and drained financial resources. The Federal Bureau of Investigation infiltrated the party by manufacturing rivalries and disputes between different members. The embattled Black Panther Party experienced changes in leadership with the incarceration of Huey

³¹ Ibid.

³² *Hoover and the F.B.I.*, directed by Stanley Nelson, (Luna Ray Films, LLC, 2011), Retrieved 24 January 2016, <http://www.pbs.org/wgbh/americanexperience/.../people/j-edgar-hoover>.

³³ Ibid.

³⁴ COINTELPRO - The FBI began COINTELPRO—short for Counterintelligence Program—in 1956 to disrupt the activities of the Communist Party of the United States. In the 1960s, it was expanded to include a number of other domestic groups, such as the Ku Klux Klan, the Socialist Workers Party, and the Black Panther Party. All COINTELPRO operations were ended in 1971. Although limited in scope (about two-tenths of one percent of the FBI's workload over a 15-year period), COINTELPRO was later rightfully criticized by Congress and the American people for abridging first amendment rights and for other reasons. The Black Panthers became the target of 233 of the total authorized "Black Nationalist" COINTELPRO actions.

P. Newton. The constant change in leadership resulted in the government's ability to weaken the party.

The incarceration of Newton came on the heels of his prison release for stabbing a man. The events that followed Newton's release sent him back to prison, but this time Newton faced murder charges. Officer John Frey made a traffic stop on a car Newton rode in. However, Officer Frey recognized Newton and immediately called for backup. When back up arrived, shots fired cause the death of Frey and wounds to Newton and Officer Herbert Heanes (the officer that responded to the call for backup). In 1968, the courts convicted Newton of involuntary manslaughter; a charge dismissed two years later after California Appellate Court reversed Newton's conviction. Two new trials ended with hung juries. The shake-ups in Panther leadership nationally produced a need for strengthening local Black Panther chapters. The need for strong local chapters made the Black Panther Party in New Orleans vital for the party's survival.

Another Chapter Formed: The Black Panther Party New Orleans

In the Greater New Orleans area, segregation and racism were pervasive. New Orleans' native son Louis Armstrong refused to ever return to the city of his birth due to his racist treatment in his hometown. November of 1960 a little African-American girl named Ruby Bridges started her first day of school at predominately white, William Frantz Elementary. During that time law enforcement officials dragged the Reverend Avery C. Alexander down the courthouse stairs for challenging the status quo. Incidents from the sit-in at the Canal Street Woolworth counter (protesting whites only being served), and the administration-building takeover at Southern University of New Orleans (protesting unequal resources and learning conditions like the students down the street at the Louisiana State University in New Orleans)

provoked reactions. New Orleans, like most cities across the United States was a city divided by race. The divide of city in 1965 is apparent during the height of Hurricane Betsy as well as following the storm, in cleanup and rebuilding efforts.

In response to the segregated conditions, May of 1970, Steve Green set up the Louisiana State Chapter of the Black Panther Party in New Orleans. Under the banner of the National Committee to Combat Fascism (NCCF), an arm of the party, the first Panther office in New Orleans was originally located in a building near the St. Thomas Housing Projects. Green later recalled his departure from Riverside, CA, where he helped establish another chapter of the Black Panther Party as “necessary.”³⁵

“Although I loved California, it had become my new home, but after seeing the successes and advancements of the Black Panther Party nationwide, I had to go home to New Orleans and help my people. Even though the struggle was for all people of color I felt my city needed something to organize around impactful like what I had just witnessed in California.”³⁶

Green informed other high-ranking Panther members of his plans to move home to New Orleans and expand the Panthers by setting up a local New Orleans Black Panther chapter.³⁷ Within a week of setting up headquarters, authorities served the Panther with an eviction notice. The headquarters moved to an apartment building on Piety Street near Higgins Boulevard (formerly Edna Street) across from the Desire Housing Projects in July of that year. The Panthers offered services to the community which included free breakfasts which helped feed over 100,000 children, free clothing, donations from merchants, as well as establishing self-

³⁵ Indie Lens Pop Up: “Vanguard of the Revolution”. Screening and Panel Discussion with Q&A at Ashè Cultural Arts Center February 19, 2016. Panel moderator Ted Quant, social activist and former Director of the Twomey Center for peace through Justice at Loyola University New Orleans. Guest panelists Parnell Herbert, Community Organizer and brief cellmate of Huey P. Newton in 1965 upon returning from Vietnam; Malik Rahim, co-founder of Common Ground, Black Panther Party for Self Defense New Orleans after helping form Riverside, CA. Black Panther Party Chapter and State Representative for National Alumni Black Panther Party; and Steve Green, co-founder of the Black Panther Party New Orleans after help establish chapters of BPP in Los Angeles and Riverside CA.

³⁶ Ibid.

³⁷ Ibid.

respect, self-discipline, community responsibilities and authority, the asserting of self-defense against attacks by cops, goons, dogs, and spies, and fundraising and organizing tasks and responsibilities for parenting.³⁸

The conditions for African-Americans in the Desire Housing Projects were worse than other parts of the city of New Orleans, but in the Desire residents started to see promise of revitalization with the arrival of the Black Panthers in the community. Robert H. Tucker Jr. was an African-American assistant to Mayor Moon Landrieu in 1970s. Bob Tucker (as he was known by to residents of the city of New Orleans) made official reports about the standards of living in the Desire Housing Projects. Tucker even lived in the Desire for three days to see firsthand the poverty and despair within the desolate community. Tucker reported back to the mayor with his findings on Desire living conditions. Tucker stated, “Life in any multi-family structure for the low income family is a very difficult proposition to say the least.”³⁹ After the Tucker report the Desire was known as one of the worst public housing projects ever constructed. Tucker saw children who swam in clogged sewers, as well as families scared to leave their homes at night because of assault, robbery, muggings, and rape. Piles of garbage went uncollected for weeks. Desire was basically removed from the rest of the city of New Orleans not only in geography, but in culture as well. More than half of the families in Desire lived on less than \$3,000 a year.⁴⁰

The day Black Panther headquarters was set to open, police drove around all sides of the Piety Street dwelling taking photos. An eviction notice followed the police surveillance. One week before the enforcement of eviction, Panther members and Desire residents learned of an

³⁸ Orissa Arend, *Showdown in Desire: The Black Panthers Take a Stand in New Orleans*, (Fayetteville: University of Arkansas Press, 2009), 45.

³⁹ *Ibid*, 49.

⁴⁰ *Ibid*.

attempt to plant two African-American police officers within the Housing Project to infiltrate the BPP. The officers, identified as Melvin Howard and Israel Fields, are violently beaten by Desire residents, but managed to retreat to safety.⁴¹

In retaliation, a full-blown war ensued in September when a shootout occurred between members of the Panther Party and the raiding New Orleans Police Department. Hundreds of police officers from local, state, and federal authorities arrived at the headquarters of the Black Panthers on Piety Street. Fifteen minutes following authorities arrival shots were heard from machine guns as well as automatic rifles aimed at the Panther headquarters. Authorities fired into the Black Panthers office for approximately 30 minutes, using such war machinery as machine guns of various sorts, military vehicles, and helicopters.⁴² Twelve Panthers, including Malik Rahim, the local Panther in charge of security faced detainment after that shootout – and a year later were acquitted.⁴³ The subsequent police raid forced the Black Panther Party of New Orleans to relocate within the Desire Housing.

“Well, there was basically 11 of us in the party office at the time, and almost a hundred police with everything from a 60-caliber machine gun and armored cars down to their revolvers. We had about nine shotguns and a couple of handguns, .357 revolvers. But everything we had was legally purchased, and it was registered to our office. Our position was that African Americans should no longer be lynched or beaten or attacked and have their rights taken away without any form of resistance. We believed that you had a right to defend yourself, you had a right to defend your community, you had a right to defend your family and you had the right to defend your honor as a human being.”⁴⁴

The stay of the Black Panther Party in the Desire Housing Projects did not last long. A new warrant for trespassing was immediately drawn up and signed by a judge. Three-weeks

⁴¹ David Hillard, “Why Twenty-Four Panthers Are Political Prisoners in Louisiana,” *The Black Panther: Intercommunal News Service*, June 12, 1971, accessed March 3, 2016,

⁴² Ibid.

⁴³ Orissa Arend “Black vs. Blue,” *New Orleans*, Oct. 2015, 78.

⁴⁴ Malik Rahim, Interviewed by Brice White, *WTUL 91.5FM*, March 13, 2000, accessed May 28, 2015, <http://www.assatashakur.org/forum/liberation-strategy/15104-malik-rahim-black-panthers-black-resistance-new-orleans.html>.

later, New Orleans Police Chief, Clarence Giarrusso sent in 250-armed white NOPD officers backed by a vehicle, dubbed the “war wagon,”⁴⁵ that had been acquired after the September shootout.⁴⁶



(Photo courtesy of *Times-Picayune*)

At this time fifteen percent of the New Orleans police department was African-American. November 19th, 1970, approximately 400 other law enforcement officers from state and federal ranks united with the NOPD in armored vehicles, tanks, helicopters and horseback to assault the office in the projects. Three to five thousand Black Desire residents from all different facets stood between authorities and the Panthers’ office demanding authorities leave their community immediately.⁴⁷ Desire residents created a barrier that frustrated the New Orleans Police

⁴⁵ War Wagon was a tank-like armored vehicle that was purchased following the September 1970, police raid on the Piety Street Black Panther Headquarters. The vehicle was bulletproof and extremely intimidating. Officers could take cover behind or on-side of the vehicle when executing raids on the Panthers,

⁴⁶ O. Arend, *New Orleans*, October 2015, 77.

⁴⁷ “Why Twenty-Four Panthers Are Political Prisoners in Louisiana,” *The Black Panther: Intercommunal News Service*, June 12, 1971, accessed March 3, 2016.

Department because it restricted authorities from advancing into the housing project. After four hours authorities retreated. The standoff ended without a single shot fired.

The police tried another unsuccessful attempted raid at the headquarters of the Panthers. On November 24, 1970, five days after the showdown, Jane Fonda, whose career as an actress had taken an activist turn in response to the Vietnam War, arrived in New Orleans to support the Panthers.⁴⁸ In a final ploy, police posed as priests associated with the breakfast program and were able to infiltrate the headquarters of the panthers. Fonda rented four cars in anticipation of transporting the Panthers and supporters to the Revolutionary People's Constitutional Convention in Washington D.C. Police stopped the cars before leaving town, eliminating the Panthers as an effective organizing force in the city.⁴⁹ Very disturbing in the whole matter is no records of the charges are available for the incident.

The two major clashes between Black Panther members and the New Orleans Police Department exposed the militarization underway within the department as military weapons and vehicles became assimilated into the department, but it was not until Mark Essex unleashed his terror on the unexpected city of New Orleans, that the full militarization of the NOPD occurred. Contrary to rumors, facts do not support any connection between Mark Essex and the Black Panther Party of New Orleans; therefore, his association with the Panthers is pure speculation. In retrospect, Orissa Arend, recalled a conversation she had with Malik Rahim and Steve Green about the day Mark Essex showed up at the Desire Headquarters of the BPP, she recalled the gentlemen saying,

“Now that ‘dude’ was beyond crazy. He came to the office with his Pan-African ideologies trying to beau guard a part of what we were doing, but wanted to come right in and take a position and not work his way through the ranks. He bragged on his military

⁴⁸ O. Arend, *New Orleans*, October 2015, 79.

⁴⁹ Ibid. 79.

training and acted a little arrogant like he had superior training to our basic BPP training. Malik got rid of his ass because if Essex was crazy brother Malik had to be delirious.”⁵⁰

However, several Panthers made mention of him following his death. One Panther in particular, Stokley Carmichael praised the suspected sniper Mark Essex and urged black people to learn from the New Orleans shootings Jan. 7, in which six persons were killed.⁵¹

Early Life of Mark Essex

The man responsible for the terror in New Orleans, Mark James Robert Essex, was born in Emporia, Kansas, in 1949 and after dropping out of Emporia State University, had enlisted in the United States Navy as a dental technician. Many of the contemporaries of Mark Essex were sent to fight in Vietnam; he was given a relatively comfortable assignment at Imperial Beach Naval Air Station in San Diego. The Naval experience of Essex is the sole determining factor of Essex’s psychological transformation. Essex grew up in an intact, Midwest, wholesome family with no known trauma or strife.⁵² Mark Essex made good grades in school and attended two years of college. Growing up in Emporia, Kansas, Essex grew up never seeing race as an issue and he had never faced racism on any level. In 1965, the population of Emporia was approximately 25,000 residents. According to the U.S. census, the town of Emporia was about eighty-nine percent Caucasian and three percent African-American during the years of Essex residing in the town. Essex was considered an All-American type of kid and he joined the Navy to break that stereotype.

Mark Essex’s Navy Experience

⁵⁰ In a personal conversation author Orissa Arend, she recalled a conversation with Steve Green and Malik Rahim on Mark Essex. 18 February 2016.

⁵¹ Associated Press, “Orleans Sniper Suspect Praised By Carmichael,” *The Monroe News-Star*, 15 Jan. 1973, 3, accessed 14 October 2015, http://www.newspapers.com/clip/3412909/essex_article_3/. Note: (This article only reflects the number of deaths from Jan. 7 not total killed by Essex.)

⁵² Ed Nordskog, *Torched Minds: Case Histories of Notorious Serial Arsonists*, (Washington D.C.:Xlibris Corporation Press, 2011), 120.

Essex left boot camp with outstanding marks in all areas and officials encouraged him to seek advanced placement in a technical field. When Essex got stationed in San Diego, on the West Coast, he learned firsthand about the overt racist views of many Americans.⁵³ Shortly following Essex's arrival on the naval base, Essex began to hear words and slurs never spoken to him before. Personnel at the naval base gates racially profiled Essex daily and Essex learned that a black sailor must abide by certain "rules" to live in San Diego.⁵⁴ Essex tolerated asking permission of white sailors before entering any room, and constant traffic stops by local authorities for no warranted reason. Altercations with white soldiers on the naval base however, shortened Essex's enlisted stay in the United States Navy.

Essex's first court martial resulted from being ridiculed over another African-American sailor's comments about a piece of chicken. More altercations followed and by October 1970, Essex, unable to sleep and eat properly due to the stress of his on base issues, fled the Navy and returned home to Kansas.⁵⁵ Essex's parents convinced him to go back to the Navy and face his AWOL court martial hearing and he agreed to. The officer presiding over the court martial acknowledged that Essex was driven to his infractions by racial harassment.⁵⁶ A few months after returning to base, Navy officials granted Essex a "general discharge"⁵⁷ on the grounds of an inability to conform to rules and regulations.

Essex to New Orleans

⁵³ Ibid. 121.

⁵⁴ Ibid. 122.

⁵⁵ Ibid. 122.

⁵⁶ Ibid. 122.

⁵⁷ General discharges are given to service members whose performances are satisfactory but are marked by a considerable departure in duty performance and conduct expected of military members. Reasons for such a characterization of service vary, from medical discharges to misconduct, and are utilized by the unit commander as a means to correct unacceptable behavior prior to initiating discharge action (unless the reason is drug abuse, in which case discharge is mandatory). A commander must disclose the reasons for the discharge action in writing to the service member, and must explain reasons for recommending the service be characterized as General (Under Honorable Conditions). The service member is normally required to sign a statement acknowledging receipt and understanding of the notification of pending discharge memorandum. The person is also advised of the right to seek counsel and present supporting statements.

While in the Navy, Essex befriended an African-American sailor, Rodney Frank. Rodney Frank was from New Orleans, and the reason Essex arrived at the decision to relocate to New Orleans. Before he joined the Navy, Essex's new friend, a Muslim convert, had racked up a string of arrests in New Orleans, including robbery, rape, and theft. Essex's friend did not do much better following the rules in the Navy than he had following the laws in New Orleans; he was a troublemaker.⁵⁸ The two friends remained in constant contact while Essex resided in New Orleans, although no evidence surfaced tying Frank to any of Essex's crimes. After the Essex incident agents of the Federal Bureau of Investigation questioned the ex-roommate of the slain New Orleans sniper, but released him without charges.⁵⁹

Subsequently, Rodney Frank disappeared from the suburban apartment that Essex had used as a mail drop and occasional home base since, when he moved to New Orleans from Emporia, Kan.⁶⁰ NOPD officials remained satisfied with F.B.I. agents' report of Rodney Frank's involvement in Essex's terror spree.⁶¹ Local authorities never spoke to Frank directly. To date many still believe Essex was assisted in the massacre and did not act alone. In a personal conversation, retired NOPD officer Ronald Brady adamantly stated, "Indeed, more than one shooter was present during the Essex ordeal, but for insurance purposes it was best for the NOPD

⁵⁸ Chuck Hustmyre, "Mark Essex," in violence against whites, 3 May 2012 <http://www.violenceagaunstwhites.wordpress.com>. accessed 3 Feb. 2015.

⁵⁹ Associated Press, "Snipers Roommate Questioned and Release," *The New York Times*, 12 January 1973, 1, accessed 7 November 2015, <http://www.newspapers.com>.

⁶⁰ UPI staff writer, "Questions Unanswered: Deputies Shots May Have Killed Black Students," *The Bulletin*, 17 November 1972, accessed 30 August 2015, <http://news.google.com/newspapers?id=zINyAAAAIbAJ&sjid=gvcDAAAIAbAJ&pg=3136,4591251&dq=southern+university&hl=en>.

⁶¹ *Ibid.*

to settle on the details of only one shooter.”⁶² However, no evidence has been produced to date refuting the assertion of Essex being the lone sniper.

The Spark That Ignited a Firestorm/ The Killing of 2 Southern University Students

An incident in Baton Rouge, Louisiana, lit Mark Essex’s fuse. Two Southern University students, Denver A. Smith and Leonard Douglas Brown, were shot and killed with shotgun pellets during a round of protests and class boycotts at the university on Nov. 16, 1972.⁶³ Smith, 20, of New Roads, and Brown, 20, of Gilbert, in part of a civil-rights demonstration that involved a group of students who presented a list of grievances and demands to the university’s administration.⁶⁴ Newspaper reports stated that the students who took over the administration building and were chased out by police had access to several types of weapons although none were found after the shooting.⁶⁵ Southern University of Baton Rouge campus and the Southern University campus in New Orleans were marred for weeks by violence and vandalism.

The students protested administration officials and their policies. A Southern University student is quoted as saying, “they took over the administration building because the school’s president, Dr. G. Leon Netterville Jr., refused to help them obtain the release of students arrested during protests the night before.”⁶⁶ Essex, approximately seventy-five miles from Baton Rouge, made a connection with the murdered Southern University students. This connection catapulted Essex into unleashing terror. The deaths of Denver Smith and Gilbert Brown become reasons for

⁶² Ibid.

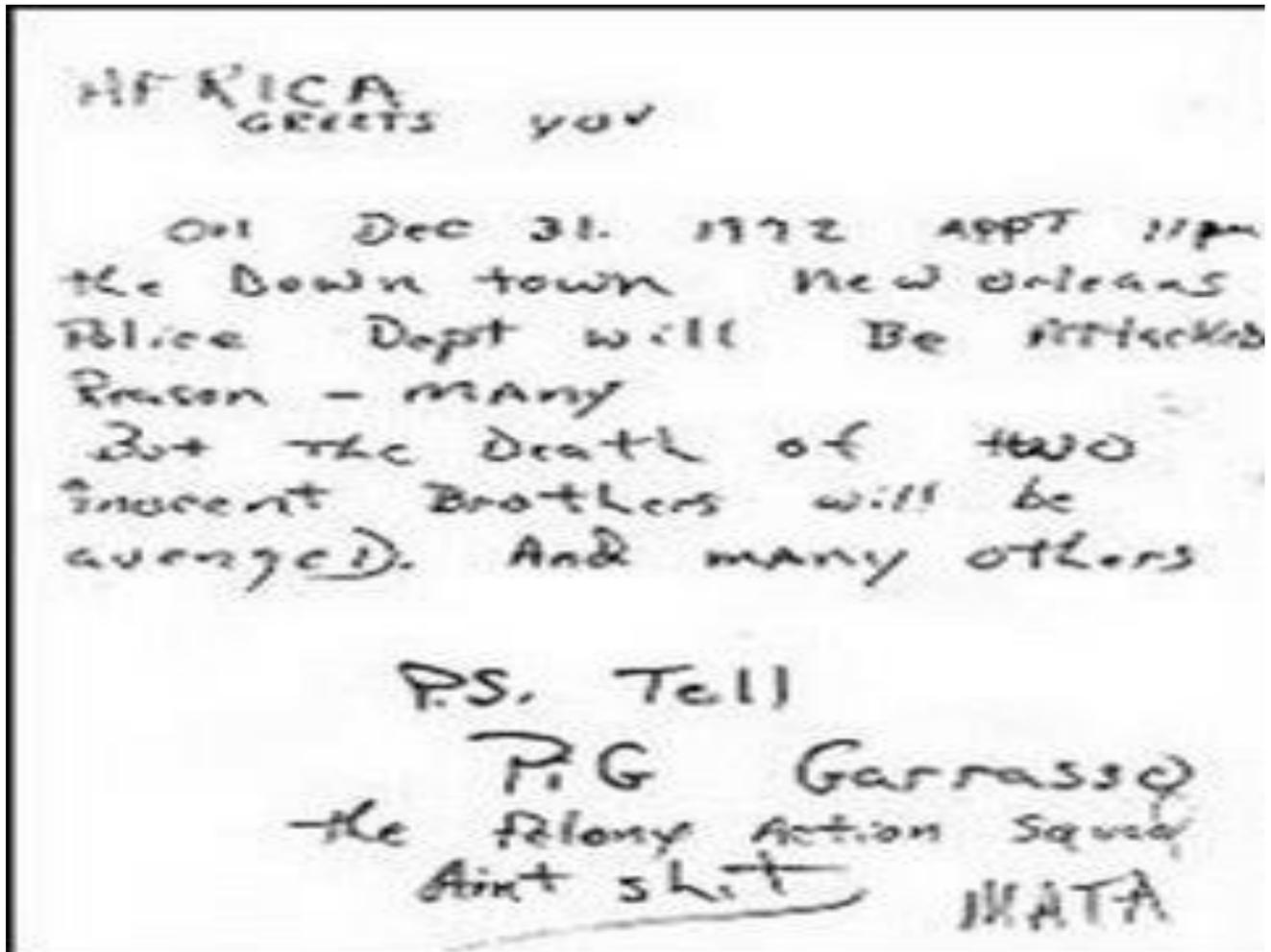
⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

Mark Essex's rampage. Essex sent a letter to a local New Orleans television station and expressed a threat of retaliation for the death of the two students. The letter detailed a plan to attack the New Orleans Police Department downtown. However, the letter did not surface until after Essex's terror began.



New Orleans, Louisiana Seven Days of Terror

In the silence of night, on December 31, 1972, Mark Essex headed for police headquarters. Armed with a .38 caliber pistol and a .44 carbine rifle, Essex set out on a path to

murder police officers. At 11 p.m. Essex opened fire on the Central Lockup gates, on Perdido Street, wounding one officer and killing unarmed, African-American police cadet Alfred Harrell.⁶⁷ The ensnared police officers scrambled to find the source of gunfire and attend to wounded officers. Essex managed to evade chasing police capture and fled to the Gert Town neighborhood of New Orleans. Essex broke into an old warehouse where he ambushed two officers responding to the suspected break-in at the warehouse. The police suspended the search for Essex in Gert Town due to fear of rioting from residents unhappy with the manner in which the search for Essex progressed. Days following the attack on police headquarters, reports of Essex sightings filled the phone lines at NOPD headquarters. On January 2, 1973, Essex walked into Joe's Grocery, located within the same Gert Town neighborhood where the search ended. A citizen phoned in details about Essex hiding in a church on South Lopez Street, which turned out to be accurate information. Investigating police officers found a bag of .38-caliber ammunition and blood stains inside the church on Lopez Street. To the dismay of officers Essex vacated the premises. However, on January 7, 1973, Essex resurfaced again at Joe's Grocery, this time wounding the storeowner and fleeing in a car stolen at gunpoint outside the store.

Essex drove the stolen vehicle to 330 Loyola Avenue, where his terror continued. Essex arrived at the Howard Johnson hotel and drove to the fourth floor of the parking garage, which is attached to the hotel. Essex climbed up the ladders of the fire escape until he reached the only open door, on the eighteenth floor. Essex then ran through the hotel on a murderous rampage, killing white hotel residents and staff members he encountered. Essex set fires throughout the hotel to use as diversions. Essex wounded first responding officers that attempted to use a fire

⁶⁷ New Orleans Police Department, "Official Report on the Mark Essex Shootings," New Orleans Public Library. Hereafter referred to as Essex Report. (See Also) New Orleans Police Department Incident Report, item numbers L-26533-72 and A-5440-73. See Also. Chuck Hustmyre. *Days Of Rage The Howard Johnson Hotel Sniper*. 2011. Kindle.

truck ladder to gain entrance into the hotel. Then from his vantage point of an eighteenth floor balcony Essex killed two officers on the ground level. At about dawn officers entered and secured the entire building except for the roof. Marine Corps Lieutenant Colonel Chuck Pitman watched the story develop on television news while recouping from injuries received Vietnam. Lt. Col. Pitman placed a call to a senior police official offering the use of his military helicopter. The helicopter created the advantage the NOPD needed to stop Mark Essex. Pitman maneuvered the aircraft while NOPD sharp shooters hit Essex with a barrage of bullets killing him instantly. At this point the use of military equipment in domestic police affairs was illegal. However, the Posse Comitatus Act of 1878 was not mention in accounts of the Essex ordeal.

The Posse Comitatus limits the powers of the federal government in using federal military personnel in domestic policing affairs within the United States of America. The use of a military aircraft for city police affairs as stated in the U.S. Constitution is illegal, but little scrutiny is made during or after.⁶⁸ After several exchanges of gunfire, Lt. Col. Pitman convinced Essex into thinking the helicopter abandoned the mission, and then swooped around to catch him in plain view, where he was riddled with a fusillade of bullets.⁶⁹ The autopsy revealed more than 200 bullets wounded Essex. According to Ronald Brady, a member of the NOPD

⁶⁸ The Posse Comitatus Act outlaws the willful use of any part of the Army or Air Force to execute the law unless expressly authorized by the Constitution or an act of Congress. History supplies the grist for an argument that the Constitution prohibits military involvement in civilian affairs subject to only limited alterations by Congress or the President, but the courts do not appear to have ever accepted the argument unless violation of more explicit constitutional command could also be shown. The express statutory exceptions include the legislation that allows the President to use military force to suppress insurrection or to enforce federal authority, 10 U.S.C. §§ 331- 335, and laws that permit the Department of Defense to provide federal, state and local police with information, equipment, and personnel, 10 U.S.C. §§ 371-382. The Posse Comitatus Act is a criminal statute under which there has never been an officially reported prosecution.

⁶⁹ Joseph Carlson, *Snipers and Shooters: The Kill Shot Out of Nowhere*, (London, Canary Press, 2013), 26.

during the Essex incident, the subsequent creation of SWAT in the department is a direct result of the terror Mark Essex unleashed.⁷⁰

NOPD Force Depleted But Not Defeated by Essex

Following the Mark Essex incident sweeping changes are made throughout the New Orleans Police Department and other departments across the country. Securing Central Lockup becomes a point of emphasis in addition to extra training. In some ways Mark Essex is accredited with current police procedure for entering buildings occupied by suspected perpetrators. The incident made the NOPD strengthen service weapons and added rifles and shotguns. The recently formed Tactical Unit had the opportunity to purchase military surplus .30 cal. Carbines for \$50.00 each. Most officers did this and these weapons became incorporated into the department use without being official sanctioned for use.”⁷¹ The Essex ordeal affected the New Orleans Police Department in several ways.

The most anguish loss remains of the beloved New Orleans Deputy Police Superintendent Louis J. Sirgo. The highest-ranking member of the NOPD killed by Mark Essex. Sirgo was killed as he led a group of officers up a stairwell to rescue officers trapped inside an elevator in the Howard Johnson. As Sirgo and officers ascended the stairway Mark Essex hiding in wait ambushed them killing the Deputy Superintendent. Louis J. Sirgo, a white, seventeen-year veteran of the NOPD, had deplored public indifference to poverty, labeling it a "vindictive system" of crime and punishment, and "the greatest sin of American society to the status of the

⁷⁰ In a personal conversation with the author on September 7, 2015, Retired New Orleans Police Officer Ronald Brady confided that it was in the aftermath of and as a direct result of the Howard Johnson sniping incident that occurred in New Orleans on 31 December, 1972 and 7 – 8 January 1973. Author also has Ronald Brady, ["NOPD SWAT...In the beginning 1973 – 1995."] Unpublished essay September 7, 2015.

⁷¹ Ronald Brady, ["NOPD SWAT....In the beginning 1973 – 1995."] Unpublished essay September 7, 2015.

American Negro."⁷² He decried "slum" housing as well as educational and social inequities, which he believed increased the power of anarchists and the appeal of breakfast programs in the Desire housing project sponsored by the Black Panther Party.⁷³ Deputy Superintendent Sirgo is revered as ahead of time in his social views, which caused many New Orleans residents, black and white, to view him advantageously. At the time of his unfortunate death New Orleansians believed Sirgo was the next Police Chief.

"A thin blue line of police officers, working against the odds, is able to partially contain the violence and prevent complete criminal anarchy. But not for long. Police forces were not designed for, nor are they capable of coping with the kind of [social ills] which exist in most of our urban areas, conditions which are becoming worse by the day. If there were no 'Desires,' there would be no Panthers," "What I am saying is that we have to get our heads out of the sand, for after all, it is an unsafe position. An ostrich buries his brains, and that part of his anatomy [that] remains visible makes a very good target for a sniper."⁷⁴

Louis J. Sirgo

The loss of Sirgo hits hard within the department and many officers' mourned losses of beloved friends, brothers, and colleagues. In retaliation, some officers used the Mark Essex incident as fuel to unleash an attack on people in the African-American community. African-American citizens reported an abundance of police brutality, harassment, intimidation, and abuse of power cases, which is not uncommon prior to the Essex ordeal. Historian Adam Fairclough noted a 1970 survey of community leaders conducted before the Panthers' arrival "placed police harassment and overreaction above all other grievances."⁷⁵

The department sought reform, but is unable to combat the evidences of a racist and corrupt police department. African-American population climbed in the city of New Orleans and

⁷² Louis J. Sirgo, "Working Against the Odds," *Washington Post*, January 14, 1973, retrieved February 20, 2016.

⁷³ Allen Johnson Jr. "The Heroes of the Howard Johnsons," *Gambit*, January 7, 2003, accessed March 2, 2016, <http://www.bestofneworleans.com/gambit/the-heroes-of-howard-johnsons/Content?oid=1241071>

⁷⁴ Ibid. (Refer to note 63 also.)

⁷⁵ Allen Johnson Jr. "The Heroes of the Howard Johnsons," *Gambit*, January 7, 2003, accessed March 2, 2016, <http://www.bestofneworleans.com/gambit/the-heroes-of-howard-johnsons/Content?oid=1241071>

in 1977, the city elected its first African-American mayor, Ernest N. “Dutch” Morial. The Morial Administration is met with many difficult challenges, the first being a police strike. The improvement of the police department as a whole is the biggest obstacle during Morial’s first term. However, as a result of a violent confrontation, which left three dead at the hands of the NOPD, an Office of Municipal Investigation (OMI) was established in 1981 as an independent municipal office for registering citizen complaints against the police and city employees.⁷⁶ Although, the Essex incident failed to rid the NOPD of brutality and harassment, the Essex incident did boost the militarization of the NOPD as evident in the formation of the department’s first SWAT team.

NOPD SWAT/The Rise of Militarized Police Departments

Understated throughout the discourse of the formation of SWAT teams are the acts of Mark Essex. The sniping at pedestrians from a New Orleans motel roof in 1973 motivated several cities to form SWAT teams,⁷⁷ TruTV writer and author Chuck Hustmyre explained in a television documentary. The New Orleans Police Department, like most urban police departments, in 1973 had not yet implemented or formed a SWAT team, so the police lacked high-powered weaponry and adequate body armor.⁷⁸ The concept of one person being the catalyst for the formation of a SWAT team within the NOPD is a direct contrast of the creation of SWAT teams in other police departments across America. Weeks following the ‘Howard Johnson Incident,’ the newly created New Orleans Police Department, Special Weapons and Tactical Unit began conducting training mechanism on the safest methods of entering buildings,

⁷⁶ George Winston III, “To Protect and to Serve? Police Brutality and Attempted Reform in New Orleans During the First Morial Administration” (master’s thesis, University of New Orleans, 2004), ii.

⁷⁷ “Sniper in the Big Easy,” Chuck Hustmyre, *Crimefeed*, aired 31 December 2010, on Investigation Discovery Channel, Retrieved 10 March 2016.

⁷⁸ *Ibid.*

rooms, ascending and descending stairwells and the composition and deployment of personnel.⁷⁹ Retired NOPD officer Brady also recalled how the early NOPD SWAT team meager beginnings progressed from his start on the initial team in 1973 to the NOPD SWAT of 1995, the year of Brady's retirement.

“The equipment used at that time consisted of a one piece dark blue nylon ‘jump suit’ with zippered pockets and a medium blue baseball cap with a cloth star and crescent insignia on the front of the cap. A white star and crescent for officers and a gold colored star and crescent for ranking officers. Military type combat boots were also a part of the uniform. With the exception of the shotguns (which every officer in the Tactical Unit carried in the trunk of his vehicle), the rifles and M-16's were stored in the armory in the basement of Police Headquarters.”⁸⁰

A few years prior to, in 1968, a new concept called SWAT, a comprehensive anti-riot plan developed by the Los Angeles Police Department, which had to cope with the disastrous 1965, Watts's riots.⁸¹ In an Associated Press article published in a *Nashua Telegraph* on February 16, 1968, LAPD officials state, SWAT is created and in the process of completing the proper legislation, but according to police Inspector, Merton W. Howe, (commander of tactical operations planning for the department) “We have a SWAT team, that's our Special Weapons and Tactics team which breaks into four-man groups – a rifleman whose weapon has telescopic sights, a spotter and two officers with shotguns and hand guns to provide cover fire.”⁸² Preventive measures to possible summer unrest progressed early in year of 1968 by the Los Angeles Police Department and police departments across the country. In most every major city with a substantial African-American population, (Urban Cities) the plan included creating, training, and mobilizing a ‘military-style’ Special Weapons and Tactical Unit (SWAT team).

⁷⁹ Ronald Brady, [“NOPD SWAT...In the beginning 1973 – 1995.”] Unpublished essay September 7, 2015.

⁸⁰ Ibid. 1.

⁸¹ Associated Press, “Anti-Riot Plan Developed By Police in Los Angeles,” *Nashua Telegraph*, 16 February 1968, accessed 14 October 2015, http://www.newspapers.com/clip/3413598/swat_article/com.

⁸² *Nashua Telegraph*, 16 February 1968, accessed 14 October 2015, https://www.newspapers.com/clip/3413598/swat_article/.

After preventive measures developed beliefs are that America's law enforcement agencies were better prepared than they were the prior summer to cope with outbreaks of urban rioting.⁸³ Reports and rampant rumors circulated in regards to the state of police departments across America. The reports mislead the public to believe police departments were arming themselves with military-grade weapons. On the contrary, a few cities were buying helicopters and armor-plated trucks, which could be used to transport police quickly into riot areas.⁸⁴ As earlier stated, the New Orleans Police Department purchased an armor-plated truck in response to rise of the Black Panther Party for Self Defense of New Orleans following a September 1970, shootout with the Panthers.⁸⁵

Within police departments across America mindset differed on the militarization of departments. Thoughts varied in departments whether the new advancements in militarization within police departments were excessive or necessary. Others believed the advancements were required to thwart any outbreak of violence that could occur in the forthcoming summer. Illinois governor, Otto Kerner, (head of The National Riots commission warned cities against over-reacting to the danger of riots by equipping police departments with "highly destructive implements of war.")⁸⁶

Major cities across the United States experienced some of the same dilemmas when it came to the response to threats of riots. A few cities, including; Houston Louisville, Pittsburgh, and San Francisco, had more than optimistic views for the forthcoming summer. These cities confident in no rioting taking place in their respective cities; as a result, there was no SWAT

⁸³ Louis Cassels, UPI Senior Editor, "The 1968 Riots: Are We Ready, Are We Concerned?," *Waco Tribune – Herald*, 31 March 1968, 8, accessed 14 October 2015, http://www.newspapers.com/clip/3413310/waco_tribuneherald/

⁸⁴ Ibid.

⁸⁵ Orissa Arend, "Black vs. Blue," *New Orleans Magazine*, October 2015, 76.

⁸⁶ Louis Cassels, UPI Senior Editor, "Policemen Grid for Riots That Summer May Bring," *The Bridgeport Post*, 31 March 1968, 10, accessed 14 October 2015, https://www.newspapers.com/clip/3413278/swat_article_6/

team formation in these cities prior to the 1970s. The most optimistic reply came from Cleveland, where Carl B. Stokes, the cities first African-American mayor, recently took office.⁸⁷ The reports from Cleveland are considered surprising due to a major outbreak of rioting, which occurred in the Hough District of the city in 1965.

In retrospect, some cities held pessimistic outlooks for the upcoming summer; Boston, Cincinnati, Baltimore, New York, St. Louis, and Memphis, believed a 50-50 chance existed in a threat of summer disturbances due to developing racial tensions in all the cities. In the first major racial disturbance of 1968, Memphis blacks looted and burned when protest marches supporting striking garbage men became violent, the Rev. Martin Luther King led the marchers.⁸⁸ Memphis also is the city Dr. King is assassinated a few months later, April 4, 1968. The subsequent assassination of King served as fuel for anger, fear, and police action across the United States. The creation and rapid spread of the Black Panther Party deemed itself as the spark of ignition for uprising across the United States.

The NOPD decision to focus SWAT training on failures of the department during the Essex debacle gives a stark contrast to the creation and focuses of other developing SWAT units across the United States. Departments like the Los Angeles Police Department, Chicago Police Department, as well as Memphis Police Department focused solely on riot control and crowd disbursement. The LAPD's less-than-effective initial response to the racial tensions and rioting in Watts during the summer of 1965 led to the belief within the department that a special tactics team should be created, according to Glynn Martin, (August 16, 2010), a former LAPD officer

⁸⁷ *Waco Tribune – Herald*, 31 March 1968, 8.

⁸⁸ *Ibid.* 8.

and executive director of the Los Angeles Police Historical Society.⁸⁹ "After the Watts riots in 1965, Chief Parker was looking at a more meaningful way to deal with crowd control and the civil unrest in that period," Martin tells POLICE Magazine. "The department looked at ways of doing this."⁹⁰ However, it was the behaviors of armed resistance of the new Black Nationalist organization, the Black Panthers, which incited police departments throughout California and across the country.

Many politicians and regular citizens took issue with the trend of militarizing the nations' police departments. Political opponents of the newly forming SWAT teams advocated wasteful spending most as opposition to creating SWAT teams within local departments across the United States. Citizens expressed fears of powerful police forces tormenting communities and infringing on the rights of taxpayers. The sometimes controversial units, the offspring of the television show of the same name, encouraged and funded by the Law Enforcement Assistance Administration (LEAA) and trained by FBI, have proliferated in recent years in suburban areas and small towns where they have proved, for the most part, to be unneeded.

By the spring of 1977, SWAT teams are created in so many jurisdictions that it became almost impossible to accurately record the growing numbers of SWAT teams around the country. Although there are no official statistics, some sources report that at least three thousand police forces, mostly in small towns and suburbs, have SWAT teams, and the number is increasing at the rate of one hundred and fifty annually.⁹¹ Today police departments have transformed to

⁸⁹ Paul Clinton, "Daryl Gates and the Origins of LAPD SWAT: Gates' innovative approach led to the formation of a tactical unit emulated by many other LE agencies." *Police The Law Enforcement Magazine*, August 16, 2010. <http://www.policemag.com/blog/swat/story/2010/04/daryl-gates-and-the-origins-of-lapd-swat.aspx> accessed June 19, 2015.

⁹⁰ Ibid.

⁹¹ Linda Deutsch, Associated Press, "35 Police Departments Use SWAT," *San Antonio Express*, 17 Jul. 1975, 11-A, accessed 14 October 2015, http://www.newspapers.com/clip/3413054/swat_article_4/

militarized forces with capabilities that rival divisions in the United States Army. Nevertheless, the city of New Orleans acquired a reason for developing a SWAT team in the form of the Mark Essex incident.

Conclusion

One day after the terror of Mark Essex the NOPD formed the departments first SWAT team. Volatile race relations existed in New Orleans prior to the events of Mark Robert James Essex on December 31, 1972. The department struggled to integrate as the population of the city's African-American residents rose above fifty percent. New Orleans officials dealt with numerous complaints about the New Orleans Police Department's frolics of brutality, harassment, and intimidation. A 1964 report composed by an African-American pastor outlined a pattern of police brutality in the African-American community. The lack of African-American officers was a disparity mentioned in the report as well. Problems between the African-American community and the NOPD existed long before the creation of the Black Panther Party in New Orleans.

However, the emergence of the Black Panther Party experienced swift opposition from members of law enforcement, political leaders, and United States citizens. Authorities condemned the Black Panther Party for the Black Power Movement of unity and armed resistance, which established a cult-like following within African-American communities throughout the United States. Violence and mayhem surrounded the Black Panthers' militant image. Understated are the Black Panthers contributions to social reform and impact in the African-American community. Throughout the nation, the Panthers became reason for militarizing police departments. With the implementation of COINTELPRO, law authorities found a means to terminate the Black Panther Party. Civil unrest in the inner cities across the

country and the rise Black Nationalists caused police departments to beef-up weaponry and armor. In New Orleans, the Black Panthers became the first of two major factors of militarizing the New Orleans Police Department and not the fear of civil unrest like other major cities across the nation.

The Black Panther Party and Desire Housing Projects residents formed bonds that strengthened due to tactics of the NOPD in the community. The NOPD became constant harassers of Black Panther members, and used methods of raids, stand-offs, shoot-outs, and ‘invisible-like’ charges, to bring forth the party’s demise. In retrospect, the Desire Housing Projects became the home base for the Black Panthers in New Orleans, but through the eyes of city some officials (Bob Tucker and Louie Sirgo in particular) represented the failures of society. In Desire, the Panthers filled a void that police or city officials could not fill. The void of trying to make the African-American community sustainable within itself, by relying on itself was the Panthers goal.

The September 1970, raid on the Black Panther Headquarters on Piety Street exhibited the extreme measures NOPD and law enforcement chose to end the Black Panther Party. The raid also flaunted the NOPD’s progress of militarization within the police department. The thirty-minute shootout led to the NOPD purchase of a war-like tank nicknamed the ‘war-wagon.’ Joint efforts with state and federal authorities provided the New Orleans Police Department the advantage in weaponry and manpower needed to subdue the Black Panthers in New Orleans. However, the end of the Black Panthers, ‘war-wagon,’ nor the training of the NOPD were enough to stop the Mark Essex ordeal.

Mark Essex becomes the second and greatest reason for the militarization of the NOPD. Essex represented some of the problems created by the tactics of the New Police Department and

departments across the nation. The acts of Mark Essex reformed procedures in training of officers in the NOPD and are accredited with propelling policing into the Twentieth century. Not to be forgotten are the lives lost and changed due to the acts of Essex. In the city of New Orleans, no greater loss was than the loss of second in command at the NOPD, Louis J. Sirgo. Many New Orleans residents believe the death of Sirgo delayed reform within the NOPD. The death of Sirgo caused plenty of scrutiny of the department and introduced the department to the concept of SWAT.

The creation of SWAT within the NOPD was a direct result of the acts of Mark Essex, but predated battles between the NOPD and the Black Panthers conferred the militarization of the department was underway. The militarization of the NOPD goes in line with a trend around the country at the time of developing SWAT units. Most major cities had SWAT or were in discussion on how to start one. SWAT creation concentration was most prevalent in inner cities but not limited to. Following the assassination of Dr. Martin Luther King Jr. the fear of rioting dominated police beliefs. However, it was the acts of the Panthers and Mark Essex that produced the full militarization of the New Orleans Police Department and the acts of Essex alone that produced the NOPD SWAT; a unit that focused on tactical training rather than riot control because of civil unrest.

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Vita

Derrick W.A. Martin Sr. an official member of the Who Dat nation received a Bachelors of Arts Degree from Southern University at New Orleans. While studying at S.U.N.O he was inducted into Phi Alpha Theta Honor Society and for two years serve as the President of S.U.N.O History Club. Mr. Martin was responsible for spearheading fundraisers and is credited with creating the Sothern University of New Orleans History Club Scholarship. Mr. Martin is retiring at age 38, from the International Brotherhood of Allied Trades, as a Painter/Finisher Foreman. Accepted into Southern University School of Law this spring, Mr. Martin plans to begin law studies in the fall. Besides fatherhood there is no other passion of Mr. Martin than fighting for equality for all.

