History of American Policing

This is a self-paced assignment on the History of American Policing. Each correct answer is worth 2 pts. The entire worksheet is weighted at 50 points unless all answers are correct. A 10 point bonus is added for a perfect score. The total credit for a perfect score is 60 points. There is a 5 point penalty for not clearly printing your name or class time.

In this lesson you will learn about the history and development of American Policing. It examines the organization of Federal, State, County and Municipal law enforcement agencies. When you have completed the lesson, you should be able to:

a. Identify the differences between modern police agencies and sheriff’s departments.
b. List at least two federal, state, county and municipal law enforcement agencies.
c. Identify the first American federal and state law enforcement agencies.
d. Define the changing ethnicity and demographics of the modern law enforcement agency.
e. Identify and list the educational requirements for employment with selected Santa Clara County law enforcement agencies.

**Introduction**

The police are the gatekeepers of the criminal justice process. They are the only component of the criminal justice system that deals with persons not charged with a crime. They initiate contact with law violators and decide whether to formally arrest them 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 simply take no action at all.

The origin of U.S. police agencies, like that of the criminal law, can be traced to early English society. Before the Norman Conquest, there was no regular English police force. 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 ten families, called tithings, and were entrusted with policing their own minor problems. When trouble occurred, the citizen was expected to make a hue and cry. Ten tithings were grouped into a hundred, whose affairs were supervised by a reeve. The area supervised by the reeve was called a shire, an area of land similar to an American county.

The shire reeve is the forerunner of today’s sheriff.

In 1326, the office of the justice of the peace was established to replace the shire reeve. The hundred was replaced by the parish, which corresponded to the territory served by a particular church. The justice of the peace was assisted by a constable, who replaced the reeve in overseeing criminal justice for its parishioners. It is the constable who is considered the first real European police officer.

1. Which of the following positions is considered the first real European police officer?
   
   a. _____ Sheriff  
   b. _____ Town Marshal  
   c. _____ Constable  
   d. _____ Shire Reeve  

In the 13th century, the watch system was created to help protect property in England’s larger cities and towns. Watchman patrolled at night and helped protect against robberies, fires, and disturbances. They reported to the area constable, who became the primary metropolitan law enforcement agent.

In 1326, the office of the justice of the peace was created to assist the shire reeve in controlling the county. The local constable became the operational assistant to the justice of the peace.

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. The officers were often referred to as “bobbies,” after their creator.

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 occurred. Sheriff’s 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. Wyatt Earp, of Tombstone fame, never achieved his long term of becoming sheriff; not to fight crime but to financially gain from tax collection proceeds.

In the cities of America, law enforcement was the province of the town marshal. Both the town marshal and the sheriff had legal power to command others to aid them in enforcing the law or making arrests. These groups were often referred to as posses. The legal authority of a peace officer to order others to his/her assistance is still valid today. It is California Penal Code Section 150, entitled Posse Comitatus.

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<th>Which of the following statements about modern policing are True or False?</th>
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<td>2. Police no longer have the discretion to decide between arrests and warnings.</td>
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<td>3. Police still have the lawful right to order citizens to come to their aid.</td>
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<td>4. In America, city police officers used to be called town marshals.</td>
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<td>5. Early Sheriff’s Departments did not patrol or seek out crime.</td>
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The modern police department was born out of urban mob violence that wracked the nation’s cities in the 19th century. Boston created the first formal U.S. police department in 1838. New York formed its police department in 1844; Philadelphia, in 1854.

Politics dominated the departments and determined the recruitment of new officers and promotion of supervisors.

Police agencies evolved slowly through the second half of the 19th 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 1893, a professional society, the International Association of Chiefs of Police (IACP) was formed. Under the direction of its first president, District of Columbia Chief of Police Richard Sylvester, the IACP became the leading voice for police reform during the first two decades of the twentieth century. 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. He also helped develop the School of Criminology at the University of California at Berkeley, which became the model for justice-related programs around the United States.

The Detroit police department outfitted some of its patrol officers with bicycles in 1897.

The F.B.I. was created in 1908.

The first police car was used in Akron, Ohio, in 1910.

Also in 1910 Policewoman Alice Wells became the nation’s first female police officer with arrest powers. She was employed by the Los Angeles Police Department in a detective capacity.

In 1925 J. Edgar Hoover took over the Federal Bureau of Investigation and served for over 50 years.

The first Commission on Peace Officer Standards and Training (P.O.S.T.) was created in 1959 in California. Today every state has a P.O.S.T. Commission.

The modern era of policing emerged during the decade of the 1960’s. The following sections trace some of the major events that have occurred from that time to the present.

During the early 1960’s, civil unrest produced a growing tension between police and the public. African Americans, who were battling for increased 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 conflicts often involved the police. And when students across the nation began marching in anti-Vietnam War demonstrations, 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 1960’s were marked by a number of bloody confrontations between the police and the public.

In 1968 The Federal Law Enforcement Assistance Administration was created. This commission funded law enforcement training and education until it ended in 1982. During the time of the L.E.A.A., the term criminal justice was created. Prior to L.E.A.A. most college courses were called police science. The Administration of Justice building at West Valley Colleges was funded and built with a grant from the L.E.A.A.
The 1970’s witnessed many structural changes in police agencies themselves. The end of the Vietnam War significantly reduced tensions between students and police. Increased federal government support for criminal justice greatly influenced police operations. During the 1970’s, The Law Enforcement Assistance Administration 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 for police officers.

Perhaps most significant, 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 import or transfer technology originally developed in other fields into law enforcement. Technology innovations involving computers transformed the way police kept records, investigated crimes, and communicated with one another. State training academies improved the way police learn to deal with such issues as job stress, community conflict, and interpersonal relations.

The 1970’s also saw more women and minorities recruited to police work. Affirmative action programs helped alter, albeit slowly, the ethnic, racial, and gender composition of U.S. policing.

1972 saw the nation’s first female patrol officers. Prior to this date, there were no women patrol officers in the United States.

Women were given the opportunity to work patrol assignments only after Congress passed an amendment to Title VII of the Civil Rights Act of 1964 prohibiting state and local agencies from job discrimination based on gender. Unless they had valid occupational reasons for not doing so, police departments were required to hire and assign women to jobs, including patrol, on an equal basis with men.

Police Officers began wearing body armor in 1975.

As the 1980’s 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. This resulted in the emergence of the community-policing concept.

Although police operations improved markedly in the 1980’s, police departments were also beset by problems that impeded their effectiveness. State and local budgets were cut back during the Reagan administration, while federal support for innovative police programs was severely curtailed with the demise of the LEAA.
DNA evidence was first used in the United States in 1988.

As the 1990’s began, several police experts declared that the nation’s police forces should be evaluated not on their crime-fighting ability but on their courteousness, deportment, and helpfulness. Interest 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.

Ironically, urban police departments began to shift their focus to becoming community organizers at a time when technological improvements increased their ability to identify suspects.

Police corruption continued to be an issue, and the rogue cops of the 1990’s were even more brazen and violent than the corrupt cops of 20 years earlier. New York, Philadelphia, Los Angeles, and other large cities continued to experience incidents of police corruption and abuse of power.

Even in smaller cities, police procedures were questioned regarding over-enforcement in minority communities. Minority citizens seemed to be the target of incidents of extreme violence and misconduct.

In 1991 the National Law Enforcement Memorial in Washington, D.C., was dedicated.

Law enforcement today is divided into four broad categories--federal, state, county, and local—with many subcategories. There is no real hierarchy; each branch has its own sphere of operations, though overlap may exist.

There are over 13,540 municipal police departments, 3,088 sheriff’s departments, 1332 special police agencies (e.g., West Valley/Mission District Police Department), 49 state agencies and 50 federal law enforcement agencies within the United States. These totals do not reflect any additional agencies created in response to the September 11, 2001 terrorist attack on our country.

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

The Department of Justice (DOJ) is the legal arm of the U.S. government. Headed by the attorney general, it is empowered to (1) enforce all federal laws, (2) represent the United States when it is party to court action, and (3) conduct independent investigations through its law enforcement services.
Some of the agencies or bureaus under the control of the DOJ are:

- The Federal Bureau of Investigation
- The Drug Enforcement Administration
- U.S. Marshals
- Federal Bureau of Prisons

The U.S. Treasury Department maintains the following enforcement branches:

- Bureau of Alcohol, Tobacco and Firearms (ATF)
- Internal Revenue Service

**Department of Homeland Security**

On October 8, 2001 President Bush created the Department of Homeland Security by executive order – the most comprehensive reorganization of the Federal government in a half-century. The Department of Homeland Security consolidates 22 agencies and 180,000 employees, unifying once-fragmented Federal functions in a single agency dedicated to protecting America from terrorism.

The following agencies were relocated to the new department.

- The U.S. Customs Service (Treasury)
- The Immigration and Naturalization Service (Justice)
- The Federal Protective Service (GSA)
- The Transportation Security Administration (Transportation)
- Secret Service (Treasury)
- Coast Guard (Transportation)
- Transportation Security Administration (New)
- Air Marshals (TSA)

**State Police Agencies**

Unlike municipal police departments, state police were legislatively created to deal with the growing incidence of crime in nonurban areas—a consequence of increased population mobility and personalized mass transportation in the form of the automobile.

County sheriffs—elected officials with occasionally corrupt or questionable motives—had proven to be ineffective in dealing with the wide-ranging criminal activities that developed during the latter half of the nineteenth century.

The **Texas Rangers**, created in 1835, was the first state agency 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 nation’s 80,000 state police employees are not only involved in law enforcement and highway safety but also carry out a variety of other functions, including maintaining a training academy and providing specialized training to local law enforcement agencies.

The California Highway Patrol was created in 1929 as a specialized unit of the Department of Motor Vehicles (DMV). They are currently responsible for traffic enforcement on our state’s freeway system and unincorporated county areas. This latter function is one of the least known responsibilities of the CHP.

When an unincorporated county area decides to incorporate (becomes a city), they have one year from the date of incorporation to provide their own traffic enforcement.

Some cities that incorporate decide that it’s not economically feasible for them to create their own police department and contract with other existing agencies to provide law and traffic enforcement. Some local cities that have chosen this option are Cupertino and Saratoga, which use the Santa Clara Sheriff’s Department and Monte Sereno, which contracts with the Los Gatos Police Department.

Some Santa Clara County areas such as San Martin remain unincorporated county area and the California Highway Patrol fulfills the traffic enforcement responsibility on all roads, not just the freeway.

In the example of San Martin, the Sheriff provides law enforcement services while the California Highway Patrol fulfills the traffic enforcement responsibility. We will discuss this overlapping of agencies later in this handout when we learn about the authority and responsibilities of the county sheriff.

**County Law Enforcement Agencies**

Most of the nation’s county sheriff department’s are independent agencies whose senior officer, the sheriff, is (in all states except Rhode Island and Hawaii) an elected political official.

The duties of a county sheriff’s department vary according to the size and degree of development of the county. The standard tasks of a typical sheriff’s department are serving civil process, providing court security, operating the county jail, and investigating crimes. Typically, a sheriff’s department’s law enforcement functions are restricted to unincorporated areas of the county, unless a city or town police department requests its help.
In the unique County of San Francisco, the City of San Francisco shares the same borders as the city. In other words, the city is as large as the county. In this situation the sheriff has no patrol responsibilities because they have no unincorporated areas to police.

If you were hired by the San Francisco Sheriff’s Department, you would never be able to work a patrol assignment as they don’t exist. The sheriff is responsible for the two other tasks required by law; run the county jail and provide court security.

**Local Police Agencies**

Local police comprise the majority of the nation’s authorized law enforcement personnel. Metropolitan police departments range in size from the New York Police Department, with more than 41,000 sworn officers, to rural police departments with a single officer.

**California Law Enforcement**

California is well recognized as one of the most progressive and innovative states in America. Its unique laws attempt to create a safe and enjoyable environment for its citizens to enjoy while respecting the rights and liberties of others.

It is the responsibility of California’s approximately 79,000 sworn law enforcement officers to ensure compliance with our many laws. If educational and preventive measures fail, identification and apprehension of violators must be accomplished.

According to current P.O.S.T. Commission data, there are well over 550 law enforcement agencies in California. This total does not include federal agencies with law enforcement offices and agents within the state.

There are 336 police and public safety agencies, 58 sheriff’s departments, 22 California State University and college campus police agencies, 9 University of California police agencies, 1 marshal’s office, 43 district attorney agencies, 27 state agencies including the California Highway Patrol and 40 other departments with law enforcement powers.

These police agencies range from 3 officers in Ferndale to over 9000 officers on the Los Angeles Police Department.

Sheriff’s departments range from 10 in Sierra County to over 8,000 in Los Angeles County. In total, there are approximately 79,770 sworn peace officers in the State of California. In addition, there are 48,993 non-peace officer civilian personnel employed by these varied agencies. They may be assigned duties such as; parking control officer, station clerk, or civilian fingerprint technician.
These listed agencies should add up to 562. P.O.S.T. data was not available from two departments in each of these agency types for the year 2000 survey.

To answer the following questions you must go the California POST Commission website at [http://www.post.ca.gov/employdata/le-employment-stats.pdf](http://www.post.ca.gov/employdata/le-employment-stats.pdf)

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<th>QUESTION</th>
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<td>What is the total number of sworn personnel for each of the following Santa Clara County law enforcement agencies?</td>
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<td>6. San Jose P.D.</td>
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<td>7. Morgan Hill P.D.</td>
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<td>8. West Valley Community College P.D.</td>
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<td>9. Santa Clara County Sheriff</td>
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<td>10. Los Altos P.D.</td>
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**Composition of Law Enforcement**

The composition of the nation’s police forces is changing. Traditionally, police agencies were comprised of white males with a high school education who viewed policing as a secure position that brought them the respect of their family and friends and a step up the social ladder. It was not uncommon to see police families in which one member of each new generation would enter the force. This picture has been changing and will continue to change. As criminal justice programs turn out thousands of graduates every year, an increasing number of police officers have a least some college education. In addition, affirmative action programs have helped slowly change the racial and gender composition of police departments to reflect community makeup.
11. QUESTION
Which of the following has helped police agencies recruit more minority and female officers?

11. WRITE YOUR ANSWER HERE
a. _____ Law Enforcement Educational Program
b. _____ Development of standardized recruitment standards
c. _____ Active recruiting in low income housing areas.
d. _____ Affirmative action programs

Police Education

In recent years, many police experts have argued that police recruits should have a college education. This development is not unexpected, considering that national commission on policing since 1931 have recommended higher education for police officers. Although the great majority of U.S. police departments do not require a college education of their recruits, the trend for police officers to seek post-high school training has been spurred by the development of law enforcement and criminal justice academic programs and the availability of federal and state tuition aid. Yet, the most recent surveys indicate that only 1% of departments require a college degree and 7% an associates (AA or AS) degree.

Counting the California Highway Patrol, there are 13 police agencies in Santa Clara County. Of those 13, 9 require more than a high school diploma or GED as a minimum standard. They are the following police agencies; San Jose, Sunnyvale Department of Public Safety, Campbell, Los Altos, Los Gatos, Morgan Hill, Santa Clara, Milpitas and the Santa Clara County Sheriff’s Department. Four agencies require only a high school diploma or GED to qualify for employment. They are the California Highway Patrol, Mountain View P.D., Palo Alto P.D., and Gilroy Police Department.
What are the benefits of higher education for police officers? Better communication with the public, especially minority and ethnic groups, is believed to be one benefit. Educated officers write better and more clearly and are more likely to be promoted. Police administrators believe that education enables officers to perform more effectively, generate fewer citizen complaints, show more initiative in performing police asks, and generally act more professionally. In addition, educated offices are less likely to have disciplinary problems and are viewed as better decision makers.

There is little evidence, however, that educated cops are more effective crime fighters; education appears to have relatively little influence on police officer behavior. The diversity of the police role, the need for split-second decision making, and the often boring and mundane tasks police are required to do are all considered reasons formal education for police officers may be a waste of time. However, superiors find educated officers to be more reliable employees and better report writers, and citizens find them to be exceptional in the use of good judgment and problem solving.
### QUESTION

Which of the following statements are true and which are false?

16. There is little evidence that better educated police officers are more effective crime fighters.

17. Educated police officers make better report writers.

18. Better-educated officers seem to have more citizen complaints.

19. Most American police and sheriff’s departments have a minimum entry standard of an A.A. degree or higher.

20. There are police departments in California that consist of 5 or less officers.

21. The Santa Clara County Sheriff’s Department requires applicants possess a four-year college degree to apply for employment.

22. Not counting federal agencies, there are over 500 different law enforcement agencies in California.

23. There are over 79,000 police officers in Los Angeles County alone.

24. The Los Angeles Police Department is the nation’s largest law enforcement agency.

25. The San Francisco Sheriff’s Department is responsible for patrolling Golden Gate Park.

### WRITE YOUR ANSWERS HERE

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Although we will discuss the hiring process later in the course, the single most significant event that resulted in the increased hiring (not recruitment) of female officers was the lowering of the entry height limit requirements.

**THE BEST OF COPS-A-FIELD**

By Tom & Bill

Would it put you to ease if I were to tell you it's been more than a dozen years since we've had a minimum height requirement?