Chapter 1

Police History

Learning Objectives

LO1 Explain the primary means of ensuring personal safety prior to the establishment of formal, organized police departments.

LO2 Discuss the influence of the English police experience on American policing.

LO3 Outline the regional differences in American policing that characterized the colonial period.

LO4 Summarize the regional differences in American policing that characterized the eighteenth and nineteenth centuries.

LO5 Explain how the events of the 1960s and 1970s influenced American policing, identify four events or people instrumental in the development of American policing, and explain the significance of the Law Enforcement Assistance Administration.

Lesson Plan

*Correlated to PowerPoints*

1. Introduction

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* 1. The word *police* came from the Latin word *politia*, which means “civil administration.” Etymologically, the police can be seen as those involved in the administration of a city.
  2. The police represent the civil power of government, rather than the military power of government.

1. Early Police

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**Learning Objective 1:** Explain the primary means of ensuring personal safety prior to the establishment of formal, organized police departments.

* 1. Organized police departments were rare in early societies. Citizens were responsible for protecting themselves and maintaining order.

B. Around the fifth century BCE, the Romans created the first specialized investigative unit, called *questors,* or “trackers of murder.”

C. Around the first century BCE, the Roman emperor Augustus pickedspecial, highly qualified members of the military **to** form the Praetorian Guard**,** **which** could be considered the first police officers. Their job was to protect the palace and the emperor.

D. Vigiles began as firefighters and were eventually also given law enforcement responsibilities, patrolling Rome’s streets day and night. They were the first civil police force charged with protecting citizens, and they were quite brutal.

E. Paris and Munich both had armed, professional police by the eighteenth century.

1. English Policing: Our Heritage

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**Learning Objective 2:** Discuss the influence of the English police experience on American policing.

* 1. Early History
     1. Mutual pledge (a form of “society control” where citizens grouped together to protect each other).
     2. Constable might be considered the first form of English police officer.
     3. Shire-reeve (sheriff) was in control of an area equivalent to today’s county. Citizens were still expected to police their communities, and if trouble arose, they would raise the hue and cry (yell for help).
     4. *Statute of Winchester* established a rudimentary criminal justice system in which most of the responsibility for law enforcement remained with the people themselves.
     5. Watch and ward required all men in a given town to serve on the night watch.

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| Class Discussion/Activity:  The watch and ward required all men in a given town to serve on the night watch. In fact, the Statute of Winchester made it a crime not to assist the watch. How has this changed in modern times? When an incident occurs, are citizens more likely to not become involved? |

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| See Assignment 1 |

* 1. Seventeenth Century Policing: Thief-Takers

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* + 1. Private citizens with no official status
    2. Paid by the king for every criminal they arrested—similar to the bounty hunter of the American West
  1. Henry Fielding and the Bow Street Runners

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* + 1. Founds the first modern police force
    2. Establishes the first official crime reports
    3. Bow Street Runners—first investigative unit
    4. Horse patrol established in London—1804

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| Class Discussion/Activity:  Henry Fielding put together a small investigative unit of thief-takers. By collaborating with local businessmen and sharing information between investigators, this unit was effective in capturing wanted criminals. What can law enforcement in the United States learn from this type of policing? |

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| Media Tool  “History of Police—The Fieldings and the Bow Street Runners”: <https://www.youtube.com/watch?v=2rZfckouVKc>   * A very brief introduction to the Bow Street Runners. * Discussion: Discuss the formation of the Bow Street Runners. What was their purpose? |

* 1. Peel’s Police: The Metropolitan Police for London

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* + 1. *Act for Improving the Police in and near the Metropolis* (the *Metropolitan Police Act*)
    2. Peel’s Nine Principles: concerned with the preventive role of the police and positive relationships and cooperation between the police and the community it served.
    3. Beat system: officers were assigned to relatively small permanent posts.

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| Class Discussion/Activity:  Sir Robert Peel wrote his Nine Principles to guide the newly formed New Westminster Police Service. How many of these principles are still in use today by local law enforcement agencies? |

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| See Assignment 2 |

1. American Policing: The Colonial Experience

**Learning Objective 3:** Outline the regional differences in American policing that characterized the colonial period.

1. The North: The Watch

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* + 1. By the seventeenth century, the northern colonies began to institute a civil law enforcement system that replicated the English system. The county sheriff was the most important law enforcement official.
    2. In cities, the town marshal was the chief law enforcement official, aided by constables and night watchmen.

1. The South: Slave Patrols and Codes

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1. Law enforcement was still mainly the responsibility of the individual citizen, as it had been in early England. There was little law and order on the colonial frontier. In the southern states, slave patrols were the dominant form of policing.

2. *Dred Scott* decision: Dred Scott, a black slave, could not sue in court for his freedom because he was not a citizen—he was a piece of property.

3. Slave patrols were commonplace by the early eighteenth century and were often combined with local militia and police duties.

1. American Policing: Eighteenth and Nineteenth Centuries

**Learning Objective 4:** Summarize the regional differences in American policing that characterized the eighteenth and nineteenth centuries.

* 1. The Urban Experience

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* + 1. Early Police Departments

a. The first organized American police department was created in Boston in 1838, followed by New York City, Philadelphia, Chicago, New Orleans, Cincinnati, Baltimore, and Newark.

b. The new police departments replaced the night watch system.

* + 1. Politics in American Policing

a. Politicians decided who would be hired and promoted.

b. There was no job security and no training.

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| What-If Scenario  Imagine the mayor of your town asks you to “fix” a ticket for him. What would be your response and why? |

* + 1. The Early Police Officer’s Role

a. Police officers’ duties extended beyond law enforcement.

b. Technological advances (telegraph machine, telephone call boxes) and the creation of municipal agencies began to change the police officer’s role.

* 1. The Southern Experience

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* 1. Largest obstacle facing Atlanta police leaders was finding qualified, trustworthy men to serve.
  2. Many police department across the South reorganized during this time to meet Reconstruction standards, and reluctantly hired black officers.
  3. The Frontier Experience

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1. Sheriffs and Town Marshalls: locally elected county sheriffs and the appointed town marshals were usually the only law enforcement officers available on the American frontier.

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| Class Discussion/Activity:  Most county sheriffs are elected officials, whereas police chiefs are generally appointed. How does this affect the policies of the respective departments? |

1. Federal Marshals: created by the *Federal Judiciary Act of 1789*
2. The Military: the *Posse Comitatus Act of 1879*; forbid the use of the military to enforce civilian law except where expressly authorized by law.

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| Class Discussion/Activity:  What was the purpose of the Posse Comitatus Act of 1879? Why was this an issue in the late 1800s? |

1. State Police Agencies: some states and territories created their own police organizations.
2. Private Police: much more effective than public law enforcement agencies on the frontier.

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| Class Discussion/Activity:  Compare and contrast the police of the nineteenth century with the police of today. How have public attitudes toward police changed, or have they? Is the police job much different today from what it was 100 years ago? |

1. American Policing: Twentieth and Twenty-First Centuries

**Learning Objective 5:** Explain how the events of the 1960s and 1970s influenced American policing, identify at least four events or people instrumental in the development of American policing, and explain the significance of the Law Enforcement Assistance Administration.

* 1. Policing from 1900 to 1960

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* 1. Professionalism
  2. Technology
  3. The Boston Police Strike

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| What-If Scenario  Imagine you are asked to participate in an “informational picket” of your police agency by your police union due to a dispute over wages. What would you do? |

* 1. National Prohibition: Volstead Act
  2. The Wickersham Commission
  3. August Vollmer

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* 1. O. W. Wilson
  2. Raymond Blaine Fosdick and Bruce Smith
  3. John Edgar Hoover
  4. Kefauver Committee

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* 1. Policing in the 1960s and 1970s
     1. Supreme Court Decisions: *Mapp v. Ohio* (1961), *Escobedo v. Illinois* (1964), and *Miranda v. Arizona* (1966)

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| What-If Scenario  Imagine you are investigating the murder of a young child and the suspect you have in custody will not answer your questions. Are you willing to do “whatever it takes” to get information from the suspect? How should you proceed with this suspect? |

1. The Civil Rights Movement: *Brown v. Board of Education of Topeka* (1954), the civil rights marches, Dr. Martin Luther King, Jr., and the Rodney King incident in Los Angeles (1991)
2. Police Response to Civil Disobedience
3. Anti–Vietnam War Demonstrations
4. Campus Disorders
5. Urban Riots
6. Creation of National Commissions

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* 1. President’s Commission on Law Enforcement and Administration of Justice
  2. National Advisory Commission on Civil Disorders (Kerner Commission)

1. Corruption and the Knapp Commission

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| Media Tool  “Widespread Police Corruption, West City, UT”  <https://www.youtube.com/watch?v=LPkvbUVyIqw>   * Television news reporting on possible officer corruption. * Discussion: Discuss the implications of possible officer corruption in this incident. How does *Brady v. Maryland* enter into this case? How might the police handle this incident? |

9. Police Research and the LEAA

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| See Assignment 3 |

10. Development of the Ideology of a Diverse Department

* 1. Policing in the 1980s and 1990s

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* + 1. CompStat
       1. Timely and accurate intelligence
       2. Use of effective tactics in response to that intelligence
       3. Rapid deployment of personnel and resources
       4. Relentless follow-up and assessment

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| Class Discussion/Activity:  How has CompStat changed policing today? What has remained the same? |

* + 1. Rodney King incident (1991)—LAPD

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| Class Discussion/Activity:  How has the Rodney King case changed policing? What lessons were learned? What lessons still need to be learned? |

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| Media Tool  “Rodney King Incident”  <https://www.youtube.com/watch?v=4OauOPTwbqk>   * Full version of the Rodney King incident from the Department of Justice. * Discussion: Discuss what you see on the video. What could the police have done differently? What could have Rodney King done differently? Who is “more” at fault and why? |

* + 1. Abner Louima (1997)—NYPD
    2. Orenthal James (O.J.) Simpson (1994)—LAPD
    3. Riots

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* 1. Policing in the 2000s

1. Crime rate decline

2. Beltway Sniper Case (2002) and the Sniper Task Force

3. 9/11 and Its Aftermath

a. Specialized antiterrorism units formed in many large police departments

b. Department of Homeland Security established

c. USA Patriot Act

4. Hurricane Katrina

5. War on Police

6. Black Lives Matter

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| Class Discussion/Activity:  The New Orleans Police Department is still struggling to rebuild its ranks, which were decimated by more than 30 percent by desertions, defections, and retirements during and after Hurricane Katrina. What can the NOPD do to attract suitable police officer candidates? |

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| What-If Scenario  What if you are a New Orleans police officer and, Hurricane Katrina has destroyed your home. Would you stay at your post and police the city? Why or why not? |

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| See Assignment 4 |

1. Summary

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Lecture Notes

1. How is the law enforcement system of the United States connected to England?

The American style of policing developed from the English model. Sir Robert Peel, who is generally credited with establishing the first English police department in 1829, set the groundwork for a publicly financed force of law enforcers. The Metropolitan Police Act established the London Metropolitan Police Department, which employed more than 1,000 officers. The department wore uniforms and was commanded by two commissioners, one with a prior military background and one with a law background. The control of the new police department was delegated to a home secretary who was a member of the democratically elected government.

2. What was policing like during the early colonial period?

By the seventeenth century, the northern colonies started to institute a civil law enforcement system that closely replicated the English model. This was in response to the constant risk from foreign enemies, other colonists, and Native Americans. The watch was considered the first form of self-policing; the professional office of county sheriff was established to maintain order and peace, among other things. In cities, the town marshal was the top law enforcer.

3. What were the major duties of urban police officers of the eighteenth and nineteenth centuries?

During the eighteenth century, the most common form of law enforcement was the system of constables in the daytime and the watch at night. The nineteenth century brought the first organized American police department, which was created in Boston in 1838. In addition to police duties, the officers were also charged with maintaining public health. The New York City Police Department, in addition to policing duties, was responsible for street sweeping. By the outbreak of the Civil War, Chicago, New Orleans, Cincinnati, Baltimore, Newark, and a number of other large cities had their own police departments. These new police departments replaced the night watch system, and as a result, constables and sheriffs were relieved of much of their patrol and investigative duties.

In the eighteenth and nineteenth centuries, urban police officers had many other duties besides law enforcement. These officers also cleaned the streets, inspected boilers, cared for the poor and homeless, operated emergency ambulances, and performed other social services. The primary job of the nineteenth-century police was to serve as the enforcement arm of the political party in power, protect private property, and control the rapidly arriving foreign immigrants. In the late 1800s, police work was a desirable job, as it paid more than most other blue-collar jobs; but citizens had a tremendous hatred for nineteenth-century police officers whom they viewed as political hacks. A tradition of police brutality developed out of this reciprocal disrespect.

4. Explain the development of the twenty-first-century law enforcement agency.

The twentieth century had a profound influence on policing. Presidential commissions were formed to look at crime and America’s response to crime. Criminal justice established itself as an academic discipline, and researchers began studying crime problems and police response. These studies and their conclusions have had a lasting effect on policing in the twenty-first century. The terrorist attacks of September 11, 2001, also have had a lasting effect on policing in the twenty-first century. New laws as well as a revamped law enforcement response to organized crime have taken hold. The Department of Homeland Security was created and federal agencies were consolidated and/or realigned for better communication and proactive response to terrorism. Police agencies continue to face allegations of police misconduct, corruption, and brutality among their ranks. The media has become a major player in public opinion, and law enforcement agencies must know how to deal with this newfound and immediate attention.

5. Explain the significance of the Wickersham Commission.

In 1929, President Herbert Hoover created the National Commission on Law Observance and Enforcement with George W. Wickersham as its chair. The commission issued a report in 1931. The report criticized the Volstead Act, which created Prohibition, saying it was not enforced because it was unenforceable.

The commission found that the average police commander’s term of office was too short and that responsibility to politicians made the position insecure. The report indicated that there was a lack of effective, efficient, and honest patrol officers, and no efforts to educate, train, or discipline officers or to fire incompetent ones. The commission found further that police forces, even in the biggest cities, did not have adequate communication systems or equipment.

Two volumes of the Wickersham Commission Report, Lawlessness in Law Enforcement (volume 2) and The Police (volume 14), concerned themselves solely with the police. Lawlessness in Law Enforcement portrayed the police as inept, inefficient, racist, and brutal, and accused them of committing illegal acts. The volume concluded, “The third degree—the inflicting of pain, physical or mental, to extract confessions or statements—is extensively practiced” (National Commission on Law Observance and Enforcement, Lawlessness in Law Enforcement, vol. 2 of the Wickersham Report [Washington, D.C.: U.S. Government Printing Office, 1931]).

The Wickersham Commission Report blamed the shortcomings of the police on a lack of police professionalism. The Police, written primarily by August Vollmer, discussed methods that could be used to create a professional police force in the United States. The methods the commission advocated included increased selectivity in the recruitment of officers, better pay and benefits, and more education for police officers.

The Wickersham Commission Report angered citizens and started another groundswell for police reform. With the onset of the Great Depression, however, police reform became less important than economic revival, and another attempt at police reform failed.

Key Terms

**beat system** System of policing created by Sir Robert Peel for the London Metropolitan Police in 1829 in which officers were assigned to relatively small permanent posts. (p. 7)

**CompStat** Weekly crime strategy meetings, featuring the latest computerized crime statistics and high-stress brainstorming; developed by the New York City Police Department in the mid-1990s. (p. 27)

constable An official assigned to keep the peace in the mutual pledge system in England. (p. 4)

**Department of Homeland Security** Federal cabinet department established in the aftermath of the terrorist attacks of September 11, 2001. (p. 32)

**Dred Scott decision** Infamous U.S. Supreme Court decision of 1857 ruling that slaves had no rights as citizens because they were considered to be property. (p. 9)

**hue and cry** A method developed in early England for citizens to summon assistance from fellow members of the community. (p. 4)

**jury nullification** A vote by jurors to either ignore the evidence in a trial or disregard the instructions of a judge to reach a verdict based on their own consciences. (p. 29)

**mutual pledge** A form of community self-protection developed by King Alfred the Great in the latter part of the ninth century in England. (p. 4)

**National Advisory Commission on Civil Disorders (Kerner Commission)** Commission created in 1968 to address the reasons for the riots of the 1960s. (p. 25)

**Peel’s Nine Principles** Basic guidelines created by Sir Robert Peel for the London Metropolitan Police in 1829. (p. 7)

***posse comitatus***Common law descendent of the old hue and cry. If a crime spree occurred or a dangerous criminal was in the area, the U.S. frontier sheriff would call upon the *posse comitatus,* a Latin term meaning “the power of the county.” (p. 16)

**Praetorian Guard** Select group of highly qualified members of the military established by the Roman emperor Augustus to protect him and his palace. (p. 3)

**President’s Commission on Law Enforcement and Administration of Justice** Commission that issued a report in 1967 entitled *The Challenge of Crime in a Free Society*. The commission was created in the wake of the problems of the 1960s, particularly the problems between police and citizens. (p. 25)

**Rodney King incident** The 1991 videotaped beating of an African American citizen by members of the Los Angeles Police Department. (p. 28)

shire-reeve Early English official placed in charge of shires (counties) as part of the system of mutual pledge; evolved into the modern concept of the sheriff. (p. 4)

**slave patrols** Police-type organizations created in the American South during colonial times to control slaves and support the Southern economic system of slavery. (p. 9)

**terrorist attacks against the United States of America on September 11, 2001** The terrorist attacks committed by al-Qaeda. (p. 31)

**thief-takers** Private English citizens with no official status who were paid by the king for every criminal they arrested. They were similar to the bounty hunter of the American West. (p. 5)

**Vigiles** Early Roman firefighters who also patrolled Rome’s streets to protect citizens. (p. 3)

Volstead Act (National Prohibition, Eighteenth Amendment) Became law in 1920 and forbade the sale and manufacture of alcohol. (p. 18)

watch and ward A rudimentary form of policing, designed to protect against crime, disturbances, and fire. All men were required to serve on it. (p. 4)

**Wickersham Commission** Published the first national study of the U.S. criminal justice system, in 1931. (p. 18)

Assignments

1. Using the Internet, research the case of Kitty Genovese. Explain why people did not want to get involved in this incident. [LO 2]
2. Research your local municipal police department. Determine how many police precincts (if any) there are and/or how the city is divided into beats. How many patrol officers work each beat? Are the same officers assigned to the same beat each day or do they rotate? [LO 2]
3. Research and discuss police response to civil disobedience, comparing how police responded in the 1960s and 1970s and how police respond today. What are the similarities and what are the differences? [LO 5]
4. Using the Internet, conduct research on the July 4, 2011, BART police officer shooting. How did the media cover this case? How did the police react to this case? How did the public react to this case? What was the eventual outcome? Do you agree or disagree with the results, and why or why not? [LO 5]