Police in America

Chapter Two

The History of American Police
The Relevance of History

- Knowledge of the development of policing contributes to our understanding of contemporary practices and problems.
- Police organization, reforms, and police-community relations today are deeply rooted in the past.
The Relevance of History

The study of police history can:

1. Dramatize the fact of change
2. Put current problems into perspective
3. Help us understand what reforms have worked and not worked
4. Alert us to the unintended consequences of reforms
The English Heritage

- Formal law enforcement began in 13th C
- Responsibility for Law Enforcement
  - Constable, Sheriff, & Justice of the Peace, private citizens
  - Did not work with urbanization and industrialization
- Sir Robert Peel
  - Parliament: London Metropolitan Police (1829)
  - Modern Law Enforcement
    - Mission / Strategy / Organizational Structure
Law Enforcement in Colonial America

- **Sheriff**
  - Appointed by colonial governor
  - Chief local government official
    - Law enforcement
    - Collect taxes
    - Conduct elections
    - Infrastructure

- **Constable**
  - Some responsibility for enforcing law and maintaining order
    - Originally elected, later appointed

- **Watch**
  - Watchmen patrolled to guard against
    - Fire
    - Crime
    - Disorder
  - Originally, only night watch
  - All males were expected to serve

- **Slave Patrol**
  - Distinctly American
  - Guard against slave revolts and capture runaway slaves
Law Enforcement was
- Inefficient, disorganized
- Political
- Reactive, not preventative
- Non-investigative
- Outnumbered, ill equipped
- Highly moralistic
  - Laws against drinking, gambling and sexual practices
  - Bribery and corruption

Informal Social Control
- Community and citizen enforcement
- Church

Frontier/Rural
- Vigilantism
- Mob justice
- Lynching
First Modern America Police

- 1830s
- Urbanization, industrialization, immigration, tension between ethnic groups, riots in large cities, disregard for the law, moral uprisings and escalating violence --> need for new kind of law enforcement
- Americans
  - did not trust a standing police force
  - did not want to pay for it
  - feared political influence and corruption
First Modern America Police

- Enduring Features from UK
  - Beat presence / watch system / patrol
  - Paramilitary structure
  - Limited Police Authority
    - Individual liberty
  - Local Control --> Decentralized and Fragmented / Uncoordinated System

- New York - first police department with a day and night shift (1845)
- Did not wear uniforms but had a hat and badge
- Did not carry firearms (not until late 1800s)
Three Eras of American Policing

The Political Era (1830s-1900)

- Attractive job: good $, unchecked power, largely *unsupervised*
- Inefficient, corrupt, unprofessional, nepotistic
  - No personnel standards, no training
  - Foot patrol, no phones, cars or radios --> lack of response
  - Not respected by public
  - Brutality, misconduct
  - Marked by police-citizen conflict
  - High turnover
- Began to carry firearms in response to lack of control, increase in crime rates and citizen violence
- Opposite of UK
Political Era

- George Plunkitt
  - District Leader for Tammany Hall
  - Believed corruption was the essence of democracy
  - Awarded PD jobs to certain people
  - Funded TH with kickbacks and payoffs
  - Officers were paid not to enforce laws
  - Why was police corruption not stopped?
    - Incentives
Political Era

- **No “golden age” of policing in America**
- **Essentially ineffectual and corrupt**
- **Enforcement of the Sunday Closing Law, 1882**
- **Failure of Reform (reform continues today)**
  - Battle for control and oversight
  - Amounted to replacing “bad” police with “good” police
  - No substantive ideas about police administration, training or standards
  - Theodore Roosevelt
The recently discovered 1895 diary of Boston police officer Stillman S. Wakeman provides a revealing glimpse into actual police work 100 years ago.

Officer Wakeman was “an officer of the neighborhood.” He spent most of his time on patrol responding to little problems that neighborhood residents brought to him: disputes, minor property crimes, and so on. He spent relatively little time on major offenses: murder, rape, robbery. He resolved most of the problems informally, acting as a neighborhood magistrate.

Officer Wakeman’s role was remarkably similar to that of contemporary patrol officers. He was reactive and a problem solver. The major difference was the absence of modern police technology: the patrol car and the 911 telephone system.
Three Eras of American Policing

- **The Professional Era (1900-1960s)**
  - Organized movement toward professionalism
  - Development of state police and Bureau of Investigation (1908)
  - Introduction of modern technology
    - Telephone
    - Two-way radio (late 1930s)
    - Patrol car (just before WWI)
Professional Era

Professionalization Movement Reform Agenda

- Define policing as a profession
- Eliminate the influence of politics on policing
- Hire qualified police chiefs
- Raise standards for patrol officers
- Apply modern management principles
  - Centralized command, efficient use of personnel
- Create specialized units like traffic, vice, juveniles
Professional Era

– August Vollmer
  – “Father of American Police Professionalism”
  – Advocated higher education for police officers
    – Hired college grads
    – Organized police science courses at UCB
    – “Father of Modern CJ Education”
  – Chief of Police in Berkeley, California (1905-1932)
  – Wrote Wickersham Commission Report (1931)
  – Many students of Vollmer became police chiefs in CA
  – 1st professional police undergraduate school: SJSU 1931
Professional Era

- Wickersham Commission Report
  - 1929 President Herbert Hoover
  - Series of reports on police, reform agenda
  - *Report on Lawlessness in Law Enforcement*
    - Serious police abuses
    - Beating suspects
    - Forcing confessions
    - Threatening
  - Many cities/departments resisted reform
    - Chief of Police in Buffalo, NY
    - Chicago
    - LAPD
Professional Era

- FBI (1908)
- J. Edgar Hoover (director, 1924-1972)
  - Emphasis on education, training, professionalism, dedication, efficiency, crime fighter image (G-MAN)
  - Increased FBI’s jurisdiction and powers
  - Opened National Police Academy in Quantico, VA
  - Ten Most Wanted, UCR

- Violated Constitutional rights of citizens, spied, compiled private and secret files on certain people and political groups (MLK)
- Ignored organized crime
Professional Era

- Race Relations
  - Not seriously considered by reformers
  - Riots in Chicago, LA, Detroit and NY
  - Recommendations for change were largely ignored
  - Police forces were almost exclusively white
  - Very few African American police officers
    - Usually assigned to black communities
    - South: no gun, limited powers, could not arrest whites
  - Large Mexican immigrant population in LA
Professional Era

- Consequences of professionalization
  - Increase in military structure and ethos
  - Isolation and alienation of rank and file officers
  - Formation of police subculture
  - Development of police unions and demand for better pay
Three Eras of American Policing

The Era of Conflicting Pressures (1960s-present)

- Supreme Court Decisions (*Miranda, Mapp*)
- High crime rates; fear of crime; political reaction
- Riots and protests / police response
- Affirmative action in employment
- Administrative control of discretion
- PCR, CP, POP
- Citizen Oversight
Era of Conflicting Pressures

- **Civil Rights Movement**
  - Militant challenges to discrimination in all forms
  - Application of deadly force by white officers 8:1
  - Massive riots and protests sparked by officer actions perceived as discriminatory (1964-68)
  - Lead to development of PCR units, CRBs

- **Civil Rights Act (1964)**
  - Outlawed discrimination and segregation
  - Enforcement of desegregation laws
Era of Conflicting Pressures

Research, Academics, Commissions and Studies of Policing

– American Bar Foundation (1955-57) findings:
  ▪ Police work involved broad discretion, mostly non-criminal activity

– President’s Crime Commission (1965-67)
  ▪ Discussed complexity of police work, confirmed ABF findings, called for control over discretion

– Kerner Commission (1968)
  ▪ Found “deep hostility between police and ghetto communities”
  ▪ Called for changes to ensure proper officer conduct, hiring more Af. Am. officers, improvement of citizen complaint handling
  ▪ Pointed out the isolating effect of having officers in patrol cars
Era of Conflicting Pressures

- Aggressive law enforcement
  - Strong-willed police chiefs (e.g., William Parker, LAPD 1950-1966)
  - Aggravates conflict with minority communities
  - Harms police-community relations
  - Leads to overlooking police abuses of rights, and use of excessive force to achieve goals
  - \(--\) more riots \(--\) more commissions \(--\) more studies \(--\) more recommendations \(--\) more efforts to standardize and improve police operations
Era of Conflicting Pressures

- ABA (1973) *Standards Relating to Urban Police Function*

- Accreditation (CALEA - 1983) *Standards for Law Enforcement Agencies*
  - Def: process of establishing and adhering to professional standards and policies, code of ethics
  - Self-regulation

- Academic Research (from 1960s-now)
  - Federally and privately funded
  - KC Preventative Patrol Experiment (1972-73)
  - Value of Rapid Police Response
  - Existence of police subculture
Era of Conflicting Pressures

- Police Subculture
  - William Westley
    - Hostility towards the public
    - Group solidarity
    - Secrecy
  - Jerome Skolnick
    - Distinct working environment
    - Danger
    - Exercise of authority
    - Pressure to achieve results (arrests and convictions)
    - Encourages officers to violate legal procedures
- Other studies
  - Officer attitudes shaped by nature of police work
  - Culture of the organization
  - Not by race, education or personal background
New Developments (1970-now)

- Changing police officer
  - Race, gender, education

- Control of police discretion
  - Policies and SOP
  - Lawsuits

- Unions
  - Significant improvement in salaries and benefits

- Citizen Oversight / CRBs (review complaints against PD, make suggestions for improvement and sometimes enforce those suggestions)

- Community policing and problem-oriented policing
Today

- Many improvements have been made in American Policing
- Race still plays a central role in many police/citizen problems
- Racial Profiling