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BYLINE: By Paul **Keegan;** Paul **Keegan's** last article for the Magazine, a profile of Ray Ozzie, the software innovator behind Lotus Notes, appeared in October.

BODY:
RICHARD PENNINGTON LOOKS DOUR AS HE THREADS HIS way among the ponytails and little black dresses at Planet Hollywood in the French Quarter. The new Police Superintendent is wearing a splashy tie, and his double-breasted suit makes his broad shoulders appear even more imposing than usual. But he remains silent as his wife, Rene Webb, stops to mingle. Scanning the room through wire-rimmed glasses, Pennington seems aloof, distracted. It has been 18 months since he was brought in from Washington to clean up the New Orleans Police Department, which some have called the worst in America. Yet the chief continues to maintain a wary distance from strangers, still not sure whom to trust.

You can hardly blame him. Only days after his arrival, Pennington learned that in recent years the department has behaved less like a police force than a loose confederation of gangsters terrorizing sections of the city. The Federal Bureau of Investigation informed the chief that it had wiretapped one of his officers, Len Davis, as he allegedly ordered the killing of Kim Groves, a 32-year-old mother of three who had filed a police brutality complaint against him.

Even more chilling was that the F.B.I. said it happened to overhear the murder plot while conducting a drug sting, later described as the biggest case of police corruption in New Orleans history. Davis's lawyers did not respond to requests for comment. But prosecutors charge that Davis conspired with 10 other officers to use their police positions to guard more than 286 pounds of cocaine that F.B.I. agents posing as dealers had stashed in an abandoned warehouse, according to court papers. By the time the agents managed to decode Davis's street slang and police jargon, it was too late. Kim Groves was shot in the head while standing in front of her house.

Pennington barely had time to recover from that shock when a 24-year-old patrolwoman named Antoinette Frank and an accomplice executed two members of a Vietnamese family who owned the restaurant Frank was robbing and also killed a fellow officer moonlighting as a security guard. Quickly convicted and sentenced to death in September, Frank was the fourth New Orleans Police Department officer charged in connection with a murder in one year and among the more than 50 cops arrested for felonies, including bank robbery and rape, since 1993. Says Pennington, who visited the triple-murder

scene that night, "It was kind of mind-blowing."

As Pennington works his way through the crowd at Planet Hollywood, his very presence here is a sign that things are changing. The party is being given by Gambit, a weekly newspaper whose editor, Allen Johnson, has been a persistent critic of the department. Johnson says previous chiefs may not have felt entirely comfortable attending such events in the past. When a guest suggests that the cops in New Orleans are no worse than anywhere else, Johnson says, "Let's put it this way: We may soon have the distinction of having two cops on death row. How many other cities can say that?"

With Davis scheduled to go on trial soon on charges of conspiracy to violate the civil rights of Groves, New Orleans and its police chief have reached a watershed moment. While some of his reforms are in place and there have been no spectacular incidents since the Antoinette Frank murders a year ago this month, Pennington acknowledges that new rules are not enough. His mission is nothing less than to transform a deeply rooted police culture that, as an expression of this city's peculiar character, has defied every attempt over the last century to bring it under control.

Pennington and his wife slip back through the crowd and head for the door. This may be America's party town, but not for them. The new chief knows it's his Police Department now. Stepping onto Decatur Street and disappearing into the muggy New Orleans night, he remains haunted not only by what his cops have already done -- but what they still might do.

T'S 5 O'CLOCK ON A RECENT AFTERNOON, and Pennington is eating a late lunch of peanuts at his desk. He's 48 years old, but his receding hairline and soft-spoken manner give him an almost grandfatherly bearing. In his police uniform, Pennington speaks in a monotone about the dilapidated condition in which he found the department, from sloppily dressed officers to beat-up squad cars. "My office not well lit?" he says. "Oh, man. The furniture was so old; the carpet was old. I had no computer."

Pennington explains his strategy for New Orleans -- lots of Federal assistance, community policing and rigorous new rules. It developed out of the 26 years he spent on the police force in Washington. A native of Little Rock, Ark., who served in the Air Force in Vietnam, he became a police officer in 1968 and couldn't help noticing how much more comfortable blacks felt approaching him than his white partner, a Harvard graduate named Donald Graham, later to become the publisher of The Washington Post. Cops are far more effective when they are active in the communities they police, he says. He was credited with cutting the homicide rate of Washington's violent Seventh District, where he was commander in the early 90's.

Pennington rose to assistant chief, gaining a reputation as a likable, compassionate officer after working closely with Washington's Asian and gay communities and earning a master's degree in counseling. He also developed close relationships with Washington insiders like Louis Freeh, who later became the F.B.I. Director. Pennington was chosen after a six-month national search by Mayor Marc Morial, the 38-year-old son of New Orleans's first black Mayor, Dutch Morial. The younger Morial was elected in 1994 on a promise to control crime and clean up the scandal-plagued department.

Pennington wants to make sure he has his facts right, so he reads from a list he has prepared of his accomplishments, beginning with an 80 percent drop in the homicide rate at the Desire housing project. Located near the Industrial Canal, so far from downtown that the skyline looks like another city, Desire is a sprawling village of nearly 2,000 residents who live in two-story brick buildings put up shortly after World War II. Two-thirds of the apartments are abandoned, graffiti-covered shells that make excellent drug dens. This is where Len Davis roamed freely for years and was known as "Robocop."

Desire provides a case study of the staggering problems facing New Orleans and its Police Department, as well as Pennington's tentative search for solutions. More residents of New Orleans live in poverty -- 32 percent -- than those of any other large American city except Detroit. Some say ghettos like Desire have been ignored for decades because even though black politicians have controlled City Hall since 1978, African-Americans have never broken the white hold on economic power. But some dark-skinned blacks in Desire say they have been victims of racist neglect by the political elite of light-skinned black Creoles. Whether the politicians are white or black, a more prosaic fact has remained constant over the years: there has never been much campaign money in these areas.

The city's tax base has dwindled since the oil business collapsed in the early 1980's, leaving tourism as the main industry providing jobs. And New Orleans's annual budget of $408 million for a population of 479,000 is less than half that of Cleveland, which has about the same population. This leaves few dollars for municipal services like the police force. The department's starting salary of $17,000 is still among the lowest in the nation's big cities, making it difficult for the new chief to replace the 200 officers whom the department, now down to 1,300, lost in the turmoil of recent years.

But Pennington has made a difference in Desire, which becomes clear after only a few moments of accompanying Lieut. Edwin Compass around the projects. Having spent much of his youth in the neighborhood, Compass is now commander of 45 officers in a new 24-hour substation Pennington installed in an abandoned building. Little children run up to Compass and wrap themselves around his legs, and teen-agers playing basketball in the community center invite him to take a few jump shots.

Brother Twin, a former Black Panther who has lived in Desire for 30 years and remembers the day in 1971 when the Panthers had a shootout with more than 100 New Orleans cops, says the fear of the police is diminishing. He gives the lieutenant credit for not flinching when drug dealers firebombed his police car last year as he started making hundreds of arrests.

The Desire substation is being financed with a $2 million Federal grant that Pennington obtained under the 1994 crime bill, a program now under attack by Republicans in Congress. It's just one example of how his Washington experience has come in handy. Another is that Pennington persuaded Freeh to provide two F.B.I. agents to work as part of the police force to root out corruption.

Community policing and Federal dollars, however, can't solve the problems for which the New Orleans Police Department is notorious. James Fyfe, a Temple University professor and New York City officer for 16 years, observes that some departments have reputations for being brutal (like Los Angeles) or corrupt (like New York), and still others are considered incompetent; the New Orleans department has accomplished the rare feat of ranking high nationally in all three categories.

The department allowed the city to become the homicide capital of America in 1992 and 1994 while solving only about 37 percent of the murders, half the national average. It has also ranked near the top in brutality complaints since 1980. Federal officials estimate that 10 to 15 percent of the force is corrupt -- and some cops say privately that the true number is twice that.

Pennington found problems at every turn. A police academy recruit who had been fired over allegations of stealing told the new chief that 9 or 10 classmates had done worse -- including charges involving narcotics. "Sure enough, I found 9 or 10 that had done worse than what he'd done," Pennington says. "So I fired all them, too."

There was no doubt about what Pennington had to do: carry out the reforms suggested in four independent reports that had lambasted the department but were ignored. Pennington raised hiring standards, retrained his officers, set up an early-warning system to flag potentially troublesome officers

and created a new public integrity division to seriously investigate allegations of wrongdoing.

Leaning over his desk, Pennington says, "If you took a poll today, probably half the officers will tell you they don't like me." The disfavor seems to transcend race and sex. Floyd Truehill, a black officer, says, "Chief Pennington thinks everybody on the police force is a crook, like we're all dealing drugs or stealing." And a female officer, who insisted on not being identified, is convinced she is not being promoted because she is white. "He's an idiot," she says, "a yes-man for the Mayor."

But some civic leaders see Pennington as the man who could save their city. Even jaded members of an informal network of citizens who share and sometimes publicize information about police misconduct see signs of hope. Mary Howell, a lawyer who has represented victims of police brutality for the last two decades, says: "When Pennington announced his reforms, he called it 'a battle for the soul of our city.' It's a relief to finally hear that kind of language."

THE PEOPLE OF NEW ORLEANS ARE still wary, fearful of crime and distrustful of the police. A tourist walking into a nearly empty souvenir shop on Canal Street late one night finds an immigrant proprietor pleading with him not to leave him alone with the surly character wearing headphones and loitering near the beer case. Why doesn't he call the cops? The man lets out a rueful laugh. Other victims of crime worry that the cops will show up, like the young entrepreneur who runs a cell-phone company. He points to the black scuff marks on a wall where a thief climbed down and stole some equipment. The staff had a meeting about whether to call the police. "But then we figured, 'Hey, we've got a couple hundred thousand dollars' worth of equipment here. Those cops make about $16,000 a year. No way.' "

The more skeptical citizens in New Orleans doubt that Pennington can prevail because the forces that created Len Davis still exist, deeply imbedded in the city's culture and politics. They have heard the rhetoric of reform many times before, which comes as surely as repentance follows Fat Tuesday. There were at least eight periods of outcry in the second half of the 19th century alone, and in the early 1950's, a citizens' commission exposed widespread cases of theft, extortion, bribery and gang rape before the uproar subsided, as always, and the New Orleans Police Department went back to normal.

The department has always been politically manipulated by the mayors, who retain the authority to appoint a chief's deputies. When Sidney Bartholomey was Mayor, from 1986 to 1994, the Police Department really began to fall apart as some deputy chiefs were undercutting the chief because they wanted his job. Each of the four deputies had his own faction. Mike Doyle, head of the city's Civil Service system, says, "We had the equivalent of four Mafia crime families running the Police Department."

By early 1993, when some members of one superintendent's vice squad were caught in a classic shakedown of strip-joint owners right out of "The Big Easy," the department had become so balkanized that feuding cliques began settling scores by leaking evidence of wrongdoing by rival officers. One scandal after another hit the front page of The Times-Picayune: an elaborate system of cops' recovering stolen cars and keeping them, for example, and a patrolman's passing out naked on the floor of a crack house.

Meanwhile, a strange entrepreneurial climate emerged, encouraging officers to put in long hours moonlighting on private security details and to treat police work as their second jobs. These security details served as a kind of legal protection money that gave the department a perverse financial incentive to let crime soar (if neighborhoods were safe, restaurants wouldn't need to hire a cop to stand in the doorway). More important, these jobs weakened the command structure. A patrolman with excellent contacts could hire his superior officers so often to guard restaurants or arenas that he could

be responsible for half his boss's annual income.

"How's a captain going to supervise a lieutenant that gives him a detail off duty where he's making hundreds of dollars?" says Pennington, who has limited the number of hours officers can moonlight to 20 hours a week. "You can't discipline him. That lieutenant says: 'Captain, you're getting ready to give me some discipline? For the last two years I've been letting you work at this detail, making an extra $20,000 or $30,000!' "

In such an atmosphere, even cops who weren't running details could quite literally get away with murder, and the internal affairs division was a joke. Though Davis was suspended at least six times for a variety of offenses during his six-year career, from refusing orders from superiors to hitting a woman in the head with his flashlight, most of the complaints made against him were not sustained.

The department also remains deeply divided racially. Pennington's main opponent is the predominantly white Police Association of New Orleans, which lays the blame for officers like Davis and the decline of the department on an affirmative action program that began in 1987 and has quickly brought blacks to account for 45 percent of the police force, though they have still been largely shut out of ranking positions below the deputy chief level. "They wanted a police department that reflected the city of New Orleans," says Lieut. David Bennelli, the No. 2 man at the police association. "Well, they got it."

But Davis was actually following a long entrepreneurial tradition at the department. The only difference is that unlike the "clean corruption" historically practiced by white officers -- shakedowns of French Quarter bar owners, for example -- the new crop of black officers was left with "dirty corruption" of the lucrative but deadly drug world.

That world is deadly, too, for residents of New Orleans who happen to get in the way. Within two hours after Kim Groves's complaint against Davis, which said he had beaten up a neighborhood teen-ager, he found out about it. The next night Groves was shot in front of her home on Alabo Street at point-blank range by a young black male who took off in a car with two other men, witnesses said. It was just before 11 o'clock on the night of Oct. 13, 1994, only hours after Pennington had been sworn in.

SOME PEOPLE IN NEW ORLEANS wonder if Pennington, with his gentle, earnest manner, is tough enough for this town. "They've spread vicious rumors about me, everything they can to discourage me," he says with a shrug. It's true. Cops love telling reporters off the record that he beats his wife, that they've separated, that he's an alcoholic who hangs out in strip joints. But, Pennington says, "I've never thought about quitting."

Since he didn't bring any trusted associates from Washington, Pennington has been forced to rely on ranking officers who learned everything they know from the corrupt culture of the department. "You don't know who to trust," he admits.

"I think Pennington is incredibly isolated," says Mary Howell, the lawyer who filed a lawsuit that tries to hold Davis and three former police superintendents, among others, responsible for Groves's death. "He's out there swimming in shark-infested waters."

Besides revelations during Davis's criminal cases that will keep the department on trial through most of the year, Pennington also has to worry about what might be called the James Parsons syndrome. Parsons, a white chief brought in from Alabama in 1978 by Dutch Morial, was the only other outsider to try reforming the department.

Two years later, a mob of white cops went on a rampage for several days in a black section of town in

retaliation for the murder of a police officer. Four people were killed and as many as 50 injured. As Howell tells the story, some people were tortured and others were dragged out to the swamps, where mock executions were performed. Because it happened on Parsons's watch, he was forced to resign, and the former chief believes that was the point all along -- to prove that the New Orleans Police Department was beyond anyone's control.

The same kind of thing could easily happen to Pennington. Last fall, the city got that sick feeling again when it was announced that a patrolman, Victor Gant, was a suspect in the serial killings of 24 people, most of them left lying naked near swamps. But this time, it was Pennington making the disclosure, perhaps to show that he was in control of the department, although no charges have yet been brought. Through the Police Department spokesman, Gant had no comment.

The chief heads out of his office into a corridor, where workers are putting in a new carpet. "They're going turn this into a real office," he says.

But chiefs before him have said that. The question for the people of New Orleans is whether they will finally give the chief the kind of support he needs to succeed.

GRAPHIC: Photos: Officer Len Davis faces criminal charges in Federal court. (pg. 32); Police Superintendent Richard Pennington is wary of whom to trust. (pg. 33); An officer on patrol in the Desire project. (PHOTOGRAPHS BY ANDRE LAMBERTSON FOR THE NEW YORK TIMES) (pg. 35)

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