

The Police and Law Enforcement

The August 2014 shooting in Ferguson, Missouri, of Michael Brown, left an indelible imprint on American policing. Police–minority outreach is now a high priority. Countless officers also report that now, more than ever, they act under the microscope. One Philadelphia officer said, “There’s always somebody through the window with a phone recording, expecting us to do something wrong.”¹ This raises an important question: has policing succumbed to a “Ferguson effect”? The answer depends on whom you ask.

Crime in some cities started to increase at about the time Michael Brown was killed. Gun violence in Baltimore increased; homicides in Milwaukee increased by 180 percent; St. Louis saw a surge in robberies. Heather MacDonald of the conservative Manhattan Institute for Policy Research authored a *Wall Street Journal* op-ed wherein she described these increases as a “new nationwide crime wave.”² She contrasted them with the first half of 2014 (before Michael Brown was killed), a period when crime was continuing to drop. “The most plausible explanation for the current surge in lawlessness,” MacDonald wrote, was “the intense agitation against American police departments” since Ferguson. Was she correct?

A year after the Michael Brown shooting, *Time* magazine spent time with police officers in Philadelphia, attempting to gain perspective on life behind the badge post-Ferguson.³ Reporters learned from ride-alongs with on-duty cops and numerous interviews with key personnel in the department that “everything is just harder.” They also found that “confrontations are more numerous, and when the blood is up, so is the risk of the very thing everyone is trying to avoid—in the tattered, volatile neighborhoods to which the rest of the world until recently paid as little attention as possible.”

Richard Rosenfeld, a professor at the University of Missouri–St. Louis, notes that while crime increased in some areas following Ferguson, it did not increase everywhere.⁴ And by looking closely at St. Louis, which is close to Ferguson, he found no clear evidence that homicide (or any other violent crimes) began to surge immediately following Brown’s death. Indeed, homicide was increasing in St. Louis before Brown was shot, even back in 2013.

A report by the Brennan Center for Justice reached a similar conclusion. While crime has surged in some of America’s cities, such accounts “have been based on a patchwork of data, typically from a very small sample of cities. Without geographically complete and historically comparable data, it is difficult to discern whether the increases these articles report are purely local anomalies, or instead part of a larger national trend.”⁵ Other more recent studies echo these statements; there is little to no hard scientific evidence suggesting Ferguson has taken a toll on police work.⁶

Part 2 of this text covers policing. Chapter 4 looks at the history and organization of law enforcement organizations at all levels of government. Chapter 5 discusses the role and function of policing, including patrol, investigations, and community policing. Chapter 6 tackles a number of contemporary issues in policing, among them police culture, discretion, stress fatigue, and use of force. Chapter 6 also provides an introduction to the legal environment within which the police must operate.

Chapter 4 Police in Society: History and Organization

Chapter 5 The Police: Role and Function

Chapter 6 Issues in Policing: Professional, Social, and Legal

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Police in Society:

History and Organization

REALITYCHECK

Myth or Reality?

- The first modern police force was established in London.
- During the nineteenth century, the police were regarded as competent and professional.
- Federal law enforcement agencies are housed solely within cabinet-level departments (such as the State Department).
- The core mission of the FBI is to enforce the criminal laws of the United States.
- Most metropolitan law enforcement agencies employ fewer than 50 officers.
- There are more private police than public police.

It was supposed to be a peaceful protest against police shootings, but it would become the deadliest day for law enforcement since September 11, 2001. On July 7, 2016, Micah Xavier Johnson ambushed and fired at police officers during an event in downtown Dallas, killing five officers and injuring seven others. A bomb squad robot killed Johnson after negotiations for his surrender failed. Days later, another attack in Baton Rouge, Louisiana, left three officers dead and another three wounded. The shooter, Gavin Long, had used social media to post ominous messages. “Zero have been successful just over simple protesting,” he said. “You gotta fight back.”⁷ In November of the same year, a lone killer gunned down two officers in Des Moines, Iowa, as they were patrolling in their vehicles, and another man ambushed and killed a police officer in San Antonio, Texas, who was in his cruiser writing a traffic ticket.⁸

The number of police fatalities peaked in 1974 and has generally fallen since, but 2016, the most recent year for which data are available as of this writing, witnessed quite an uptick; 135 officers were killed in the line of duty, up 10 percent from the year before.⁹ More disturbing was a 56 percent increase in gun deaths, and nearly one in three officers who were fatally shot in 2016 were killed in ambush-style attacks. It used to be that traffic deaths were more common than gun deaths; in 2016, traffic-related deaths were eclipsed by shooting deaths. Policing remains a relatively safe profession, though, with far more on-the-job deaths in the construction and transportation sectors.¹⁰



Daniel Goncalves/Redux

LEARNING OBJECTIVES

- L01** Summarize characteristics of the first law enforcement agencies
- L02** Discuss the development of law enforcement in the United States
- L03** Analyze the problems of early police agencies
- L04** Discuss how reformers attempted to create professional police agencies
- L05** Describe the major changes in law enforcement between 1970 and today
- L06** Identify the major federal law enforcement agencies
- L07** Summarize the differences among state, county, and local law enforcement
- L08** Explain the role of technology in police work

L01 Summarize

characteristics of the first law enforcement agencies

tithings In medieval England, a group of 10 families who collectively dealt with minor disturbances and breaches of the peace.

hue and cry In medieval England, a call for assistance. The policy of self-help that prevailed in villages demanded that everyone respond if a citizen raised a hue and cry to get their aid.

hundred In medieval England, a group of 100 families responsible for maintaining order and trying minor offenses.

constable In medieval England, an appointed official who administered and supervised the legal affairs of a small community.

shire reeve In medieval England, the senior law enforcement figure in a county; the forerunner of today's sheriff.

sheriff The chief law enforcement officer in a county.

watch system During the Middle Ages in England, men were organized in church parishes to guard at night against disturbances and breaches of the peace under the direction of the local constable.

justice of the peace Established in 1326 England, the office was created to help the shire reeve in controlling the county; it later took on judicial functions.

The police are the gatekeepers of the criminal justice process. They initiate contact with violators of the law and decide whether to arrest them formally and start their journey through the criminal justice system, to settle the issue in an informal way (such as by issuing a warning), or to take no action at all. The strategic position of law enforcement officers, their visibility and contact with the public, and their use of weapons and arrest power kept them in the forefront of public thought for most of the twentieth century.

This and the following two chapters evaluate the history, role, organizational issues, and procedures of police agents and agencies and discuss the legal rules that control police behavior.

The History of Police

The origin of US police agencies, like the origins of criminal law, can be traced to early English society.¹¹ Before the Norman Conquest in 1066 BCE, no regular English police force existed. Every person living in the villages scattered throughout the countryside was responsible for aiding neighbors and protecting the settlement from thieves and marauders. This was known as the “pledge system.” People were grouped in collectives of 10 families, called **tithings**, and were entrusted with policing their own minor problems. When trouble occurred, citizens were expected to make a **hue and cry**. Ten tithings were grouped into what was called a **hundred**, whose affairs were supervised by a **constable** appointed by the local nobleman. The constable, who might be considered the first real police officer, dealt with more serious breaches of the law.¹²

Shires, which resembled the counties of today, were controlled by the **shire reeve**, who was appointed by the Crown or by a local landowner to supervise the territory and ensure that order was kept. The shire reeve, a forerunner of today's **sheriff**, soon began to pursue and apprehend law violators as part of his duties.

In the thirteenth century, the **watch system** was created to help protect property in England's larger cities and towns. Watchmen patrolled at night and helped protect the community against robberies, fires, and disturbances. They reported to the area constable, who became the primary metropolitan law enforcement agent. In larger cities, such as London, the watchmen were organized within church parishes and were usually members of the parish they protected.

In 1326, the office of **justice of the peace** was created to assist the shire reeve in controlling the county. Eventually, these justices took on judicial functions in addition to their primary role as peacekeepers. The local constable became the operational assistant to the justice of the peace, supervising the night watchmen, investigating offenses, serving summonses, executing warrants, and securing prisoners. This system helped establish the relationship between police and the judiciary, which has continued for more than 670 years.

Private Police and Thief Takers

As the eighteenth century began, rising crime rates encouraged a new form of private, paid police, who profited both legally and criminally from the lack of formal police departments. These private police agents, referred to as “thief takers,” were universally corrupt, taking profits not only from catching and informing on criminals but also from receiving stolen property, theft, intimidation, perjury, and blackmail. They often relieved their prisoners of money and stolen goods and made even more income by accepting hush money, giving perjured evidence, swearing false oaths, and operating extortion rackets. Petty debtors were especially easy targets for those who combined thief taking with the keeping of alehouses and taverns. While prisoners were incarcerated, their health and safety were entirely at the whim of the thief takers, who were free to charge virtually whatever they wanted for board and other necessities. Court bailiffs who also acted as thief takers were the most passionately detested legal profiteers. They seized debtors and held them in small lockups, where they forced their victims to pay exorbitant prices for food and lodging.

The thief takers' use of violence was notorious. They went armed and were prepared to maim or kill to gain their objectives. Before he was hanged in 1725, Jack Wild, the most notorious thief taker, "had two fractures in his skull and his bald head was covered with silver plates. He had seventeen wounds in various parts of his body from swords, daggers, and gunshots, [and] ... his throat had been cut in the course of his duties."¹³

Henry Fielding (famed author of *Tom Jones*), along with Saunders Welch and his brother John Fielding, sought to clean up the thief-taking system. Appointed a city magistrate in 1748, Henry Fielding operated his own group of paid police out of Bow Street in London, directing and deploying them throughout the city and its environs, deciding which cases to investigate and what streets to protect. His agents were carefully instructed on their legitimate powers and duties. Fielding's Bow Street Runners were a marked improvement over the earlier paid police because they actually had an administrative structure that improved recordkeeping and investigative procedures.

Creating Public Police

In 1829, Sir Robert Peel, England's home secretary, guided through Parliament an "Act for Improving the Police in and near the Metropolis." The Metropolitan Police Act established the first organized police force in London. Composed of more than 1,000 men, the London police force was structured along military lines; its members were known from then on as "bobbies," after its creator. They wore a distinctive uniform and were led by two magistrates, who were later given the title of commissioner. However, the ultimate responsibility for the police fell to the home secretary and consequently to the Parliament.

The early bobbies suffered from many of the same ills as their forebears. Many were corrupt, they were unsuccessful at stopping crime, and they were influenced by the wealthy. Owners of houses of ill repute, who in the past had guaranteed their undisturbed operations by bribing watchmen, now turned their attention to the bobbies. Metropolitan police administrators fought constantly to terminate cowardly, corrupt, and alcoholic officers, dismissing in the beginning about one-third of the bobbies each year.

Law Enforcement in Colonial America

Law enforcement in colonial America paralleled the British model. In the colonies, the county sheriff became the most important law enforcement agent. In addition to keeping the peace and fighting crime, sheriffs collected taxes, supervised elections, and handled a great deal of other legal business.

The colonial sheriff did not patrol or seek out crime. Instead, he reacted to citizens' complaints and investigated crimes that had occurred. His salary, related to his effectiveness, was paid on a fee system. Sheriffs received a fixed amount for every arrest made. Unfortunately, their tax-collecting chores were more lucrative than fighting crime, so law enforcement was not one of their primary concerns. In the cities, law enforcement was the province of the town marshal, who was aided, often unwillingly, by a variety of constables, night watchmen, police justices, and city council members. However, local governments had little power of administration, and enforcement of the criminal law was largely an individual or community responsibility. In rural areas in the South, slave patrols charged with recapturing escaped slaves were an early—if loathsome—form of law enforcement.¹⁴ When these patrols apprehended runaway slaves, they administered "justice" on the spot, often with violence. In the western territories, individual initiative was encouraged by the practice of offering rewards for the capture of felons. If trouble arose, the town vigilance committee might form a posse to chase offenders. These **vigilantes** were called on to eradicate such social problems as theft of livestock through force or intimidation; the San Francisco Vigilance Committee actively pursued criminals in the mid-nineteenth century.

Early Police Agencies

The modern police department was born out of urban mob violence that wracked the nation's cities in the nineteenth century. Boston created the first formal US police department in 1838. New York formed its police department in 1844, and Philadelphia

REALITYCHECK

Myth or Reality?

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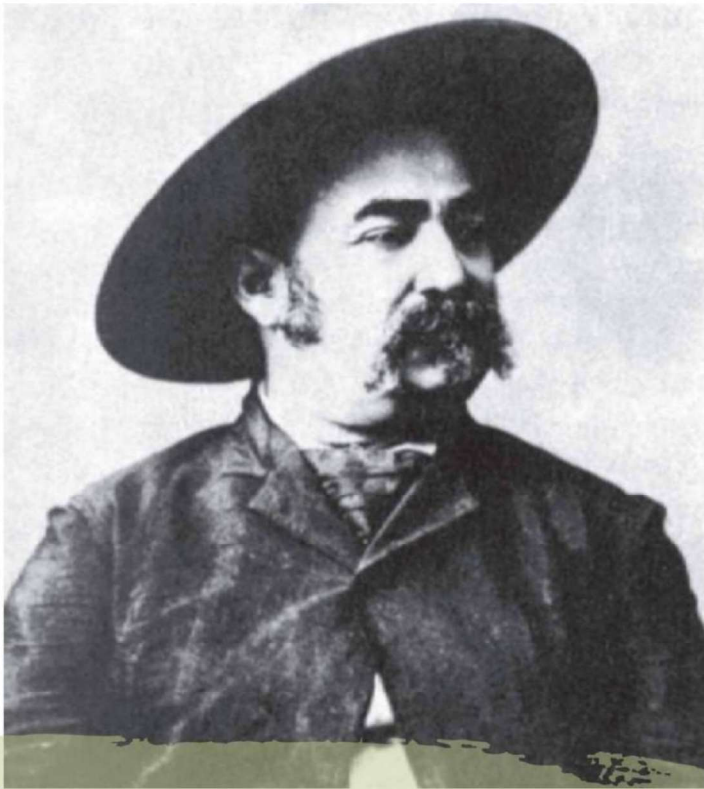
REALITY. Although there were some signs of organized policing as early as the 1600s, the London Metropolitan Police, formed in 1829, is widely regarded as the first modern organized police force.

What were some of the other early modernized police forces besides the Metropolitan Police?

L02 Discuss the development of law enforcement in the United States

L03 Analyze the problems of early police agencies

vigilantes Groups of citizens who tracked down wanted criminals in the Old West.



Print Collector/HIP/The Image Works

John X. Beidler, pictured here, was leader of the Montana Vigilantes, a secretive band formed to fight crime in Montana in the 1860s. He later became a stagecoach guard and a deputy US marshal. Vigilante groups like Beidler's were precursors to organized police forces in colonial America.

REALITYCHECK

Myth or Reality?

During the nineteenth century, the police were regarded as competent and professional.

MYTH. Policing in the 1800s was anything but professional. Competence often was lacking as well. It would not be until the 1900s that police departments began making major strides toward professionalism.

Is policing a profession today? What are the hallmarks of a profession?

followed in 1854. The new police departments replaced the night-watch system and relegated constables and sheriffs to serving court orders and running jails.

At first, the urban police departments inherited the functions of the institutions they replaced. For example, Boston police were charged with maintaining public health until 1853, and, in New York, the police were responsible for street sweeping until 1881. Politics dominated the departments and determined the recruitment of new officers and the promotion of supervisors. An individual with the right connections could be hired despite a lack of qualifications. Early police agencies were corrupt, brutal, and inefficient.¹⁵ At first, police were expected to live in the area they patrolled, but as the nineteenth century drew to a close, officers left the most dangerous areas and commuted to work, thereby separating themselves from the people they were being asked to supervise and control.¹⁶

In the late nineteenth century, police work was highly desirable because it paid more than most other blue-collar jobs. By 1880, the average factory worker earned \$450 a year, whereas a metropolitan police officer made \$900 annually. For immigrant groups, having enough political clout to be appointed to the police department was an important step up the social ladder.¹⁷ However, job security was uncertain because it depended on the local political machine staying in power.

Police work itself was primitive. There were few of even the simplest technological innovations common today, such as centralized recordkeeping. Most officers patrolled on foot, without backup or the ability to call

for help. Officers were commonly taunted by local toughs and responded with force and brutality. The long-standing conflict between police and the public was born in the difficulty that untrained, unprofessional officers had in patrolling the streets of nineteenth-century US cities and in breaking up and controlling labor disputes. Police were not crime fighters as we know them today. Their main role was maintaining order, and their power was almost unchecked. The average officer had little training, no education in the law, and a minimum of supervision, yet the police became virtual judges of law and fact with the ability to exercise unlimited discretion.¹⁸

Police during the nineteenth century were regarded as incompetent and corrupt and were disliked by the people they served. The police role was only minimally directed at law enforcement. Its primary function was serving as the enforcement arm of the reigning political power, protecting private property, and keeping control of the ever-rising numbers of foreign immigrants.

Police agencies evolved slowly through the second half of the nineteenth century. Uniforms were introduced in 1853 in New York. The first technological breakthroughs in police operations came in the area of communications. The linking of precincts to central headquarters by telegraph began in the 1850s. In 1867, the first telegraph police boxes were installed; an officer could turn a key in a box, and his location and number would automatically register at headquarters. Additional technological advances were made in transportation. The Detroit Police Department outfitted some of its patrol officers with bicycles in 1897. By 1913, the motorcycle was being used by departments in the eastern part of the nation. The first police car was used in Akron, Ohio, in 1910, and the police wagon became popular in Cincinnati in 1912.¹⁹ Nonpolice functions, such as care of the streets, had begun to be abandoned by police departments after the Civil War.

The control of police departments by local politicians impeded effective law enforcement and fostered an atmosphere of graft and corruption. In the nineteenth century,

big-city police were still not respected by the public, were largely unsuccessful in their role as crime stoppers, and were involved in no progressive activities.

Policing in the Modern Era

The modern era of policing can be traced from the turn of the nineteenth century to the present. What are the major events that occurred during this period?

L04 Discuss how reformers attempted to create professional police agencies

The Emergence of Professionalism

In an effort to reduce police corruption, civic leaders in a number of jurisdictions created police administrative boards to reduce local officials' control over the police. These tribunals were responsible for appointing police administrators and controlling police affairs. In many instances, these measures failed because the private citizens appointed to the review boards lacked expertise in the intricacies of police work. Another reform movement was the takeover of some metropolitan police agencies by state legislators. Although police budgets were financed through local taxes, rural politicians in the state capitals usurped control of the police. New York City temporarily lost authority over its police force in 1857. It was not until the first decades of the twentieth century that cities regained control of their police forces.

The Boston police strike of 1919 heightened interest in police reform. The strike came about basically because police officers were dissatisfied with their status in society. Other professions were unionizing and increasing their standard of living, but police salaries lagged behind. The Boston police officers' organization, the Boston Social Club, voted to become a union affiliated with the American Federation of Labor. The officers went out on strike on September 9, 1919. Rioting and looting broke out, resulting in Governor Calvin Coolidge's mobilization of the state militia to take over the city. Public support turned against the police, and the strike was broken. Eventually, all the striking officers were fired and replaced by new recruits. The Boston police strike ended police unionism for decades and solidified power in the hands of reactionary, autocratic police administrators. In the aftermath of the strike, various local, state, and federal crime commissions began to investigate the extent of crime and the ability of the justice system to deal with it effectively; they then made recommendations to improve police effectiveness.²⁰ With the onset of the Depression, however, justice reform became a less important issue than economic revival, and little changed in the nature of policing for many years.

At about the same time, a number of nationally recognized leaders called for measures to help improve and professionalize the police. In 1893, the International Association of Chiefs of Police (IACP), a professional society, was formed. The IACP called for creating a civil service police force and for removing political influence and control. The most famous police reformer of the time was August Vollmer. While serving as police chief of Berkeley, California, Vollmer instituted university training for young officers and helped develop the School of Criminology at the University of California at Berkeley. Vollmer's disciples included O. W. Wilson, who pioneered the use of advanced training for officers and was instrumental in applying modern management and administrative techniques to policing. During this period, police professionalism was equated with an incorruptible, tough, highly trained, rule-oriented department organized along militaristic lines. The most respected department was that of Los Angeles, which emphasized the police as incorruptible crime fighters who would not question the authority of the central command.



Heritage Image Partnership Ltd./Alamy Stock Photo

Great precaution is taken to guard police headquarters in Pemberton Square during the Boston police strike of 1919. Here a cavalryman of the state guard rides a horse previously used by the mounted policemen who went on strike. The Boston police strike ended police unionism for decades and solidified power in the hands of reactionary, autocratic police administrators. In the aftermath of the strike, various local, state, and federal crime commissions began to investigate the extent of crime and the ability of the justice system to deal with it and made recommendations to improve police effectiveness.

L05 Describe the major changes in law enforcement between 1970 and today

The 1960s and Beyond

Turmoil and crisis were the hallmarks of policing during the 1960s. Throughout this decade, the Supreme Court handed down a number of decisions designed to control police operations and procedures. Police officers were now required to follow strict legal guidelines when questioning suspects, conducting searches, and wiretapping, among other duties. As the civil rights of suspects were significantly expanded, police complained that they were being “handcuffed by the courts.”

Also during this time, civil unrest produced a growing tension between police and the public. African Americans, who were battling for recognition and enforcement of their rights and freedoms in the civil rights movement, found themselves confronting police lines. When riots broke out in New York, Detroit, Los Angeles, and other cities between 1964 and 1968, the spark that ignited conflict often involved the police. When students across the nation began marching in demonstrations against the Vietnam War, local police departments were called on to keep order. Police forces were ill equipped and poorly trained to deal with these social problems; it is not surprising that the 1960s were marked by a number of bloody confrontations between the police and the public.

Compounding these problems was a rapidly growing crime rate. The number of violent and property crimes increased dramatically. Drug addiction and abuse grew to be national concerns, common among all social classes. Urban police departments could not control the crime rate, and police officers resented the demands placed on them by dissatisfied citizens.

The 1970s witnessed many structural changes in police agencies themselves. The end of the Vietnam War significantly reduced tensions between students and police. The relationship between police and minorities was still rocky, however. Local fears and distrust, combined with conservative federal policies, encouraged police departments to control what was perceived as an emerging minority group “threat.”²¹

Increased federal government support for criminal justice greatly influenced police operations. During the decade, the Law Enforcement Assistance Administration (LEAA) devoted a significant portion of its funds to police agencies. Although a number of police departments used this money to purchase little-used hardware, such as antiriot gear, most of it went to supporting innovative research on police work and advanced training of police officers. Perhaps most significant, the LEAA’s Law Enforcement Education Program helped thousands of officers further their college education. Hundreds of criminal justice programs were developed on college campuses around the country, providing a pool of highly educated police recruits. LEAA funds were also used to transfer technology originally developed in other fields into law enforcement. Technological innovations involving computers transformed the way police kept records, investigated crimes, and communicated with one another. State training academies improved the way police learned to deal with such issues as job stress, community conflict, and interpersonal relations. More women and minorities were recruited into police work as well. Affirmative action programs helped to slowly alter the ethnic, racial, and gender composition of US policing.

As the 1980s began, the police role seemed to be changing significantly. A number of experts acknowledged that the police were not simply crime fighters and called for police to develop a greater awareness of community issues, which resulted in the emergence of the community policing concept.²²

Police unions, which began to grow again in the late 1960s, continued to have a great impact on departmental administration in the 1980s. Unions fought for and won increased salaries and benefits for their members. In many instances, union efforts eroded the power of the police chief to make unquestioned policy and personnel decisions. During the decade, chiefs of police commonly consulted with union leaders before making significant decisions about departmental operations.

Although police operations improved markedly during this time, police departments were also beset by problems that impeded their effectiveness. State and local budgets

were cut back during the Reagan administration, and federal support for innovative police programs was severely curtailed with the demise of the LEAA.

Police–community relations continued to be a major problem. Riots and incidents of urban conflict occurred in some of the nation’s largest cities.²³ They triggered persistent concern about what the police role should be, especially in inner-city neighborhoods.

The 1990s began on a sour note and ended with an air of optimism. The incident that helped change the face of American policing occurred on March 3, 1991, when Rodney King and his friend Bryant Allen were driving in Los Angeles. They refused to stop when signaled by a police car behind them but instead increased their speed; King, the driver, was apparently drunk or on drugs. When police finally stopped the car, they delivered 56 baton blows and six kicks to King in a period of two minutes, producing 11 skull fractures, brain damage, and kidney damage. They did not realize that their actions were being videotaped by an observer, who gave the tape to the media. The officers involved were eventually tried and acquitted in a suburban court by an all-white jury, a decision that set off six days of rioting.²⁴

The King case prompted an era of reform. Several police experts decreed that the nation’s police forces should be evaluated not on their crime-fighting ability but on their courteousness, deportment, and helpfulness. Interest was renewed in reviving an earlier style of police work featuring foot patrols and increased citizen contact. Police departments began to embrace new forms of policing that stressed cooperation with the community and problem solving. The following are some of the most notable achievements of police departments in the 1990s:

- The intellectual caliber of the police rose dramatically.
- Police began to use advanced management techniques and applied empirical data to their decision making.
- Standards of police conduct climbed. Despite well-publicized incidents of brutality, police tended to treat the public more fairly, more equitably, and more civilly than they did in the 1960s.
- Police became more diverse in race and gender.
- The work of the police became intellectually more demanding, requiring an array of new specialized knowledge about technology, forensic analysis, and crime.
- Police gradually accepted civilian review of police discipline.²⁵

The President’s Task Force on 21st Century Policing

On December 18, 2014, President Barack Obama signed an executive order establishing the President’s Task Force on 21st Century Policing. Task force members, who included law enforcement representatives, prominent academics, and community leaders, solicited input from a variety of stakeholders and members of the public in an effort to identify the most important priorities for modern policing. The task force submitted its final report in 2015.²⁶ It offered a number of recommendations in six specific areas: building trust and legitimacy, policy and oversight, technology and social media, community policing and crime reduction, training and education, and officer safety and wellness. Following are some key excerpts from the task force’s report:

Building Trust and Legitimacy

Law enforcement culture should embrace a guardian—rather than a warrior—mindset to build trust and legitimacy both within agencies and with the public. Toward that end, law enforcement agencies should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with rank and file officers and with the citizens they serve. Law enforcement agencies should also establish a culture of transparency and accountability to build public trust and legitimacy. This is critical to ensuring decision making is understood and in accord with stated policy.

Baltimore Police Officer Edward Gillespie, of the education and training division, teaches a “Fairness and Impartiality in Policing Implicit Bias” class to in-service officers at the Baltimore Police Training Academy.



The Washington Post/Getty Images

Policy and Oversight

... law enforcement agencies should have clear and comprehensive policies on the use of force (including training on the importance of de-escalation), mass demonstrations (including the appropriate use of equipment, particularly rifles and armored personnel carriers), consent before searches, gender identification, racial profiling, and performance measures—among others such as external and independent investigations and prosecutions of officer-involved shootings and other use of force situations and in-custody deaths. These policies should also include provisions for the collection of demographic data on all parties involved. All policies and aggregate data should be made publicly available to ensure transparency.

Technology and Social Media

Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy

Community Policing and Crime Reduction

... law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety. Law enforcement agencies should also engage in multidisciplinary, community team approaches for planning, implementing, and responding to crisis situations with complex causal factors.

Training and Education

To ensure the high quality and effectiveness of training and education, law enforcement agencies should engage community members, particularly those with special expertise, in the training process and provide leadership training to all personnel throughout their careers.

Officer Wellness and Safety

Law enforcement agencies should also promote wellness and safety at every level of the organization. For instance, every law enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests. In addition, law enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so.²⁷

Many of these recommendations have already been implemented—at least to some extent—in America’s police departments. Ferguson brought legitimacy front and center, but law enforcement has been working for years to improve relationships with the public it serves. Likewise, a number of departments have solicited community input in their policy-making deliberations. Community policing has been popular for years. Safety and wellness have not been ignored. The question becomes, then, how much more can be done in these areas? Another question concerns the proper role of federal government intervention. The task force called for expanded federal support in each of the six areas. Is this the ideal approach?

More importantly still, will law enforcement further usher in the reforms called for by the task force? Not everyone is supportive of the task force’s recommendations. In a critique of the final report, law professor Julian Cook argued that “recommendations” are not enough.²⁸ In his view, “meaningful reform is dependent less upon the establishment of task forces, the development of innovative ideas, and the art of persuasive argumentation than upon legislative and judicial dictates that mandate change.” He pointed to a number of Supreme Court decisions in recent decades that have, in his view, eroded individual safeguards, prompting the type of “aggressive” policing the President’s Task Force was assembled to address.

Policing and Law Enforcement Today

Contemporary law enforcement agencies are still undergoing transformation. An effort has been ongoing to make police “user friendly” by decentralizing police departments and making them responsive to community needs. Police and law enforcement agencies are also adapting to the changing nature of crime: they must be prepared to handle terrorism, Internet fraud schemes, and identity theft, as well as crimes like rape, robbery, and burglary.

Law enforcement duties are distributed across local, county, state, and federal jurisdictions. Approximately 477,000 sworn law enforcement officers are employed in the United States in more than 12,000 local, county, and state agencies.²⁹ The federal government employs another 120,000 full time law enforcement officials.³⁰

Federal Law Enforcement Agencies

The federal government has a number of law enforcement agencies designed to protect the rights and privileges of US citizens; no single agency has unlimited jurisdiction, and each has been created to enforce specific laws and cope with particular situations. Federal agencies have no particular rank order or hierarchy of command or responsibility; each reports to a specific department or bureau.

Dozens of federal law enforcement agencies exist both inside and outside the cabinet-level departments. Here we focus on law enforcement agencies in two cabinet-level departments: the US Justice Department and the Department of Homeland Security.

US JUSTICE DEPARTMENT AGENCIES The US Justice Department houses four of the better-known federal law enforcement agencies.

- **Federal Bureau of Investigation (FBI)** The FBI is an investigative agency with jurisdiction over all matters in which the United States is or may be an interested party. Its jurisdiction is limited, however, to federal laws, including all federal statutes not specifically assigned to other agencies. The FBI has approximately 35,000 employees, including almost 14,000 special agents and 21,000 support personnel who perform professional, administrative, technical, clerical, craft, trade, or maintenance operations.³¹ Since 9/11, the FBI has announced a reformulation of its priorities, making protecting the United States from terrorist attack its number one commitment. It is now charged with coordinating intelligence collection with the Border Patrol, the Secret Service, and the CIA. Among the agency’s other activities are gathering crime statistics, running a comprehensive crime laboratory, and training local law enforcement officers.

REALITYCHECK

Myth or Reality?

Federal law enforcement agencies are housed solely within cabinet-level departments (such as the State Department).

MYTH. Law enforcement agencies exist throughout the federal government.

Many federal law enforcement agencies are not associated with a particular cabinet-level department (an example is the Postal Inspection Service). Try to identify some of the lesser-known federal law enforcement agencies.

L06 Identify the major federal law enforcement agencies

Federal Bureau of Investigation (FBI) The arm of the US Justice Department that investigates violations of federal law, seeks to protect America from terrorist attacks, gathers crime statistics, runs a comprehensive crime laboratory, and helps train local law enforcement officers.

FBI agents and other law enforcement officials speak outside a restaurant owned by the father of Ahmad Khan Rahimi, who was arrested in connection with three bomb explosions in New York City and nearby towns in September 2016. Though no one was killed in the attacks, 31 people were wounded. Rahimi faces federal and state charges for attempted murder and use of weapons of mass destruction, among other crimes.



Draw Angerer/Getty Images News/Getty Images

Drug Enforcement Administration (DEA) The federal agency that enforces federal drug control laws.

Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Federal agency with jurisdiction over the illegal sale, importation, and criminal misuse of firearms and explosives and the distribution of untaxed liquor and cigarettes.

US Marshals Service Federal agency whose jurisdiction includes protecting federal officials, transporting criminal defendants, and tracking down fugitives.

Department of Homeland Security (DHS) Federal agency responsible for preventing terrorist attacks within the United States, reducing America's vulnerability to terrorism, and minimizing the damage and assisting in recovery from attacks that do occur.

Customs and Border Protection (CBP) Federal agency responsible for the control and protection of America's borders and ports of entry. Its first priority is keeping terrorists and their weapons out of the United States.

- **Drug Enforcement Administration (DEA)** DEA agents assist local and state authorities in investigating illegal drug use and carrying out independent surveillance and enforcement activities to control the importation of narcotics. For example, DEA agents work with foreign governments in cooperative efforts aimed at destroying opium and marijuana crops at their source—hard-to-find fields tucked away in the interiors of Latin America, Asia, Europe, and Africa. Undercover DEA agents infiltrate drug rings and simulate buying narcotics to arrest drug dealers.
- **Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)** The ATF helps control sales of untaxed liquor and cigarettes and, through the Gun Control Act of 1968 and the Organized Crime Control Act of 1970, has jurisdiction over the illegal sale, importation, and criminal misuse of firearms and explosives.
- **US Marshals Service** The US Marshals Service is America's oldest federal law enforcement agency and one of the most versatile. Its almost 3,700 deputy marshals and criminal investigators perform a number of functions, including judicial security, fugitive investigations, witness protection, prisoner transportation, prisoner services (the agency houses nearly 55,000 federal detainees each day), and administration of the US Justice Department's Asset Forfeiture Program.³²

HOMELAND SECURITY AGENCIES Soon after the 9/11 attacks on the Pentagon and the World Trade Center towers in New York City, President George W. Bush proposed the creation of a new cabinet-level agency called the **Department of Homeland Security (DHS)**. On November 19, 2002, Congress passed legislation authorizing the creation of the DHS and assigned it the mission of providing intelligence analysis and infrastructure protection, strengthening the borders, improving the use of science and technology to counter weapons of mass destruction, and creating a comprehensive response and recovery division. Rather than working from the ground up, the DHS combined a number of existing agencies into a superagency that carries out a variety of missions from border security to infrastructure protection. Two of the main law enforcement agencies housed within DHS are described in some detail next.

- **Customs and Border Protection (CBP)** After 9/11, the US Border Patrol, portions of the US Customs Service, the Immigration and Naturalization Service, and the Animal and Plant Health Inspection Service were combined into one office of Customs and Border Protection. The agency employs almost 60,000 personnel and is primarily responsible for protection of America's borders and ports of entry.³³ The largest and most visible element of CBP is the Border Patrol. Its approximately

22,000 agents combine to form one of the largest uniformed law enforcement agencies in the United States.

- **Secret Service** The US Secret Service performs two main functions. The more visible of these is protection of national leaders, notably the president but also the vice president, the president-elect, the vice president-elect, the immediate families of these individuals, former presidents and their families, visiting heads of state, and other officials. The Secret Service was first established as a law enforcement entity in 1865 and was tasked with investigating the counterfeiting of US currency. It continues this investigative function today. Since 1984, Secret Service investigative activities have been expanded to include the investigation of financial institution fraud, computer and telecommunications fraud, false identification documents, and other criminal activities.

State Law Enforcement Agencies

Unlike municipal police departments, state police were legislatively created to deal with the growing incidence of crime in nonurban areas, a consequence of the increase in population mobility and the advent of personalized mass transportation in the form of the automobile. County sheriffs—elected officials with occasionally corrupt or questionable motives—had proved ineffective in dealing with the wide-ranging criminal activities that developed during the latter half of the nineteenth century. In addition, most local police agencies were unable to protect effectively against highly mobile lawbreakers who randomly struck at cities and towns throughout a state. In response to citizens' demands for effective and efficient law enforcement, state governors began to develop plans for police agencies that would be responsible to the state, instead of being tied to local politics and possible corruption.

The Texas Rangers, created in 1835, was one of the first state police agencies formed. Essentially a military outfit that patrolled the Mexican border, it was followed by the Massachusetts State Constables in 1865 and the Arizona Rangers in 1901. The states of Connecticut (1903) and Pennsylvania (1905) formed the first truly modern state police agencies.³⁴

Today, about 23 state police agencies have the same general police powers as municipal police and are territorially limited in their exercise of law enforcement regulations only by the state's boundaries. They provide investigative services to smaller communities when the need arises. The remaining state police agencies are primarily responsible for highway patrol and traffic law enforcement.

Some state police direct most of their attention to the enforcement of traffic laws. Others are restricted by legislation from becoming involved in the enforcement of certain areas of the law. For example, in some jurisdictions, state police are prohibited from becoming involved in strikes or other labor disputes, unless violence erupts.

The nation's 88,000 state police employees (about 58,000 officers and 30,000 civilians) carry out a variety of functions besides law enforcement and highway safety, including maintaining a training academy and providing emergency medical services.³⁵ State police crime laboratories aid local departments in investigating crime scenes and analyzing evidence. State police also provide special services and technical expertise in such areas as bomb-site analysis and homicide investigation. Some state police departments, such as California's, are involved in highly sophisticated traffic and highway safety programs, including the use of helicopters for patrol and rescue, the testing of safety devices for cars, and the conducting of postmortem examinations to determine the causes of fatal accidents.

STATE LAW ENFORCEMENT AND THE WAR ON TERROR In the wake of the 9/11 attacks, a number of states have beefed up their intelligence-gathering capabilities and aimed them directly at homeland security. For example, the Texas Homeland Security office coordinates the resources and responses needed to prevent terrorist attacks in the Lone Star state. The state's strategic plan for homeland security prioritizes the following:

1. **Prevent.** Prevent terrorist attacks in Texas, and prevent criminal enterprises from operating successfully in Texas.

REALITYCHECK

Myth or Reality?

The core mission of the FBI is to enforce the criminal laws of the United States.

MYTH. Since 9/11, the FBI's priorities have changed. Now protection of the United States from terrorist attacks ranks near the top of its priority list.

To what extent does the FBI's decision to give priority to protection from terrorism affect its ability to fight other types of crime? Has America's law enforcement apparatus overreacted to the threat of terrorism?

Secret Service Federal agency responsible for executive protection and for investigation of counterfeiting and various forms of financial fraud.

WEB APP 4.1

Visit the Department of Homeland Security's website and examine its organizational chart at <http://www.dhs.gov/organizational-chart>. What other law enforcement agencies are part of DHS? Compare and contrast their duties with those of Customs and Border Protection and the Secret Service.

L07 Summarize the differences among state, county, and local law enforcement

2. *Protect.* Reduce vulnerability to natural disasters, criminal and terrorist attacks, and catastrophic events.
3. *Mitigate.* Minimize the impact of terrorist and criminal attacks.
4. *Respond.* Improve the state's ability to respond to attacks and minimize damage.
5. *Recover.* Promote rapid, effective, and comprehensive recovery programs.³⁶

County Law Enforcement Agencies

The county sheriff's role has evolved from that of the early English shire reeve, whose primary duty was to assist the royal judges in trying prisoners and enforcing sentences. From the time of the westward expansion in the United States until municipal departments were developed, the sheriff was often the sole legal authority over vast territories.

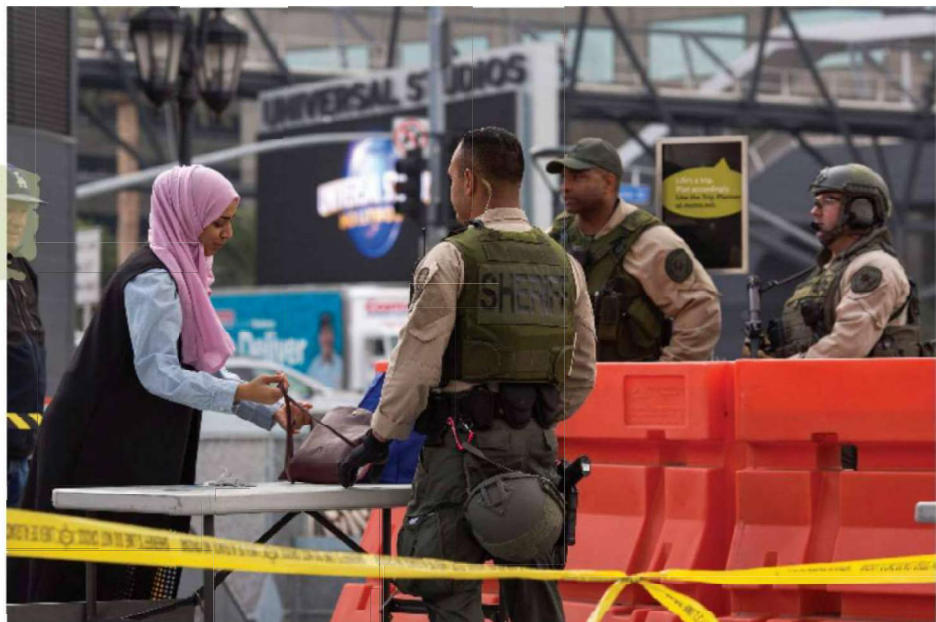
Today, sheriff's offices contain about 350,000 full-time employees, including about 189,000 sworn personnel.³⁷ The duties of a sheriff's department vary according to the size and degree of development of the county. In some jurisdictions, sheriff's offices provide basic law enforcement services such as performing routine patrols, responding to citizen calls for service, and investigating crimes.

Other standard tasks of a typical sheriff's department are serving civil process (summons and court orders), providing court security, and operating the county jail. Less commonly, sheriff's departments may serve as coroners, tax collectors, overseers of highways and bridges, custodians of the county treasury, and providers of fire, animal control, and emergency medical services. In years past, sheriff's offices also conducted executions. Typically, the law enforcement functions of a sheriff's department are restricted to unincorporated areas of a county, unless a city or town police department requests its help.

Some sheriff's departments are exclusively law enforcement oriented, some carry out court-related duties only, and some are involved solely in correctional and judicial matters and not in law enforcement. However, a majority are full-service programs that carry out judicial, correctional, and law enforcement activities. As a rule, agencies serving heavily populated areas (over 1 million) are devoted to maintaining county correctional facilities, whereas those in smaller population areas are focused on law enforcement.

COUNTY LAW ENFORCEMENT AND THE WAR ON TERROR A number of counties are now engaging in antiterror and homeland security activities. For example, the Harris County, Texas, Office of Homeland Security and Emergency Management

A woman's belongings are searched as Los Angeles County Sheriff's deputies stand guard over rail passengers at the Universal City Red Line Metro train station on December 6, 2016. Security was increased in response to federal and Los Angeles officials saying they were alerted by authorities in another country that an imminent and very specific threat had been made against the city's Red Line commuter rail system.



David McNew/Getty Images News/Getty Images

(OHSEM) is responsible for an emergency management plan that prepares for public recovery in the event of natural or manmade disasters, catastrophes, or attacks. It works in conjunction with the state, federal, and local authorities, including the city of Houston and other municipalities in the surrounding Harris County area, when required. If needed, OHSEM activates an Emergency Operations Center to allow coordination of all support agencies to provide continuity of services to the public. OHSEM is responsible for advisement, notification, and assembly of services that are in the best interest of the citizens of Harris County. They prepare and distribute information and procedures governing the same.³⁸

Similarly, in Montgomery County, Maryland, the Homeland Security Department prevents, prepares for, and protects against major threats that may harm, disrupt, or destroy the community, its commerce, and institutions. Its mission is to effectively manage and coordinate the county's unified response, mitigation, and recovery from the consequences of such disasters or events should they occur. It also serves to educate the public on emergency preparedness for all hazards and conducts outreach to diverse and special populations to protect, secure, and sustain critical infrastructures to ensure the continuity of essential services.³⁹

WEB APP
4.2

Go to the website for the US Justice Department's Bureau of Justice Statistics at <https://www.bjs.gov/>. Follow the "Law Enforcement" link, and determine how many law enforcement agencies exist in the United States. Is the number accurate? Why or why not?

Metropolitan Law Enforcement Agencies

Local police form the majority of the nation's authorized law enforcement personnel. Metropolitan police departments range in size from the New York City Police Department, with almost 40,000 full-time officers and 10,000 civilian employees, to rural police departments, which may consist of a single officer. At last count, nearly 12,000 local police departments nationwide had an estimated 600,000 full-time employees, including about 477,000 sworn personnel.⁴⁰ Metropolitan police departments are attracting applicants who value an exciting, well-paid job that also offers them an opportunity to provide valuable community service. Salaries in municipal police agencies are becoming more competitive.

Most TV police shows feature the crime-fighting efforts of big-city police officers, but in an overwhelming majority of departments, there are fewer than 50 officers that serve a population of fewer than 25,000. Recent data reveal that nearly three-quarters of all local police departments serve populations of fewer than 10,000 people. Around 650 such agencies employ just one sworn officer.

Municipal police officers' responsibilities are immense, and they are often forced to make split-second decisions on life-and-death matters. At the same time, they must be sensitive to the needs of citizens who are often of diverse racial and ethnic backgrounds. What's more, local police perform multiple roles, including (but not limited to) investigating crimes, identifying suspects, and making arrests (see Exhibit 4.1).

Smaller agencies can have trouble carrying out many of the same functions as their big-city counterparts; the hundreds of small police agencies in each state often provide duplicate services. Whether consolidating smaller police agencies into "superagencies" would improve services is often debated among police experts. Smaller municipal agencies can provide important specialized services that might have to be relinquished if they were combined and incorporated into larger departments. Another approach has been to maintain smaller departments but to link them via computerized information-sharing and resource-management networks.

EXHIBIT 4.1 Core Functions of Municipal Police

Law Enforcement Functions

- Identifying criminal suspects
- Investigating crimes
- Apprehending offenders and participating in their trials
- Deterring crime through patrol
- Enhancing public safety by maintaining a visible police presence

Order Maintenance Functions

- Resolving conflict and keeping the peace
- Maintaining a sense of community security and public order (i.e., peacekeeping) within the patrol area

- Keeping vehicular and pedestrian movement efficient
- Promoting civil order

Service Functions

- Aiding individuals in danger or in need of assistance
- Providing emergency medical services
- Providing public education and outreach
- Maintaining and administering police services
- Recruiting and training new police officers

REALITYCHECK

Myth or Reality?

Most metropolitan law enforcement agencies employ fewer than 50 officers.

REALITY. The overwhelming majority of metropolitan law enforcement agencies employ fewer than 50 officers.

Big-city police departments are the exception. Why do television shows and the movies seem to favor big-city police? How does this influence people's perceptions of the police in America?

private policing Crime prevention, detection, and the apprehension of criminals carried out by private organizations or individuals for commercial purposes.

METROPOLITAN LAW ENFORCEMENT AND THE WAR ON TERROR Federal and county law enforcement agencies are not alone in responding to the threat of terrorism. And, of course, nowhere is the threat of terrorism being taken more seriously than in New York City—one of the main targets of the 9/11 attacks—which has undertaken a number of antiterrorism initiatives, including the formation of its Counterterrorism Bureau.⁴¹ Teams within the bureau have been trained to examine potential targets in the city and insulate those targets from possible attack. The city's bridges, the Empire State Building, Rockefeller Center, and the United Nations are viewed as prime targets. Bureau detectives are assigned overseas to work with the police in several foreign cities, including in Canada and Israel. Detectives have been assigned as liaisons with the FBI and with Interpol in Lyon, France. The Intelligence Division has also been revamped, and agents monitor foreign newspapers and Internet sites. The department has set up backup command centers in different parts of the city in case a terror attack puts headquarters out of operation. Several backup senior command teams have been created so that if people at the highest levels of the department are killed, individuals will already have been tapped to step into their jobs.

The Counterterrorism Bureau has assigned more than 100 city police detectives to work with FBI agents as part of a Joint Terrorist Task Force. In addition, the Intelligence Division's 700 investigators devote 35 to 40 percent of their resources to counterterrorism—up from about 2 percent before January 2002. The department also draws on the expertise of other institutions around the city. For example, medical specialists have been enlisted to monitor daily developments in the city's hospitals to detect any suspicious outbreaks of illness that might reflect a biological attack. And the police conduct joint drills with the New York Fire Department to avoid the problems in communication and coordination that marked the emergency response on September 11.

Private Policing

Supplementing local police forces is a burgeoning private security industry. Private security service, or **private policing**, has become a multibillion-dollar industry with well in excess of 10,000 firms and more than 2 million employees.⁴² Even some federal police services have been privatized to cut expenses. Private police and security officials outnumber public/governmental police by a factor of three to one.⁴³

Some private security firms have become billion-dollar companies. For example, G4S Security Solutions is one of the world's largest providers of security services. Among its clients are a number of Fortune 500 companies. It has several subsidiaries that work for the federal government. It has also been a contractor for National Aeronautics and Space Administration (NASA) and the US Army, and it has provided security and emergency response services to local governments—helping them guard their public transport systems, among other services. G4S has helped the US government protect nuclear reactors, guards the Trans-Alaska Pipeline System, and maintains security in closed government facilities. It also maintains a Custom Protection Officer Division, made up of highly trained uniformed security officers assigned to critical or complex facilities or situations requiring special skills in such places as government buildings, banks, and other special situations. (The Careers in Criminal Justice feature discusses a career in the private security area.)

REASONS FOR PRIVATE POLICING Private policing is so popular for the following three reasons:

- A preference for nongovernmental provision of important services, particularly crime control. Many people feel the private sector can do a more effective job than traditional government-led policing.
- The growth of mass private property, particularly large shopping malls and other properties, that attract large numbers of consumers and have little other police protection.
- A belief that government police are not capable of providing the level of service and presence that the public desires.⁴⁴

PRIVATE AND PUBLIC POLICE COMPARED Private policing is different from public policing. Private policing is largely “client-driven,” meaning that it serves the needs of those who pay the bills. And while the public police are driven by a public mandate, their primary focus is enforcement of the criminal law. Private police, in contrast, may do almost anything on behalf of their clients, some of which may have little to do with the criminal law itself. Private police are *directly* employed by a client. In contrast, public police are *indirectly* employed by taxpayers. Four additional factors distinguish private police from public police:⁴⁵

- *Focus on loss instead of crime.* Much of private policing is concerned with loss prevention. Loss prevention includes most notably protection from theft. Major retailers employ loss prevention specialists (see accompanying Careers in Criminal Justice box) to protect their goods from being stolen. However, goods may also be “lost” through error, unethical practices, accidents, and so on. Such behaviors do not fall within the scope of the criminal law that the public police are tasked with enforcing.

The focus on loss also removes private police from the moral dimension of the criminal law. Instead of focusing on what is right and wrong, private police are concerned solely with what their *clients* view as priorities. As Elizabeth Joh notes, “When sanctions are imposed, there may be little or no emphasis on condemning the individual wrongdoer and ‘making an example’ out of him or her. A bank may require an embezzler to sign a loan guarantee to pay back stolen funds, for example, rather than choose public prosecution.”⁴⁶

- *Preventive methods.* Private police are concerned almost solely with prevention. Public police also work to prevent crime, but the usual public policing method of addressing crime is reactionary; of necessity, the police usually wait for calls for service before responding. Surveillance is paramount in the private policing context, whereas public policing relies more heavily on detection of criminal acts and apprehension of suspects. Surveillance includes the use of obvious technologies such as closed-circuit television and security cameras, but private police also employ other “embedded” techniques to guard against loss and ensure compliance with expected norms of behavior. Clifford Shearing and Philip Stenning cite the example of Disneyland.⁴⁷ Every employee—and indeed, every feature, whether it be the costumed characters or the guardrails and ropes promoting a smooth flow of patrons—is there to entertain but also subtly enforce compliance with what Disney considers appropriate behavior. People who do not comply face expulsion.
- *Private justice.* Not surprisingly, private policing often employs private justice. For example, a “card counter” may be permanently banned from a casino. Another example is termination for an employee who steals from his or her employer. Private companies often have an incentive to keep matters involving loss shielded from the public eye. High-profile incidents can result in negative publicity, which can in turn affect the bottom line. Similarly, cooperation with the police in an investigation takes time away from business activity, possibly eroding profits further. Interestingly, one study found that the Macy’s department store in New York City reported just over half of shoplifting incidents to the police, which again underscores the reality that private companies’ priorities are often different than those of the public police.⁴⁸
- *Private property.* The public police focus their efforts on both public and private property. Whether it be burglary from a residence, assault at a bar, or vandalism on a highway overpass, the public police make few distinctions between the types of property where the crimes occur. Private property is of course protected, such as by the US Constitution’s Fourth Amendment, but the point is that public police are able to enforce and focus on crime regardless of where it occurs. In contrast, private police are concerned almost exclusively with private property.

States, on the other hand, have given private police much more latitude, exempting them from the Fourth Amendment,⁴⁹ the *Miranda* rule⁵⁰ (see Chapter 6), and the exclusionary rule⁵¹ (also see Chapter 6). This does not mean, however, that private police have unbridled authority. In most instances, they have no more authority than the typical private citizen. As one expert put it, “Many private security guards ... possess no greater legal capabilities than do ordinary citizens to forcibly detain persons who are suspected

REALITYCHECK

MYTH OR REALITY?

There are more private police than public police.

REALITY. Private police outnumber public police by almost three to one.

Not only do private police outnumber public police, but they are not subject to the same legal constraints as public police. Is this beneficial? How so?



CAREERS IN CRIMINAL JUSTICE LOSS PREVENTION SPECIALIST

Duties and Characteristics of the Job

- Loss prevention specialists primarily protect merchandise in retail businesses. These duties extend beyond the retail setting to include shippers, wholesalers, and other companies engaged in commerce and concerned with loss and/or theft of its products.
- Those in loss prevention provide surveillance (e.g., monitoring security camera displays) and, as appropriate, detention of shoplifters.
- Companies also use loss prevention specialists to protect them from theft by employees. The position may also perform regular inventory or “shrink” assessments, manage alarm systems, and control access to warehousing, distribution centers, and even manufacturing facilities.

Job Outlook

- Security is one of the fastest-growing professional careers worldwide.
- Opportunities exist at all levels within the security industry, and all businesses, no matter their size, need qualified personnel to address their security concerns, prevent theft, deter workplace violence, and otherwise protect themselves to ensure normal business operations.
- The Bureau of Labor Statistics estimates that employment of loss prevention specialists and other security/surveillance professionals will grow by 18 percent over the next decade.

Salary

- Entry-level positions in retail loss prevention are among the lowest paying security jobs, but the pay prospects improve as one ascends to a management position.
- Loss prevention managers make, on average around \$24,000 per year. Moving into other industries, such as banking and financial services, entry-level and mid-level management positions carry a salary range of \$35,000 to \$100,000, depending on several factors.

Qualifications

- The qualifications for an entry-level loss prevention position are minimal. Usually just a high school diploma is required, but employees

will, at a minimum, be expected to pass routine drug tests, have strong interpersonal and administrative skills, and be comfortable around computers.

- Qualifications may be stricter and increase depending upon the individual's position in the corporate hierarchy or level of risk and responsibility associated with the position.

Education and Training

- Managerial positions may require an associate's or bachelor's degree in criminal justice or a related discipline, sometimes combined with a certain amount of real-world experience.
- Some colleges and universities also offer dedicated security education degrees.
- The American Society for Industrial Security (ASIS) offers three certifications for security professionals, including those of the Certified Protection Professional (CPP), the Professional Certified Investigator (PCI), and the Physical Security Professional (PSP). These certifications require that certain knowledge and skills be demonstrated, but they also help differentiate applicants from one another, and they improve an applicant's professional credibility and earnings potential.

Reality Check

- Entry-level positions do not pay particularly well.
- Some of the most coveted positions will require specialized training and a willingness to be mobile (i.e., move to where the work is).
- The work can be dry and “routine” much of the time, punctuated by occasional moments of excitement.

Sources: Bureau of Labor Statistics, “Security Guards and Gaming Surveillance Officers,” <http://www.bls.gov/ooh/Protective-Service/Security-guards.htm>; ASIS International, “Certified Protection Professional,” <https://www.asisonline.org/Certification/Board-Certifications/CPP/Pages/default.aspx> (URLs accessed April 2017).

of or have in fact committed a crime.”⁵² But as time goes on and the private policing industry continues to grow, it will be interesting to see how the courts weigh in.

L08 Explain the role of technology in police work

WEB APP
4.3

Visit the PoliceOne website, and navigate to the page about police body cameras at <http://www.policeone.com/police-products/body-cameras/>. Why is video becoming increasingly popular in policing? To what extent do police officers want body-worn cameras?

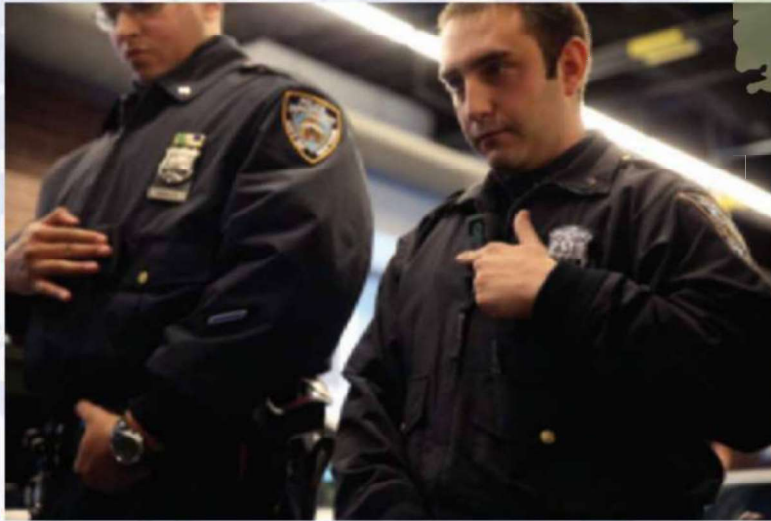
Technology and Law Enforcement

Budget realities demand that police leaders make the most effective use of their forces, and technology seems to be one method of increasing productivity at a relatively low cost. The introduction of technology has already been explosive. In 1964, only one city, St. Louis, had a police computer system; by 1968, 10 states and 50 cities had state-level criminal justice information systems. Today, all law enforcement organization relies on computer technology.

Law enforcement technology extends beyond computers, of course. It falls into two broad categories: hard technology and soft technology.⁵³ Hard technology includes new materials and equipment that police use to catch criminals and prevent crime. Body-worn cameras, featured in the accompanying Criminal Justice and Technology box fit this mold. Soft technology primarily consists of software and information systems. Innovations in this area include new crime classification techniques, system integration, and data sharing. Additional examples of hard and soft technology appear in Exhibit 4.2.



Body Cameras



Orier Muhammad/Flexus

Officer Joshua Jones demonstrates the activation of a body camera being worn by New York Police Department personnel in a trial program. While body camera evidence has already played a role in the disciplining of a few officers nationally, advocates are warning that the technology will not be a magic bullet for behavior or the resolution of legal disputes.

Several companies (e.g., Panasonic, TASER International, WatchGuard) now market body-worn cameras for police officers. More and more agencies are putting them into use. In a recent study, Lindsay Miller and Jessica Toliver of the Police Executive Research Forum sent surveys to 500 law enforcement agencies around the country to inquire about body-worn camera implementation. Of the 254 responding agencies, 63 reported using cameras. With federal funding from the Body-Worn Camera Partnership Program, even more agencies put cameras into use. If current trends are any indication, body-worn cameras will be as popular in the coming years as in-car cameras.

Why are body-worn cameras so popular all of a sudden? One reason is a federal judge's 2013 decision to order officers in specific NYPD precincts to wear body cameras after he declared the department's controversial "stop, question, and frisk" program unconstitutional. Also driving the surge in attention to body-worn cameras was the fatal 2014 shooting of an unarmed black teenager, Michael Brown, in Ferguson, Missouri. The family of Darren Wilson, the officer who shot Brown, embarked on a campaign to "...ensure that every police officer working the streets in this country wears a body camera." Brown's family was equally supportive; lawyers for the family have called on legislators across the country to require that officers wear cameras at all times. Sharing both families' sentiments, the American Civil Liberties Union (ACLU) has claimed that body-worn cameras have "...the potential to be a win-win, helping protect the public against police misconduct, and at the same time helping protect police against false accusations of abuse."

Advantages

Michael White, a professor of criminology at Arizona State University, has summarized the key advantages of body-worn cameras:

- They increase transparency, thereby improving perceptions of police legitimacy.
- Body cameras create a "civilizing effect." That is, they alter both officer and suspect behavior.
- The cameras have evidentiary value. They are useful for expeditious resolution of citizen complaints. They can also yield evidence that is useful for criminal prosecution.
- Police training can benefit from footage of actual police-citizen encounters.

Limitations

- Cameras create privacy concerns. Recordings of child victims and offenders, medical emergencies, confidential informants, and the like may create legal complications.
- Officer privacy is also an issue with cameras. A number of police unions were resistant to in-car cameras, and the same concerns have been expressed with the advent of body cameras. When, for example, can the camera be off?
- Any new technology requires policy changes and training modifications.
- Body cameras are expensive. And more than just the cost of the cameras, a number of logistical problems arise. For example, an enormous amount of video footage must be secured and stored.

The Research

British agencies were among the first to experiment with body-worn cameras. Martin Goodall reported on a study in which 300 officers in the United Kingdom voluntarily donned "head-mounted cameras." A simple pre/post comparison was performed (no control group). Among the key findings were a 10 percent reduction in violent crime in the year after the cameras were put into use, a 30 percent reduction in officer time spent on paperwork in cases involving cameras, and a 40 percent reduction in complaints.

In Strathclyde (Scotland), police put 38 body-worn cameras into use, and in Grampian (also Scotland), 18 cameras were given to officers. Evaluations of both efforts reported reductions in crime as a result of body-worn camera implementation. Some evidence of reductions in assaults on police was reported, as was evidence to suggest the public is supportive of body-worn cameras, but neither study involved a control group, and many of the pre/post comparisons were anecdotal rather than empirical.

In the first study of body-worn cameras in the United States, Tony Farrar reported on a randomized study in which each of the 54 officers in the Rialto, California, police department were assigned to wear body cameras on some shifts but not others. A total of 988 shifts over a 12-month period formed the treatment ($N = 489$) and control ($N = 499$) conditions. The study was primarily concerned with use-of-force incidents and citizen complaints. Relative to the control group, treatment group participants were involved in one-half the number of force incidents and were the targets of one-tenth the number of citizen complaints.

(Continued)



CRIMINAL JUSTICE AND TECHNOLOGY (Continued)

In 2012, the Mesa, Arizona, police department outfitted 50 officers with cameras. According to the department, "Officers were either assigned or volunteered to assist in evaluating the on-officer body camera system," so it appears the study did not constitute a randomized controlled trial. Nevertheless, a year-long study was completed in September 2013. Cameras were associated with reductions in complaints and stop-and-frisk searches, but increases in traffic stops and citations issued.

The Phoenix Police Department began a body camera study in 2013, funded under the Bureau of Justice Assistance SMART Policing Initiative. Following are some of the key findings:

- Cameras appeared to increase arrest activity.
- Citizen behavior was not altered by the presence of cameras.
- Complaints against officers decreased following the introduction of body-worn cameras.
- Body-worn cameras improved the processing of domestic violence cases.

CRITICAL THINKING

1. Should officers with body-worn cameras be required to announce they are wearing the devices?
2. Under what circumstances should body-worn cameras be on and off?
3. Could an officer's health or safety be put at risk with a body-worn camera? Why or why not?

Sources: L. Miller and J. Toliver, *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned* (Washington, DC: Office of Community Oriented Policing Services); Marc Santora, "Order that Police Wear Cameras Stirs Unexpected Reactions," *New York Times*, August 13, 2013, <http://www.nytimes.com/2013/08/14/nyregion/order-that-police-wear-cameras-stirs-unexpected-reactions.html>; Elisha Fieldstadt, "Should Every Police Officer be Outfitted with a Body Camera?," *NBC News*, November 26, 2014, <http://www.nbcnews.com/storyline/michael-brown-shooting/should-every-police-officer-be-outfitted-body-camera-n256881>; Jay Stanley, "Police Body-Mounted Cameras: With Right Policies in Place, a Win for All," <https://www.aclu.org/technology-and-liberty/police-body-mounted-cameras-right-policies-place-win-all>; Michael D. White, *Police Officer Body-Worn Cameras: Assessing the Evidence* (Washington, DC: Office of Community-Oriented Policing Services, 2014); Martin Goodall, *Guidance for the Police Use of Body-Worn Video Devices* (UK: Home Office, Police and Crime Standards Directorate), <http://library.college.police.uk/docs/homeoffice/guidance-body-worn-devices.pdf>; Grampian Police, *Police Body Worn Video Pilot: End Project Report* (Scotland: Grampian Police, 2010); Strathclyde Police, *Body Worn Video Camera Project – K Division: Post Implementation Review* (Scotland: Strathclyde Police, 2010); Tony Farrar, *Self-Awareness to Being Watched and Socially-Desirable Behavior: A Field Experiment on the Effect of Body-Worn Cameras and Police Use-of-Force* (Washington, DC: Police Foundation, 2013); Mesa Police Department, *On-Officer Body Camera System: Program Evaluation and Recommendations* (Mesa, AZ: Mesa Police Department), p. 1; Charles M. Katz, Mike Kurtenbach, David E. Choate, and Michael D. White, *Phoenix, Arizona, Smart Policing Initiative: Evaluating the Impact of Police Officer Body-Worn Cameras* (Washington, DC: Bureau of Justice Assistance, 2015), <http://www.smartpolicinginitiative.com/sites/all/files/Phoenix%20SPI%20Spotlight%20FINAL.pdf>; also see the September 2016 issue of *Police Quarterly* for additional research on the efficacy of body-worn cameras.

EXHIBIT 4.2 The Application of Hard and Soft Technology to Crime Prevention and Police

	Hard Technology	Soft Technology
Crime prevention	• CCTV • Street lighting • Citizen protection devices (e.g., mace, tasers) • Metal detectors • Ignition interlock systems (drunk drivers)	• Threat assessment instruments • Risk assessment instruments • Bullying ID protocol • Sex offender registration • Risk assessment prior to involuntary civil commitment • Profiling potential offenders • Facial recognition software used in conjunction with CCTV
Police	• Improved police protection devices (helmets, vests, cars, buildings) • Improved/new weapons • Less than lethal force (mobile/riot control) • Computers in squad cars • Hands-free patrol car control (Project 54) • Offender and citizen IDs via biometrics/fingerprints • Mobile data centers • Video in patrol cars	• Crime mapping (hot spots) • Crime analysis (e.g., CompStat) • Criminal history data systems enhancement • Info sharing in CJS and private sector • New technologies to monitor communications (phone, mail, Internet) to/from targeted individuals • AMBER alerts • Creation of watch lists of potential violent offenders • Gunshot location devices

Source: James Byrne and Gary Marx, "Technological Innovations in Crime Prevention and Policing: A Review of the Research on Implementation and Impact," *Cahiers Politiques* Jaargang 20 (2011): 17–40, at 20.

In the following subsections, we explore in more detail several of the key technological innovations that have improved law enforcement capabilities in recent years.

Identifying Criminals

Police are becoming more sophisticated in their use of computer software to identify and convict criminals. One of the most important computer-aided tasks is the identification of criminal suspects. Computers now link neighboring agencies so they can share information on cases, suspects, and warrants. On a broader jurisdictional level, the FBI implemented the National Crime Information Center in 1967. This system provides rapid collection and retrieval of data about persons wanted for crimes anywhere in the 50 states. Today, it contains records on over 12 million offenders.

In an effort to identify crime patterns and link them to suspects, many departments use computer software to conduct analysis of behavior patterns, a process called **data mining**.⁵⁴ By discovering patterns in crimes such as burglary, especially those involving multiple offenders, computer programs can recognize a particular way of working a crime and thereby identify suspects most likely to fit the profile.

data mining Using computer software to conduct analysis of behavior patterns in an effort to identify crime patterns and link them to suspects.

Locating Criminals

Many technologies have also been developed for the purpose of locating criminals. Given that there are relatively few police in relation to the number of citizens, officers cannot be everywhere at the same time. Nor can they readily identify or locate criminals who do not wish to be found. One company has developed a device that can “listen” for a person hidden in the trunk of a vehicle. This is useful in the traffic stop context, when police officers are vulnerable to attack. The Enclosed Space Detection System (ESDS) has been developed for police to ascertain whether one or more persons are hidden in a vehicle. It works by detecting the motion of the vehicle caused by the shock wave produced by a beating heart.⁵⁵ Through-wall radar is a similar technology that allows law enforcement officials to know whether people are inside a structure before they enter it.⁵⁶

Crime Scene Investigation

Traditionally, to investigate and evaluate a crime scene, detectives relied on photographic evidence and two-dimensional drawings. However, it can be difficult to visualize the positional relationships of evidence with two-dimensional tools. Now, through a combination of laser and computer technology, high-definition surveying (HDS) creates a virtual crime scene that allows investigators to maneuver every piece of evidence.

High-definition surveying gives law enforcement a complete picture of a crime scene. HDS reflects a laser light off objects in the crime scene and back to a digital sensor, creating three-dimensional spatial coordinates that are calculated and stored using algebraic equations. The HDS device projects light in a 360-degree horizontal circumference, measuring millions of points and creating a “point cloud.” The data points are bounced back to the receiver, collected, converted, and used to create a virtual image of any location. The resulting data file can now be accessed from any screen.

Not only does HDS technology allow the crime scene to be preserved exactly, but the perspective can be manipulated to provide additional clues. For instance, if the crime scene is the front room of an apartment, the three-dimensional image allows the investigator to move around and examine different points of view. Or if a victim was found seated, an investigator can see and show a jury what the victim might have seen just before the crime occurred. If witnesses outside said that they looked in a living room window, an investigator can zoom around and view what the witnesses could or could not have seen through that window.

HDS technology can also limit crime scene contamination. Investigators may inadvertently touch an object at a crime scene, leaving their fingerprints, or they may move or take evidence from the scene, perhaps by picking up fibers on their shoes. Evidence is compromised if moved or disturbed from its resting place, which may contaminate the scene and undermine the case. HDS technology is a “stand-off” device, allowing investigators to approach the scene in stages by scanning from the outer perimeter and moving

inward, reducing the chances of contamination. The investigative and prosecutorial value of virtual crime scenes is evident. If an HDS device is used at the scene, detectives, prosecutors, and juries can return to a crime scene in its preserved state. Showing a jury exactly what a witness could or could not have seen can be very valuable.

Crime Mapping

It is now recognized that there are geographic “hot spots” where a majority of predatory crimes are concentrated.⁵⁷ Computer mapping programs that can translate addresses into map coordinates allow departments to identify problem areas for particular crimes, such as drug dealing. Computer maps help police identify the location, time of day, and linkage among criminal events and concentrate their forces accordingly.

Crime maps offer police administrators graphic representations of where crimes are occurring in their jurisdiction. Computerized crime mapping gives the police the power to analyze and correlate a wide array of data to create immediate, detailed visuals of crime patterns. The simplest maps display crime locations or concentrations and can be used to help direct patrols to the places they are most needed. More complex maps can be used to chart trends in criminal activity, and some have even proven valuable in solving individual criminal cases. For example, a serial rapist may be caught by observing and understanding the patterns of his crime so that detectives may predict where he will strike next and stake out the area with police decoys. Instead of antiquated pin maps, computerized crime mappings let the police detect crime patterns and pathologies of related problems. It enables them to work with multiple layers of information and scenarios, and thus identify emerging hot spots of criminal activity far more successfully and target resources accordingly.

Biometrics

biometrics Automated methods of recognizing a person based on a physiological or behavioral characteristic.

Biometrics is defined as automated methods of recognizing a person based on a physiological or behavioral characteristic.⁵⁸ Some biometric measures, such as fingerprint identification, have been used for years by law enforcement to identify criminals. However, recent improvements in computer technology have expanded the different types of measures that can be used for identification. Biometrics is now used to identify individuals based on voice, retina, facial features, and handwriting identification, just to name a few.

The field of biometrics is used at all levels of government, including the military and law enforcement, and is also helpful in private businesses. Financial institutions, retail shopping, and health and social fields can all use biometrics as a way to limit access to financial information or to secure Internet sites.

As opposed to current personal identification methods, such as personal identification numbers (PINs) used for bank machines and Internet transactions, biometric authenticators are unique to the user and as a result cannot be stolen and used without that individual's knowledge.

The process of recording biometric data occurs in four steps. First, the raw biometric data are captured or recorded by a video camera or a fingerprint reading device. Second, the distinguishing characteristics of the raw data are used to create a biometric template. Third, the template is changed into a mathematical representation of the biometric sample and is stored in a database. Finally, a verification process will occur when an individual attempts to gain access to a restricted site. The individual will have to present his or her fingerprint or retina to be read and then matched to the biometric sample on record. Once verification is made, the individual will have access to restricted areas. Currently, a number of programs are in effect. Immigration and Customs Enforcement has been using hand geometry systems at major US airports to check frequent international travelers. Casinos around the country have started to implement facial recognition software into their buildings so that security is notified when a known cheater enters their premises.

DNA profiling The identification of criminal suspects by matching DNA samples taken from their person with specimens found at the crime scene.

DNA Testing

DNA profiling, a procedure that gained national attention during the O. J. Simpson trial, allows suspects to be identified on the basis of the genetic material found in hair, blood,



AP Images/M. Spencer Green

Cook County (Chicago) Sheriff Tom Dart, left, and Sheriff's Detective Jason Moran

are photographed with three recently discovered vials of mass murderer John Wayne Gacy's blood. The sheriff's office is creating DNA profiles from the blood of Gacy and other executed killers and putting them in a national DNA database of profiles created from blood, semen, or strands of hair found at crime scenes and on the bodies of victims. They hope to find evidence that links the long-dead killers to the coldest of cold cases, as well as prompt authorities in other states to submit the DNA of their own executed inmates and possibly evidence from decades-old crime scenes to help them solve their own cases.

and other bodily tissues and fluids. When DNA is used as evidence in a rape trial, DNA segments are taken from the victim, the suspect, and blood and semen found on the victim. A DNA match indicates a four-billion-to-one likelihood that the suspect is the offender.

Every US state and nearly every industrialized country now maintain DNA databases of convicted offenders.⁵⁹ These databases allow comparison of crime scene DNA to samples taken at other crime scenes and to known offenders. The United States has more than 3 million samples of offenders/arrestees in its state and federal DNA databases. The United States is not alone in gathering this material: Great Britain requires that almost any violation of law enforcement results in the collection of DNA of the violator.⁶⁰

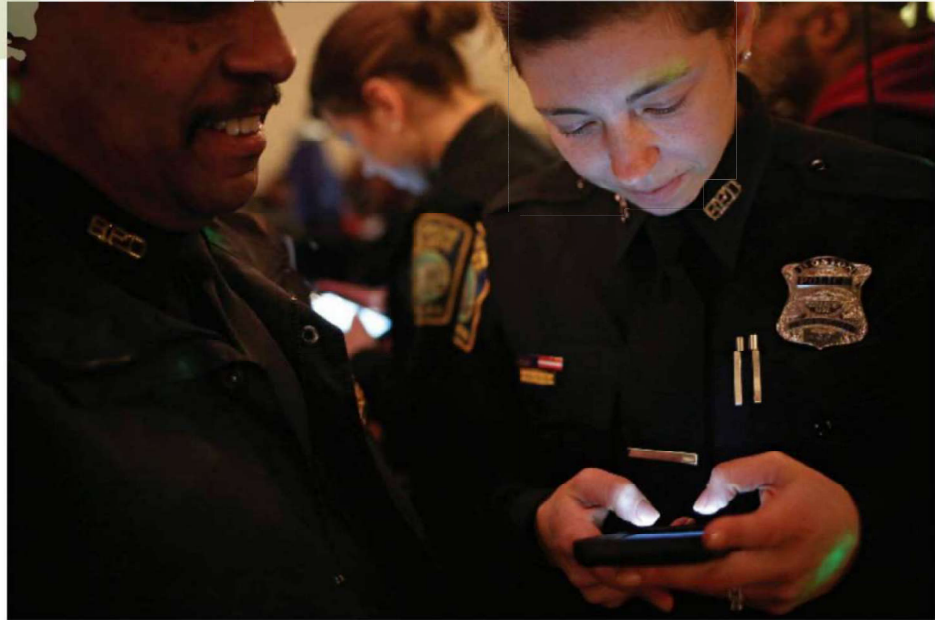
Leading the way in the development of the most advanced forensic techniques is the Forensic Science Research and Training Center, operated by the FBI in Washington, DC, and Quantico, Virginia. The lab provides information and services to hundreds of crime labs throughout the United States. The National Institute of Justice is also sponsoring research to identify a wider variety of DNA segments for testing and is involved in developing a PCR-based DNA-profiling examination using fluorescent detection that will reduce the time required for DNA profiling.

The FBI also operates the Combined DNA Index System (CODIS), which has assisted in nearly 50,000 investigations. CODIS is a database that allows DNA taken at a crime scene to be searched electronically to find matches against samples taken from convicted offenders and from other crime scenes. Early on, the system linked evidence taken from crime scenes in Jacksonville, Florida, to ones in Washington, DC, thereby tying nine crimes to a single offender.⁶¹ When Timothy Spence was executed in Virginia on April 27, 1994, he was the first person convicted and executed almost entirely on the basis of DNA evidence.⁶² More recently, CODIS has been expanded to include a wealth of information, including profiles of individuals convicted of crimes—and even of arrestees, if state law permits.⁶³ Critics of this information gathering cite concerns that some arrestees are innocent and that retained data from innocent persons could be improperly used and constitute a violation of privacy and civil liberties.⁶⁴

A recent study reported that although there is widespread knowledge about the utility of forensic evidence, it is not being adequately used by law enforcement agencies.⁶⁵ The authors found that a significant number of unsolved homicides and rapes with forensic evidence had not been submitted to laboratories for analysis. And when cases with DNA evidence make it to trial, jurors are sometimes confused by the complexities involved.⁶⁶

Boston Police Deputy Superintendent Joseph Harris and Officer Rachel McGuire post a Facebook video

of fellow officer Reivilo Degrave singing at a local teen open mic event. Police use social media for everything from community outreach to criminal investigations.



Boston Globe/Getty Images

Social Media and Networking

Over the past two decades, police departments have used the Internet and particularly their websites to communicate with the public. More recently, they have jumped on the social media and social networking bandwagon. People voluntarily reveal intimate details of their lives on sites such as Facebook, something that has proven quite useful for the police. People also follow police departments on Twitter and on Nixle, a dedicated police local alert system to which anyone can sign up for free.

The Police Executive Research Forum (PERF) recently surveyed 500 police departments around the country in order to learn what, besides websites, agencies were using to stay connected with communities.⁶⁷ The study found that:

- 82 percent use Facebook
- 69 percent use Twitter
- 48 percent use YouTube
- 34 percent use LinkedIn

Facebook has proven particularly useful. For example, the Hartselle, Alabama, police department sees its Facebook page as providing an extra 1,300 sets of eyes in the community. The department, which has around 4,200 likes, used the site to identify a couple who ran up over \$1,500 worth of charges on a stolen credit card.⁶⁸ After the department posted surveillance photos from a local Walmart on its Facebook page, the couple was identified by a member of the community. Other departments around the country have used Facebook to capture crooks, and not just thieves. Police in one Louisiana department successfully used Facebook as part of their effort to apprehend a suspected cop-killer.⁶⁹

Predictive Analytics

Predictive analytics uses computer technology to predict future events based on historical data. It has been popular for years in business, but only recently has policing caught on. In policing, predictive analytics is used to predict where and when specific crimes will occur. This practice is formally known as **predictive policing**. A study by the RAND corporation identified four methods of predictive policing:

- *Methods for predicting crimes.* These are approaches used to forecast places and times with an increased risk of crime.
- *Methods for predicting offenders.* These approaches identify individuals at risk of offending in the future.

predictive policing Application of advanced analytics to criminal justice data for the purpose of predicting where and when crime will occur.

- **Methods for predicting perpetrators' identities.** These techniques are used to create profiles that accurately match likely offenders with specific past crimes.
- **Methods for predicting victims of crimes.** Similar to those methods that focus on offenders, crime locations, and times of heightened risk, these approaches are used to identify groups or, in some cases, individuals who are likely to become victims of crime.⁷⁰

Is it possible to predict crime or is this just the stuff of science fiction? Few studies are available, but one published in the prestigious *Journal of the American Statistical Association* compared performance of a predictive policing algorithm with professional crime analysts.⁷¹ Researchers in Los Angeles gave crime analysts a map of the police district and asked them to identify one precise location (approximately a half block in size) where a crime would be most likely to occur over the next 12 hours, then the computer algorithm was set up to answer the same question. The algorithm correctly predicted the location of the next crime 4.7 percent of the time, compared to just 2.1 percent for the crime analyst.⁷² Note, though, that even the algorithm was wrong nearly 95 percent of the time. Human behavior, especially criminal behavior, is hard to predict!

ETHICAL REFLECTION

Think back to this chapter's section on private policing. Private policing is controversial for a number of reasons. First, there is some concern that privatization puts the profit motive ahead of more lofty concerns such as protection of public safety. Another concern is that private police could eventually replace government, or public, police. Fortunately, this looks unlikely. As one expert observed, "Private policing poses no risk of supplanting public law enforcement entirely, at least not in our lifetime, and it is far from clear to what extent the growing numbers of private security employees are actually performing functions previously carried out by public officers."⁷³

More legal scrutiny will also likely result as the private security business blossoms. A number of questions remain to be answered. One important issue is whether security guards are subject to the same search and seizure standards as police officers. The US Supreme Court has repeatedly stated that purely private search activities do not violate the Fourth Amendment's prohibitions. In other words, strictly speaking, a private security guard is not bound by the constitution's search and seizure limitations (more on these in Chapter 6).

Writing Challenge Write an essay that answers the following question: might security guards be subject to Fourth Amendment requirements if they are performing services that are traditionally reserved for the police? Interestingly, the Supreme Court was confronted with a similar question in the 1964 case of *Griffin v. Maryland*, a case involving an amusement park security guard who was "deputized" by the county sheriff.⁷⁴ You may want to read the Supreme Court's decision in that case as a starting point for your research (the full case is available here: <https://supreme.justia.com/cases/federal/us/378/130/case.html>). And for a more recent case on whether security guards are subject to Fourth Amendment restrictions, read *United States v. Cintron*, available here: <http://ca10.washburnlaw.edu/cases/2012/06/11-6316.pdf>.

SUMMARY

L01 Summarize characteristics of the first law enforcement agencies The origin of US police agencies traces to early English society. Under the pledge system, people were grouped into tithings and were entrusted with policing their own minor problems. Ten tithings were grouped into a hundred, supervised by a constable. Ten hundreds were organized into shires overseen by the shire reeve, the precursor to the modern sheriff. Early thief takers were private police who apprehended criminals for reward payments. Henry Fielding's Bow Street Runners improved on the thief-taking system. The first organized police force was founded by Sir Robert Peel in London.

L02 Discuss the development of law enforcement in the United States Law enforcement in colonial America paralleled the British model. In the colonies, the county sheriff became the most important law enforcement agent. The first true US police departments were formed in Boston, New York, and Philadelphia in the early nineteenth century.

L03 Analyze the problems of early police agencies Early American police were viewed as being dominated by political bosses who controlled their hiring practices and policies. In the nineteenth century, big-city police were still not respected by the public, were unsuccessful in their role

as crime stoppers, and were not involved in progressive activities.

L04 Discuss how reformers attempted to create professional police agencies Reform movements begun in the 1920s culminated in the concept of professionalism. Police professionalism was interpreted to mean tough, rule-oriented police work featuring advanced technology and hardware. The view that these measures would quickly reduce crime proved incorrect.

L05 Describe the major changes in law enforcement between 1970 and today The police experienced turmoil in the 1960s and 1970s, which led to reforms such as the hiring of women and members of minority groups. Questions about the effectiveness of law enforcement also led to the development of community policing. Police departments began to embrace new forms of policing that stressed cooperation with the community and problem solving.

L06 Identify the major federal law enforcement agencies Several major law enforcement agencies are at work in the United States. At the federal level, the FBI is the largest federal agency. Other agencies include the Drug Enforcement Administration and the US Marshals Service.

L07 Summarize the differences among state, county, and local law enforcement Most states maintain state police who investigate crimes and patrol the roadways. County-level law enforcement, including running jails and patrolling rural areas, is provided by sheriff's departments. Local police agencies engage in patrol, investigative, and traffic functions, as well as many support activities.

L08 Explain the role of technology in police work Most police departments rely on advanced computer-based technology to prevent and control crime, identify suspects, and collate evidence. Examples include computerized crime mapping and automated fingerprint identification systems.

KEY TERMS

tithings, p. 82
hue and cry, p. 82
hundred, p. 82
constable, p. 82
shire reeve, p. 82
sheriff, p. 82
watch system, p. 82

justice of the peace, p. 82
vigilantes, p. 83
Federal Bureau of
Investigation (FBI), p. 89
Drug Enforcement
Administration (DEA),
p. 90

Bureau of Alcohol, Tobacco,
Firearms, and Explosives
(ATF), p. 90
US Marshals Service, p. 90
Department of Homeland
Security (DHS), p. 90
Customs and Border
Protection (CBP), p. 90

Secret Service, p. 91
private policing, p. 94
data mining, p. 99
biometrics, p. 100
DNA profiling, p. 100
predictive policing, p. 102

REVIEW QUESTIONS

1. List the problems faced by today's police departments that were also present during the early days of policing.
2. Distinguish among the duties of the state police, sheriff's departments, and local police departments.
3. Do you believe that the general public has greater respect for the police today than in the past? If so, why? If not, why not?
4. What are some of the technological advances that should help the police solve more crimes? What are the dangers of these advances?
5. Discuss the trends that will influence policing during the coming decade. What other social factors may affect police?