The accused has these common law, constitutional, statutory, and humanitarian rights:

- A right against unreasonable searches
- A right against unreasonable arrest
- A right against unreasonable seizures of property
- A right to fair questioning by authorities
- A right to protection from personal harm

These individual rights must be effectively balanced against these community concerns:

- The efficient apprehension of offenders
- The prevention of crimes

Q How does our system of justice work toward balance?
amed police administrator and former New York City Police Commissioner Patrick V. Murphy once said, "It is a privilege to be a police officer in a democratic society." While Murphy's words still ring true, many of today's law enforcement officers might hear in them only the echo of a long-dead ideal, unrealistic for today's times.

America's police officers form the front line in the unending battle against crime, drugs, and terrorism—a battle that seems to get more sinister and more demanding with each passing day. It is the police who are called when a crime is in progress or when one has been committed. They are the first responders to a terrorist event that strikes the homeland. The police are expected to objectively and impartially investigate law violations, gather evidence, solve crimes, and make arrests resulting in the successful prosecution of suspects—all the while adhering to the strict due process standards set forth in the U.S. Constitution and enforced by the courts. They are also expected to aid the injured, give succor to victims, and protect the innocent. The chapters in this section of *Criminal Justice Today* provide an overview of the historical development of policing; describe law enforcement agencies at the federal, state, and local levels; explore issues related to police administration; and discuss the due process and legal environments surrounding police activity.

As you will see, although the police are ultimately charged with protecting the public, they often believe that members of the public do not accord them the respect they deserve, and they feel that the distance between the police and the public is not easily bridged. Within the last few decades, however, an image of policing has emerged that may do much to heal that divide. This model, known as community policing, goes well beyond traditional conceptions of the police as mere law enforcers and encompasses the idea that police agencies should take counsel from the communities they serve. Under this model, the police are expected to prevent crime, as well as solve it, and to help members of the community deal with other pressing social issues.
Policing: History and Structure

LEARNING OBJECTIVES

After reading this chapter, you should be able to

• Summarize the historical development of policing in America, including the impact of the Prohibition era on American policing.
• Describe the three major levels of public law enforcement in the United States today.
• Identify significant federal law enforcement agencies, and describe their responsibilities.
• Explain the role that state law enforcement agencies play in enforcing the law, and identify the two major models of state law enforcement organization.
• Identify the various kinds of local law enforcement agencies, and explain the role that local law enforcement agencies play in enforcing the law.
• Describe the nature and extent of private protective services in the United States today, and describe the role these services might play in the future.
INTRODUCTION

Many of the techniques used by today’s police differ quite a bit from those employed in days gone by. Listen to how a policeman, writing in the mid-1800s, describes the way pickpockets were caught in London 200 years ago: “I walked forth the day after my arrival, rigged out as the very model of a gentleman farmer, and with eyes, mouth, and pockets wide open, and a stout gold-headed cane in my hand, strolled leisurely through the fashionable thoroughfares, the pump-rooms, and the assembly-rooms, like a fat goose waiting to be plucked. I wore a pair of yellow gloves well wadded, to save me from falling, through a moment’s inadvertency, into my own snare, which consisted of about fifty fish-hooks, large black hackles, firmly sewn barb downward, into each of the pockets of my brand new leather breeches. The most blundering ‘prig’ alive might have easily got his hand to the bottom of my pockets, but to get it out again, without tearing every particle of flesh from the bones, was a sheer impossibility. . . . I took care never to see any of my old customers until the convulsive tug at one or other of the pockets announced the capture of a thief. I then coolly linked my arm in that of the prisoner, and told him in a confidential whisper who I was.”2

HISTORICAL DEVELOPMENT OF THE POLICE

Police tactics and strategy have changed substantially since historical times, and many different kinds of police agencies—some of them highly specialized—function within the modern criminal justice system. This chapter describes the development of organized policing in Western culture and discusses the function of contemporary American police forces at the federal, state, and local levels. Agency examples are given at each level. The promise held by private protective services, the recent rapid growth of private security organizations, and the quasi-private system of justice are also discussed.

English Roots

The rise of the police as an organized force in the Western world coincided with the evolution of strong centralized governments. Although police forces have developed throughout the world, often in isolation from one another, the historical growth of the English police is of special significance to students of criminal justice in America, for it was on the British model that much of early American policing was based.

Law enforcement in early Britain, except for military intervention in the pursuit of bandits and habitual thieves, was not well organized until around the year 1200.3 When a person committed an offense and could be identified, he or she was usually pursued by an organized posse. All able-bodied men who could hear a victim’s cry for help were obligated to join the posse in a common effort to apprehend the offender. The posse was led by the shire reeve (the leader of the county) or by a mounted officer (the comes stabuli). Our modern

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**The police in the United States are not separate from the people. They draw their authority from the will and consent of the people, and they recruit their officers from them. The police are the instrument of the people to achieve and maintain order; their efforts are founded on principles of public service and ultimate responsibility to the public.**

—National Advisory Commission on Criminal Justice Standards and Goals

**Unlike the soldier fighting a war on foreign soil, police officers, who provide for our safety at home, have never been given the honor that was their due.**

—Hubert Williams, President, the Police Foundation

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comes stabuli

A nonuniformed mounted law enforcement officer of medieval England. Early police forces were small and relatively unorganized but made effective use of local resources in the formation of posses, the pursuit of offenders, and the like.
words *sheriff* and *constable* are derived from these early terms. The *comites stabuli* (the plural form of the term) were not uniformed, nor were they numerous enough to perform all the tasks we associate today with law enforcement. This early system, employing a small number of mounted officers, depended for its effectiveness on the ability to organize and direct the efforts of citizens toward criminal apprehension.

The offender, cognizant of a near-certain end at the hands of the posse, often sought protection from trusted friends and family. As a consequence, feuds developed among organized groups of citizens, some seeking revenge and some siding with the offender. Suspects who lacked the shelter of a sympathetic group might flee into a church and invoke the time-honored custom of sanctuary. Sanctuary was rarely an ideal escape, however, as pursuers could surround the church and wait out the offender, preventing food and water from being carried inside. The offender, once caught, became the victim. Guilt was usually assumed, and trials were rare. Public executions, often involving torture, typified this early justice and served to provide a sense of communal solidarity as well as group retribution.

The development of law enforcement in English cities and towns grew out of an early reliance on bailiffs, or watchmen. Bailiffs were assigned the task of maintaining a **night watch**, primarily to detect fires and spot thieves. While too few in number to handle most emergencies, bailiffs were able to rouse the sleeping population, which could then deal with whatever crisis was at hand. Larger cities expanded the idea of bailiffs by creating both a night watch and a day ward.

British police practices became codified in the **Statute of Winchester**, written in 1285. The statute (1) specified the creation of the watch and the ward in cities and towns; (2) mandated the draft of eligible males to serve those forces; (3) institutionalized the use of the *hue and cry*, making citizens who disregarded a call for help subject to criminal penalties; and (4) required that citizens maintain weapons in their home for answering the call to arms.

Some authors have attributed the growth of modern police forces to the gin riots that plagued London and other European cities in the eighteenth and nineteenth centuries. The invention of gin around 1720 provided, for the first time, a potent and inexpensive alcoholic drink readily available to the massed populations gathered in the early industrial ghettos of eighteenth-century cities. Seeking to drown their troubles, huge numbers of people, far beyond the ability of the bailiffs to control, began binges of drinking and rioting. During the next hundred years, these gin riots created an immense social problem for British authorities. By this time, the bailiff system had broken down and was staffed by groups of woefully inadequate substitutes, hired by original draftees to perform duties in their stead. Incompetent and unable to depend on the citizenry for help in enforcing the laws, bailiffs became targets of mob violence and were often attacked and beaten for sport.
THE BOW STREET RUNNERS  The early eighteenth century saw the emergence in London of a large criminal organization led by Jonathan Wild. Wild ran a type of fencing operation built around a group of loosely organized robbers, thieves, and burglars who would turn their plunder over to him. Wild would then negotiate with the legitimate owners for a ransom of their possessions.

The police response to Wild was limited by disinterest and corruption. However, change began when Henry Fielding, a well-known writer, became the magistrate of the Bow Street region of London. Fielding attracted a force of dedicated officers, dubbed the Bow Street Runners, who soon stood out as the best and most disciplined enforcement agents that London had to offer. Fielding’s personal inspiration and his ability to communicate what he saw as the social needs of the period may have accounted for his success.

In February 1725, Wild was arrested and arraigned on the following charges: “(1) that for many years past he had been a confederate with great numbers of highwaymen, pick-pockets, housebreakers, shoplifters, and other thieves, (2) that he had formed a kind of corporation of thieves, of which he was the head or director . . . , (3) that he had divided the town and country into so many districts, and appointed distinct gangs for each, who regularly accounted with him for their robberies . . . , (4) that the persons employed by him were for the most part felon convicts . . . , (5) that he had, under his care and direction, several warehouses for receiving and concealing stolen goods, and also a ship for carrying off jewels, watches, and other valuable goods, to Holland, where he had a superannuated thief for his benefactor, and (6) that he kept in his pay several artists to make alterations, and transform watches, seals, snuff-boxes, rings, and other valuable things, that they might not be known.”

Convicted of these and other crimes, Wild attempted suicide by drinking a large amount of laudanum, an opium compound. The drug merely rendered him senseless, and he was hanged the following morning, having only partially recovered from its effects.

In 1754, Henry Fielding died. His brother John took over his work and occupied the position of Bow Street magistrate for another 25 years. The Bow Street Runners remain famous to this day for quality police work.

THE NEW POLICE  In 1829, Sir Robert Peel, who later became prime minister of England, formed what many have hailed as the world’s first modern police force. The passage of the Metropolitan Police Act that year allocated the resources for Peel’s force of 1,000 hand-picked men. The London Metropolitan Police Force, also known as the new police or more simply the Met, soon became a model for police forces around the world.

Members of the Metropolitan Police were quickly dubbed bobbies, after their founder. London’s bobbies were organized around two principles: the belief that it was possible to discourage crime, and the practice of preventive patrol. Peel’s police patrolled the streets by walking beats. Their predecessors, the watchmen, had occupied fixed posts throughout the city, awaiting a public outcry. The new police were uniformed, resembling a military organization, and adopted a military administrative style.

London’s first two police commissioners were Colonel Charles Rowan, a career military officer, and Richard Mayne, a lawyer. Rowan believed that mutual respect between the police and the citizenry would be crucial to the success of the new force. As a consequence, early bobbies were chosen for their ability to reflect and inspire the highest personal ideals among young men in early-nineteenth-century Britain.

The new police were not immediately well received. Some elements of the population saw them as an occupying army, and open battles between the police and the citizenry ensued. The tide of sentiment turned, however, when an officer was viciously killed in the Cold Bath Fields riot of 1833. A jury, considering a murder charge against the killer, returned a verdict of “not guilty,” inspiring a groundswell of public support for the much-maligned force.

The Early American Experience  Early American law enforcement efforts were based to some degree on the British experience. Towns and cities in colonial America depended on modified versions of the night watch and the dayward, but the unique experience of the American colonies quickly differentiated the
needs of colonists from those of the masses remaining in Europe. Huge expanses of uncharted territory, vast wealth, a widely dispersed population engaged mostly in agriculture, and a sometimes ferocious frontier all combined to mold American law enforcement in a distinctive way. Recent writers on the history of the American police have observed that policing in America was originally “decentralized,” “geographically dispersed,” “idiosyncratic,” and “highly personalized.”

**THE FRONTIER** One of the major factors determining the development of American law enforcement was the frontier, which remained vast and wild until late in the nineteenth century. The backwoods areas provided a natural haven for outlaws and bandits. Henry Berry Lowery, a famous outlaw of the Carolinas, the James Gang, and many lesser-known desperadoes felt at home in the unclaimed swamps and forests.

Only the boldest of settlers tried to police the frontier. Among them was Charles Lynch, a Virginia farmer of the late eighteenth century. Lynch and his associates tracked and punished offenders, often according to the dictates of the still well-known lynch law, or vigilante justice, which they originated. Citizen posses and vigilante groups were often the only law available to settlers on the western frontier. Judge Roy Bean (“the Law West of the Pecos”), “Wild Bill” Hickok, Bat Masterson, Wyatt Earp, and Pat Garrett were other popular figures of the nineteenth century who took it upon themselves, sometimes in a semiofficial capacity, to enforce the law on the books as well as the standards of common decency.

Although today vigilantism has a negative connotation, most of the original vigilantes of the American West were honest men and women trying to forge an organized and predictable lifestyle out of the challenging situations that they encountered. Often faced with unscrupulous, money-hungry desperadoes, they did what they could to bring the standards of civilization, as they understood them, to bear in their communities.

**POLICING AMERICA’S EARLY CITIES** Small-scale organized law enforcement came into being quite early in America’s larger cities. In 1658, paid watchmen were hired by the city of New York to replace drafted citizens. By 1693, the first uniformed officer was employed by the city, and in 1731, the first neighborhood station, or precinct, was constructed. Boston, Cincinnati, and New Orleans were among the American communities to follow the New York model and hire a force of watchmen in the early nineteenth century.

In 1829, American leaders watched closely as Sir Robert Peel created London’s new police. One year later, Stephen Girard, a wealthy manufacturer, donated a considerable amount of money to the city of Philadelphia to create a capable police force. The city hired 120 men to staff a night watch and 24 to perform similar duties during the day.

In 1844, New York’s separate day and night forces were combined into the New York City Police Department. Boston followed suit in 1855. Further advances in American policing were precluded by the Civil War. Southern cities captured in the war came under martial law and were subject to policing by the military.

The coming of the twentieth century, coinciding as it did with numerous technological advances and significant social changes, brought a flood of reform. The International Association of Chiefs of Police (IACP) was formed in 1902; it immediately moved to create a nationwide clearinghouse for criminal identification. In 1915, the Fraternal Order of Police (FOP) initiated operations. It was patterned after labor unions but prohibited strikes; it accepted personnel of all ranks, from patrol officer to chief. In 1910, Alice Stebbins Wells became the first policewoman in the world, serving with the Los Angeles Police Department.
A New York City police officer "mugging" a prisoner in the early days of police photography. How have advances in technology shaped policing?

Prior to Wells's appointment, women had served as jail matrons, and widows had sometimes been carried on police department payrolls if their officer-husbands had died in the line of duty, but they had not been fully "sworn" with carrying out the duties of a police officer. Wells became an outspoken advocate for the hiring of more policewomen, and police departments across the country began to hire female officers, especially to provide police services to children and to women and to "protect male officers from delicate and troublesome situations"—such as the need to physically restrain female offenders.

In 1915, the U.S. Census reported that 25 cities employed policewomen. In that year, coinciding with the creation of the FOP, the International Association of Policewomen (now the International Association of Women Police) was formed in the city of Baltimore. In 1918, Ellen O'Grady became the first woman to hold a high administrative post in a major police organization when she was promoted to the rank of deputy police commissioner for the city of New York. As Dorothy Moses Schulz, a contemporary commentator on women's entry into policing, has observed, "The Policewomen's movement was not an isolated phenomenon, but was part of women's movement into other newly created or newly professionalized fields."

During the early twentieth century, telephones, automobiles, and radios all had their impact on the American police. Teddy Roosevelt, the twenty-sixth president of the United States, began his career by serving as a police commissioner in New York City from 1895 to 1897. While there, he promoted the use of a call-box system of telephones, which allowed citizens to report crimes rapidly and made it possible for officers to call quickly for assistance. As president, Roosevelt helped to organize the Bureau of Investigation, which later became the Federal Bureau of Investigation (FBI). Federal law enforcement already existed in the form of U.S. marshals, created by an act of Congress in 1789, and in the form of postal inspectors, authorized by the U.S. Postal Act of 1829. The FBI became a national investigative service designed to quickly identify and apprehend offenders charged with a growing list of federal offenses. Automobiles created an era of affordable, rapid transportation and gave police forces far-reaching powers and high mobility. Telephones and radios provided the ability to maintain regular communication with central authorities. State police agencies arose to counter the threat of the mobile offender, with Massachusetts and Pennsylvania leading the way to statewide forces.

PROHIBITION AND POLICE CORRUPTION A dark period for American law enforcement agencies began in 1920 with the passage of a constitutional prohibition against all forms of alcoholic beverages. Until Prohibition was repealed in 1933, most parts of the country were rife with criminal activity, much of it supporting the trade in bootlegged liquor. Bootleggers...
earned huge sums of money, and some of them became quite wealthy. Massive wealth in the hands of law violators greatly increased the potential for corruption among police officials, some of whom were “paid off” to support bootlegging operations.

In 1931, the Wickersham Commission, officially called the National Commission on Law Observance and Enforcement and led by former U.S. Attorney General George W. Wickersham, recognized that Prohibition was unenforceable and reported that it carried a great potential for police corruption. The commission, which released a number of reports, also established guidelines for enforcement agencies that directed many aspects of American law enforcement until the 1970s. The most influential of the Wickersham Commission reports was entitled Report on the Enforcement of the Prohibition Laws of the United States. That report, the release of which became one of the most important events in the history of American policing, can be read in its entirety at Library Extra 5–1 at MyCrimeKit.com.

The Last Half of the Twentieth Century

The rapid cultural change that took place throughout America in the 1960s and 1970s forever altered the legal and social environment in which the police must work. During that period, in conjunction with a burgeoning civil rights movement, the U.S. Supreme Court frequently enumerated constitutionally based personal rights for those facing arrest, investigation, and criminal prosecution. Although a “chipping away” at those rights, which some say is continuing today, may have begun in the 1980s, the earlier emphasis placed on the rights of defendants undergoing criminal investigation and prosecution will have a substantial impact on law enforcement activities for many years to come.

The 1960s and 1970s were also a period of intense examination of police operations, from day-to-day enforcement decisions to administrative organization and police–community relations. In 1967, the President’s Commission on Law Enforcement and Administration of Justice issued its report, The Challenge of Crime in a Free Society, which found that the police were often isolated from the communities they served. In 1969, the Law Enforcement Assistance Administration (LEAA) was formed to assist police forces across the nation in acquiring the latest in technology and in adopting new enforcement methods. In 1973, the National Advisory Commission on Criminal Justice Standards and Goals issued a comprehensive report detailing strategies for combating and preventing crime and for improving the quality of law enforcement efforts at all levels. Included in the report was a call for greater participation in police work by women and ethnic minorities and the recommendation that a college degree be made a basic prerequisite for police employment by the 1980s. The creation of a third major commission, the National Commission on Crime Prevention and Control, was authorized by the federal Violent Crime Control and Law Enforcement Act of 1994, but the commission never saw the light of day. Read about the crime commission that never was at Web Extra 5–1 at MyCrimeKit.com.

Evidence-Based Policing

In 1969, with the passage of the Omnibus Crime Control and Safe Streets Act, the U.S. Congress created the Law Enforcement Assistance Administration. LEAA was charged with combating crime through the expenditure of huge amounts of money in support of crime-prevention and crime-reduction programs. Some have compared the philosophy establishing LEAA to that which supported the American space program’s goal of landing people on the moon: Put enough money into any problem, and it
The application of social science techniques to the study of police administration for the purpose of increasing effectiveness, reducing the frequency of citizen complaints, and enhancing the efficient use of available resources is known as **scientific police management.** This tradition is a natural outgrowth of LEAA’s insistence that every funded program contain a plan for its evaluation. Scientific police management refers to the application of social science techniques to the study of police administration for the purpose of increasing effectiveness, reducing the frequency of citizen complaints, and enhancing the efficient use of available resources.

Today, federal support for criminal justice research and evaluation continues under the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS), both part of the Office of Justice Programs (OJP). OJP, created by Congress in 1984, provides federal leadership in developing the nation’s capacity to prevent and control crime. The National Criminal Justice Reference Service (NCJRS), a part of NIJ, assists researchers nationwide in locating information applicable to their research projects. “Custom searches” of the NCJRS computer database can be done online and yield abundant information in most criminal justice subject areas. NIJ also publishes a series of informative periodic reports, such as the *NIJ Journal* and *NIJ Research in Review*, which serve to keep criminal justice practitioners and researchers informed about recent findings. View the NIJ online publication list at [Web Extra 5–2](http://www.MyCrimeKit.com) at MyCrimeKit.com.

### The Kansas City Experiment

The first large-scale scientific study of law enforcement practices. Sponsored by the Police Foundation, it focused on the practice of preventive patrol.

The **Kansas City experiment** was published in 1974. The study, sponsored by the Police Foundation, divided the southern part of Kansas City into 15 areas. Five of these “beats” were patrolled in the usual fashion. In another group of five beats, patrol activities were doubled. The final third of the beats received a novel treatment indeed: No patrols were assigned to them, and no uniformed officers entered that part of the city unless they were called. The program was kept secret, and citizens were unaware of the difference between the patrolled and unpatrolled parts of the city.

The results of the Kansas City experiment were surprising. Records of “preventable crimes,” those toward which the activities of patrol were oriented—such as burglary, robbery, auto theft, larceny, and vandalism—showed no significant differences in rate of occurrence among the three experimental beats. Similarly, citizens didn’t seem to notice the change in patrol patterns in the two areas where patrol frequency was changed. Surveys conducted at the conclusion of the experiment showed no difference in citizens’ fear of crime before and after the study. The 1974 study can be summed up in the words of the author of the final report: “The whole idea of riding around in cars to create a feeling of omnipresence just hasn’t worked. . . . Good people with good intentions tried something that logically should have worked, but didn’t.”

This study has been credited with beginning the now-established tradition of scientific studies of policing.

A second Kansas City study focused on “response time.” It found that even consistently fast police response to citizen reports of crime had little effect on citizen satisfaction with the police or on the arrest of suspects. The study uncovered the fact that most reports made to the police came only after a considerable amount of time had passed. Hence, the police...
were initially handicapped by the timing of the report, and even the fastest police response was not especially effective.

**Effects** The Kansas City studies greatly affected managerial assumptions about the role of preventive patrol and traditional strategies for responding to citizen calls for assistance. As Joseph Lewis, then director of evaluation at the Police Foundation, said, “I think that now almost everyone would agree that almost anything you do is better than random patrol.”

While the Kansas City studies called into question some basic assumptions about patrol, patrol remains the backbone of police work. New patrol strategies for the effective utilization of human resources have led to various kinds of **directed patrol** activities. One form of directed patrol varies the number of officers involved in patrolling according to the time of day or the frequency of reported crimes within an area, so as to put the most officers on the street where and when crime is most prevalent. Wilmington, Delaware, was one of the first cities to make use of split-force patrol, in which only a part of the patrol force performs routine patrol. The remaining officers respond to calls for service, take reports, and conduct investigations.

In response to the Kansas City study on response time, some cities have prioritized calls for service, ordering a quick police response only when crimes are in progress or when serious crimes have occurred. Less significant offenses, such as minor larcenies and certain citizen complaints, are handled using the mail or by having citizens come to the police station to make a report.

**EVIDENCE-BASED POLICING TODAY** At the close of the twentieth century, noted police researcher Lawrence W. Sherman addressed an audience of criminal justice policymakers, scholars, and practitioners at the Police Foundation in Washington, D.C., and called for a new approach to American policing that would use research to guide and evaluate practice. “Police practices should be based on scientific evidence about what works best,” Sherman told his audience. Sherman’s lecture, entitled “Evidence-Based Policing: Policing Based on Science, Not Anecdote,” popularized the term **evidence-based policing (EBP)**. EBP, says Sherman, “is the use of best available research on the outcomes of police work to implement guidelines and evaluate agencies, units, and officers.” In other words, evidence-based policing (EBP) is the use of the best available research on the outcomes of police work to implement guidelines and evaluate agencies, units, and officers.
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Of all the ideas in policing, one stands out as the most powerful force for change: Police practices should be based on scientific evidence about what works best. —Lawrence W. Sherman

Policing uses research into everyday police procedures to evaluate current practices and to guide officers and police executives in future decision making. In any discussion of evidence-based policing, it is important to remember that the word evidence refers to scientific evidence, not criminal evidence.

“The basic premise of evidence-based practice,” says Sherman, “is that we are all entitled to our own opinions, but not to our own facts.” Our own facts, or our beliefs about the way things should be done, says Sherman, often turn out to be wrong. During the civil rights movement of the 1960s and 1970s, for example, police executives in many areas took a heavy-handed approach in their attempts to control demonstrators. Images of tear-gas-filled streets, high-pressure fire hoses aimed at marchers, and police dogs biting fleeing demonstrators symbolize that era for many people. This heavy-handed approach had unintended consequences and served to inflame protesters. Situations that might have otherwise been contained with simple crowd-control tactics and the use of physical barriers became largely uncontrollable. Sherman reminds us that “the mythic power of subjective and unstructured wisdom holds back every field and keeps it from systematically discovering and implementing what works best in repeated tasks.”

In 2008, the EBP movement gained additional impetus when Sherman taught a course on the topic to police leaders from a number of countries at Cambridge University’s Institute of Criminology. “There is a need for much more scientific guidance behind the way police are used,” Sherman told representatives at Cambridge. “In Britain, the government has invested
heavily in police resources, but we have not established how to obtain best value for money in deploying those resources. This is an opportunity for us to do that, working in a collaborative way with the police and tying together the education of police officers and the research base of criminology.24

Today, the evidence-based policing model is gaining traction and has been called the single “most powerful force for change” in policing today.25 Leading the movement toward evidence-based policing are organizations like the FBI’s Futures Working Group and the Campbell Crime and Justice Group. FBI Supervisory Special Agent Carl J. Jensen III, a member of the Futures Working Group, notes that in the future “successful law enforcement executives will have to be consumers and appliers of research.” They won’t need to be researchers themselves, Jensen notes, “but they must use research in their everyday work.”26 The Campbell Crime and Justice Group, which emphasizes the use of experimental studies in crime and justice policy making, can be accessed via Web Extra 5–3 at MyCrimeKit.com.

AMERICAN POLICING TODAY: FROM THE FEDERAL TO THE LOCAL LEVEL

The organization of American law enforcement has been called the most complex in the world. Three major legislative and judicial jurisdictions exist in the United States—federal, state, and local—and each has created a variety of police agencies to enforce its laws. Unfortunately, there has been little uniformity among jurisdictions as to the naming, function, or authority of enforcement agencies. The matter is complicated still more by the rapid growth of private security firms, which operate on a for-profit basis and provide services that have traditionally been regarded as law enforcement activities.

FEDERAL AGENCIES

Dozens of federal law enforcement agencies are distributed among 14 U.S. government departments and 28 nondepartmental entities (Table 5–2). In addition to the enforcement agencies listed in the table, many other federal government offices are involved in enforcement through inspection, regulation, and control activities. The Government Accounting Office (GAO) reports that nonmilitary federal agencies employ a total of 139,929 law enforcement officers, which it defines as individuals authorized to perform any of four specific functions: (1) conduct criminal investigations, (2) execute search warrants, (3) make arrests, or (4) carry firearms.27 Visit the home pages of many federal law enforcement agencies via Web Extra 5–4 at MyCrimeKit.com. Learn more about staffing levels of federal criminal justice agencies at Library Extra 5–2 at MyCrimeKit.com.

The Federal Bureau of Investigation

The Federal Bureau of Investigation may be the most famous law enforcement agency in the country and in the world. The FBI has traditionally been held in high regard by many Americans, who think of it as an example of what a law enforcement organization should be and who believe that FBI agents are exemplary police officers. William Webster, former director of the FBI, reflected this sentiment when he said, “Over the years the American people have come to expect the most professional law enforcement from the FBI. Although we use the most modern forms of management and technology in the fight against crime, our strength is in our people—in the character of the men and women of the FBI. For that reason we seek only those who have demonstrated that they can perform as professional people who can, and will, carry on our tradition of fidelity, bravery, and integrity.”28

The history of the FBI spans about 100 years. It began as the Bureau of Investigation in 1908, when it was designed to serve as the investigative arm of the U.S. Department of Justice. The creation of the bureau was motivated, at least in part, by the inability of other agencies to stem the rising tide of American political and business corruption.29 Learn about the history of the FBI at Web Extra 5–5 at MyCrimeKit.com.
The official purpose of today’s FBI is succinctly stated in the agency’s mission statement: “The Mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats; to uphold and enforce the criminal laws of the United States; and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.”

FBI headquarters are located in the J. Edgar Hoover Building on Pennsylvania Avenue in Washington, D.C. Special agents and support personnel who work at the agency’s headquarters organize and coordinate FBI activities throughout the country and around the world.

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The most fundamental weakness in crime control is the failure of federal and state governments to create a framework for local policing. Much of what is wrong with the police is the result of the absurd, fragmented, unworkable nonsystem of more than 17,000 local departments.

—Patrick V. Murphy, former New York City Police Commissioner
**Federal Bureau of Investigation**

**Name:** Kevin Kendrick  
**Position:** Section Chief, Executive Development and Selection Program, Administrative Services Division  
**City:** Washington, D.C.  
**College Attended:** Wayne State University  
**Year Hired:** 1981

“Seeing the good work that officers were doing when I was in school at Wayne State opened my eyes to the possibility of a career in law enforcement. I saw this as a wonderful opportunity to do something positive. Every day at the FBI is different, and I can honestly say this is the greatest part of the job: the variety of assignments, the interaction with other agencies and the community. It’s an incredible way to get things done. We do something that means something. We are having an impact on people’s lives.”

**TYPICAL POSITIONS**

Special agent, crime laboratory technician, ballistics technician, computer operator, fingerprint specialist, explosives examiner, document expert, and other nonagent technical positions. FBI activities include investigations into organized crime, white-collar crime, public corruption, financial crime, fraud against the government, bribery, copyright matters, civil rights violations, bank robbery, extortion, kidnapping, air piracy, terrorism, foreign counterintelligence, interstate criminal activity, fugitive and drug-trafficking matters, and other violations of federal statutes. The FBI also works with other federal, state, and local law enforcement agencies in investigating matters of joint interest and in training law enforcement officers from around the world.

**EMPLOYMENT REQUIREMENTS**

General employment requirements include (1) an age between 23 and 37; (2) excellent physical health; (3) uncorrected vision of not less than 20/200, correctable to 20/20 in one eye and at least 20/40 in the other eye; (4) good hearing; (5) U.S. citizenship; (6) a valid driver’s license; (7) successful completion of a comprehensive background investigation; (8) a law degree or a bachelor’s degree from an accredited college or university; (9) successful completion of an initial written examination; (10) an intensive formal interview; and (11) urinalysis. A polygraph examination may also be required.

**OTHER REQUIREMENTS**

Special-agent entry programs exist in the areas of law, accounting, languages, engineering/science, and a general “diversified” area. They require a minimum of three years of full-time work experience, preferably with a law enforcement agency. Candidates who otherwise meet entry requirements and who possess one or more of the following critical skills are currently deemed essential to address the agency’s increasingly complex responsibilities and will be given priority in the hiring process: (1) computer science and other information technology specialties; (2) engineering; (3) physical sciences (physics, chemistry, biology, and so on); (4) foreign language proficiency (Arabic, Farsi, Pashtu, Urdu, Chinese all dialects, Japanese, Korean, Russian, Spanish, and Vietnamese); (5) foreign counterintelligence; (6) counterterrorism; and (7) military intelligence experience. The FBI emphasizes education and especially values degrees in law, graduate studies, and business and accounting. Most nonagent technical career paths also require bachelor’s or advanced degrees and U.S. citizenship.

**SALARY**

In mid-2009, Special Agent trainees at the FBI Academy were paid at GS-10, step 1 ($48,101) plus the Quantico, Virginia, locality adjustment (17.50%) during their time at the FBI Academy. This equated to $58,519 on an annualized basis. Newly assigned Special Agents are paid at GS-10, step 1 ($48,101) plus locality pay and availability pay. Locality pay (which ranges from 12.5% to 28.7% of base salary depending on office assignment) is additional compensation to account for differences in the labor market between different areas. Availability pay is a 25% increase in adjusted salary (base salary plus locality pay) for all Special Agents due to their requirement to average a 50-hour workweek over the course of the year. New Special Agents assigned to certain designated high-cost offices (New York, San Francisco, Los Angeles, San Diego, Washington, D.C., Boston, and Newark) may also be paid a one-time relocation bonus of approximately $22,000 to help offset higher real estate and living costs. Special agents can advance to GS-13 in field assignments and to GS-15 or higher in supervisory and management positions.

**BENEFITS**

Benefits include (1) 13 days of sick leave annually, (2) two and a half to five weeks of paid vacation and ten paid federal holidays each year, (3) federal health and life insurance, and (4) a comprehensive retirement program.

**DIRECT INQUIRIES TO:**

Federal Bureau of Investigation  
J. Edgar Hoover Building  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20535–0001  
Phone: 202-324-3000, or check your local telephone book

Website: http://www.fbi.gov, or visit http://fbijobs.com

world. Headquarters staffers determine investigative priorities, oversee major cases, and manage the organization’s resources, technology, and personnel.

The daily work of the FBI is done by nearly 13,000 special agents assigned to 56 field offices and 400 satellite offices (known as resident agencies). A special agent in charge oversees each field office, except for the three largest field offices in Washington, D.C., Los Angeles, and New York City, each of which is headed by an assistant director.

The FBI also operates “legal attaché offices” (called Legats) in a number of major cities around the world, including London and Paris. Such offices permit the international coordination of enforcement activities and facilitate the flow of law enforcement–related information between the FBI and police agencies in host countries. In 1995, a few years after the end of the cold war, the FBI opened a legal attaché office in Moscow. The Moscow office assists Russian police agencies in the growing battle against organized crime in that country and helps American officials track suspected Russian criminals operating in the United States. Also in 1995, an Eastern European version of the FBI Academy, known as the International Law Enforcement Academy (ILEA), opened in Budapest, Hungary. Its purpose is to train police administrators from all of Eastern Europe in the latest crime-fighting techniques.

Twenty years ago, the FBI formed the National Computer Crime Squad (NCCS) to investigate violations of the federal Counterfeit Access Device and Computer Fraud and Abuse Act of 1984, the Computer Fraud and Abuse Act of 1986, and other federal cybercrime laws. NCCS focuses on computer crimes like (1) intrusions of public switched networks (telephone company networks), (2) major computer network intrusions, (3) network integrity violations, (4) privacy violations, (5) industrial espionage, (6) pirated computer software, and (7) other crimes in which a computer is centrally involved. In recent years, the FBI has created individual cybercrime investigation teams in each of its field offices within the United States.

The FBI also operates the Combined DNA Index System (CODIS), a computerized forensic database of DNA “profiles” of offenders convicted of serious crimes (such as rape, other sexual assaults, murder, and certain crimes against children), as well as DNA profiles from unknown offenders. CODIS, now a part of the National DNA Index System (NDIS), was formally authorized by the federal DNA Identification Act of 1994. It is being enhanced daily through the work of federal, state, and local law enforcement agencies that take DNA samples from biological evidence gathered at crime scenes and from offenders themselves. The computerized CODIS system can rapidly identify a perpetrator when it finds a match between an evidence sample and a stored profile. By 1998, every state had enacted legislation establishing a CODIS database and requiring that DNA from offenders convicted of certain serious crimes be entered into the system. As of October 2007, the CODIS database contained more than 5 million DNA profiles.

As the FBI has grown, some of its functions have become geographically dispersed. Headquartered in Clarksburg, West Virginia, the Criminal Justice Information Services (CJIS) Division serves as the central repository for criminal justice information services in the FBI. The FBI describes the division as “a customer-driven organization providing state-of-the-art identification and information services to local, state, federal, and international criminal justice communities.” In support of these activities, CJIS has developed an advisory process that involves sharing management and policy-making decisions with local, state, and federal criminal justice agencies. The CJIS Division includes the Fingerprint Identification Program, the National Crime Information Center Program, the Uniform Crime Reporting Program, and the Integrated Automated Fingerprint Identification System (IAFIS)—a computer-based system that can store, process, analyze, and retrieve millions of fingerprints in a relatively short period of time (see Chapter 18 for an additional discussion of IAFIS).

The FBI Laboratory Division, located in Quantico, Virginia, operates one of the largest and most comprehensive crime laboratories in the world. It provides services related to the scientific solution and prosecution of crimes throughout the country. It is also the only full-service federal forensic laboratory in the United States. Laboratory activities include crime-scene searches, special surveillance photography, latent-fingerprint examination, forensic examination of evidence (including DNA testing), court testimony by laboratory personnel, and other scientific and technical services. The FBI offers laboratory services, free of charge, to all law enforcement agencies in the United States. Learn more about the FBI’s administrative divisions, including the activities of each, via Web Extra 5–7 at MyCrimeKit.com.
The FBI also runs a National Academy Program, which is part of its Training Division. The program offered its first class in 1935 and had 23 students. It was then known as the FBI National Police Training School. In 1940, the school moved from Washington, D.C., to the U.S. Marine Amphibious Base at Quantico, Virginia. In 1972, the facility expanded to 334 acres, and the FBI Academy, as we know it today, officially opened. According to the most recent statistics available, the academy program has produced 37,990 graduates since it began operations. This includes 2,475 international graduates from 151 foreign countries and 328 graduates from U.S. territories and possessions. More than 200 sessions have been offered since inception of the training program. Visit the FBI Academy on the Web via Web Extra 5–8 at MyCrimeKit.com.

THE FBI AND COUNTERTERRORISM The FBI’s counterterrorism efforts became especially important following the September 11, 2001, attacks on the World Trade Center in New York City and the Pentagon. Two months after the attacks, then-U.S. Attorney General John Ashcroft announced a major “reorganization and mobilization” of the FBI and other federal agencies, including the Immigration and Naturalization Service (now U.S. Citizenship and Immigration Services—an office of the Department of Homeland Security). Speaking at a press conference in Washington, D.C., Ashcroft said, “Our strategic plan mandates fundamental change in several of the most critical components of American justice and law enforcement, starting with the organization that is at the center of our counterterrorism effort, the Federal Bureau of Investigation. In its history, the FBI has been many things: the protector of our institutions when they were under assault from organized crime; the keeper of our security when it was threatened by international espionage; and the defender of our civil rights when they were denied to some Americans on the basis of their race, color or creed. Today the American people call upon the Federal Bureau of Investigation to put prevention of terrorism at the center of its law-enforcement and national-security efforts.”

Since that time, the FBI has reshaped its priorities to focus on preventing future terrorist attacks. This effort is managed by the Counterterrorism Division at FBI headquarters and is emphasized at every field office, resident agency, and Legat. Headquarters administers a national threat warning system that allows the FBI to instantly distribute important terrorism-related bulletins to law enforcement agencies and public-safety departments throughout the country. “Flying Squads” provide specialized counterterrorism knowledge and experience, language capabilities, and analytic support as needed to FBI field offices and Legats.

To combat terrorism, the FBI’s Counterterrorism Division collects, analyzes, and shares information and critical intelligence with various federal agencies and departments—including the Central Intelligence Agency (CIA), the National Security Agency (NSA), and

It remains the FBI’s overriding priority to predict and prevent terrorist attacks. The threat posed by international terrorism, and in particular from Al Qaeda and related groups, continues to be the gravest we face.

—FBI Director Robert S. Mueller III

FBI agents taking part in an apartment arrest training exercise at the FBI Academy in Quantico, Virginia, as an instructor looks on. Student agents chosen for the course receive classroom and shooting-range instruction and act out crime and arrest scenarios at a mock-up town called Hogan’s Alley. The academy, which began operations in 1935 in Washington, D.C., covers more than 300 acres and has produced more than 30,000 graduates. What are the core values of the FBI?

Vince Lupo/AP Wide World Photos
FBI Retools Most Wanted List

Those grainy mug shots, once confined to post office lobbies, are coming to a billboard near you.

The FBI is retooling its Ten Most Wanted list into an increasingly multimedia international appeal for help as it tries to keep its signature program relevant in a crowded media landscape.

“We’re trying to exploit every opportunity,” FBI spokesman Chris Allen says. The strategy is “probably pretty surprising for a government agency.”

Among the changes:

- Launching a billboard campaign. In 2007, the FBI began featuring top fugitives on billboards in 20 cities.
- Expanding the list’s international reach. The FBI is building on its broadcast alliance with the popular America’s Most Wanted TV show to solicit tips on similar programs in Hungary, Israel, the Netherlands, Great Britain and Germany.
- Posting video. The FBI has video of the most recent sightings of some fugitives on its Top 10 website.

In the billboard deal with Clear Channel Outdoor Holdings Inc., which is donating the space, the FBI will get access to about 150 electronic billboards, Allen says.

In Los Angeles, images of Most Wanted suspect Emigdio Preciado Jr., accused in the attempted murders of two sheriff’s deputies, are on display throughout the city.

Marine Cpl. Cesar Laurean, a suspect in the murder of pregnant Lance Cpl. Maria Lauterbach, is not on the Top Ten list, but his image appears on some billboards.

As of December [2007], 489 fugitives had appeared on the list since it began in 1950. Of those, 458 have been located, at least 150 with citizen help, the FBI says. Agents hunt for an estimated 12,000 fugitives at a time.

Rex Tomb, a former chief of the FBI’s investigative publicity unit, says the list reflects the evolving nature of crime. The bureau added Osama bin Laden after the 1998 U.S. embassy bombings in Africa. “In the 1950s, it was bank robbery,” Tomb says. “Now, you see bin Laden up there.”

[In 2007, the bureau] quietly removed accused cop killer Donald Eugene Webb from the Top 10, marking only the sixth time a fugitive was taken off before capture.

One of the fugitives on the FBI’s Ten Most Wanted list, Jon Savarino Schillaci, a convicted sex offender wanted for the sexual assault of a young boy in Deerfield, New Hampshire. The crime occurred in 1999, and Schillaci had been on the FBI’s Most Wanted List for ten years before his capture in 2008.

How is the FBI changing the way it uses new media and other outlets to publicize information about fugitives who are on the list?


the Department of Homeland Security (DHS)—and with law enforcement agencies throughout the country. An essential weapon in the FBI’s battle against terrorism is the Joint Terrorism Task Force (JTTF). A National JTTF, located at the FBI’s Washington headquarters, includes representatives from the Department of Defense, the Department of Energy, the Federal Emergency Management Agency, the Central Intelligence Agency, the Customs Service, the Secret Service, and U.S. Immigration and Customs Enforcement. In addition, through 66 local JTTFs, representatives from federal agencies, state and local law enforcement personnel, and first responders coordinate efforts to track down terrorists and to prevent acts of terrorism in the United States.
In 2009, following crises in the nation’s economic sector, mortgage and financial fraud investigations began to once again consume a significant amount of investigative effort. Deputy FBI Director John S. Pistole, told the Senate Judiciary Committee on February 11, 2009, that the FBI had created a National Mortgage Fraud Team at FBI Headquarters, and “increased its agent and analyst manpower working mortgage fraud investigations.”

One new tool used by the agency is a property flipping analytical computer application that searches property transaction records to identify persons and companies who purchase properties and artificially inflate their value through fake appraisals before putting them back on the market.

### STATE-LEVEL AGENCIES

Most state police agencies were created in the late nineteenth or early twentieth century to meet specific needs. The Texas Rangers, created in 1835 before Texas attained statehood, functioned as a military organization responsible for patrolling the republic’s borders. The apprehension of Mexican cattle rustlers was one of its main concerns. Massachusetts, targeting vice control, was the second state to create a law enforcement agency. Today, a wide diversity of state policing agencies exists. Table 5–3 lists typical state-sponsored law enforcement agencies.

State law enforcement agencies are usually organized after one of two models. In the first, a centralized model, the tasks of major criminal investigations are combined with the patrol of state highways. Centralized state police agencies generally do the following:

- Assist local law enforcement departments in criminal investigations when asked to do so.
- Operate centralized identification bureaus.
- Maintain a centralized criminal records repository.

**TABLE 5–3 American Policing: State Law Enforcement Agencies**

| Alcohol law enforcement agencies | Port authorities | State police |
| Fish and wildlife agencies | State bureaus of investigation | State university police |
| Highway patrols | State park services | Weigh station operations |

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FBI Director Robert S. Mueller III explaining his agency’s shift in priorities following the 2001 terrorist attacks on the World Trade Center and the Pentagon. How has the FBI’s mission changed since the events of September 11, 2001?

Every day as a police officer you get to be a different person. In that regard it is the best job in the world. You get to play many roles: rabbi, lawyer, social worker, psychiatrist.

—New York police officer Salvatore Maniscalco

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Every day as a police officer you get to be a different person. In that regard it is the best job in the world. You get to play many roles: rabbi, lawyer, social worker, psychiatrist.

—New York police officer Salvatore Maniscalco
The FBI's New Information Technology: The eGuardian System

An NYPD detective is e-mailed a photograph of two suspicious men who appear to be casing the Brooklyn Bridge. Her department uploads the picture and inputs details about the pair into a computerized, Internet-based system called eGuardian, looking for similar incidents. There's a match. Two men fitting the description were spotted 48 hours earlier, photographing the Washington Monument and are being sought for questioning. The NYPD report is sent via eGuardian to the state's fusion center, which reviews it and then passes it along to the FBI's New York Joint Terrorism Task Force, which will in turn share it with D.C. investigators.

It's purely a hypothetical scenario, but it's exactly the kind of dot-collecting and dot-connecting that will soon be possible between law enforcement and intelligence players at every level of government across the country.

The FBI's eGuardian system—which is being piloted by several agencies and is expected to be rolled out in phases nationwide by the end of 2009—will enable near real-time sharing and tracking of terror information and suspicious activities with the FBI's local, state, tribal, and federal partners. It's actually a spin-off of a similar but classified tool called Guardian that has been used inside the bureau—and shared with vetted partners—for the past four years.

HOW eGUARDIAN WORKS

FBI field offices and legal attaché offices overseas input suspicious activity reports, potential terrorism threats (like a phoned-in bomb threat), and terrorist incidents (like actual bombings) into the Guardian system. This information is tracked, triaged, searched, and analyzed by agents and analysts at FBI headquarters, and—if appropriate—submitted to one of the FBI's 106 Joint Terrorism Task Forces around the country for further action.

The new system, eGuardian, will work in a very similar way, except that it will be available through the FBI's secure Law Enforcement Online Internet portal to more than 18,000 agencies, which will be able to run searches and input their own reports. Each entry will be automatically sent to a state fusion center (or a similar intelligence-based hub) for vetting, where trained personnel will evaluate it and then either monitor it, close it, or refer it to the appropriate FBI terror task force. Ultimately, eGuardian will add additional capabilities like geospatial mapping, live chats, and link analysis.

Guardian and eGuardian will work together, feeding each other. eGuardian entries with a possible terrorism nexus will be pushed to Guardian and out to the FBI's task forces, and unclassified threat and suspicious activity information from the FBI housed in Guardian will be pushed to eGuardian and shared with the entire law enforcement community. It's an effective one-two punch.

Urgent matters and investigative issues, however, will continue to be worked with state and local law enforcement through existing FBI channels.

What happens if an incident has no probable link to terrorism? The report will be deleted to ensure personal data are not being needlessly stored. If the information is deemed to be inconclusive, it will remain in eGuardian for up to five years, in accordance with federal regulations.

The FBI's eGuardian technology will enable information to flow and dots to be connected in powerful new ways. By making the jobs of law enforcement easier, it will help make communities safer.

States that use the decentralized model usually have a number of other adjunct state-level law enforcement agencies. North Carolina, for example, has created a State Wildlife Commission with enforcement powers, a Board of Alcohol Beverage Control with additional agents, and a separate Enforcement and Theft Bureau for enforcing certain motor vehicle and theft laws. Learn more about state-level law enforcement agencies by visiting Web Extra 5–9 and Library Extra 5–3 at MyCrimeKit.com.

LOCAL AGENCIES

Local police agencies, including city and county agencies, represent a third level of law enforcement activity in the United States. The term local police encompasses a wide variety of agencies. Municipal departments, rural sheriff’s departments, and specialized groups like campus police and transit police can all be grouped under the “local” rubric. Large municipal departments are highly visible because of their vast size, huge budgets, and innovative programs. The nation’s largest law enforcement agency, the New York City Police Department (NYPD), for example, has about 45,000 full-time employees, including about 37,800 full-time sworn officers.41 Learn more about the NYPD via “Inside the Department” podcasts available via Web Extra 5–10 at MyCrimeKit.com.

Far greater in number, however, are small-town and county sheriff’s departments. There are approximately 12,760 municipal police departments and 3,070 sheriff’s departments in the United States.42 Every incorporated municipality in the country has the authority to create its own police force. Some very small communities hire only one officer, who fills the roles of chief, investigator, and night watch—as well as everything in between. The majority of local agencies employ fewer than ten full-time officers, and about three in eight agencies (more than 7,000 in all) employ fewer than five full-time officers. These smaller agencies include 2,200 (or 12%) with just one full-time officer and 1,160 (or 6%) with only part-time officers.43 A few communities contract with private security firms for police services, and still others have no active police force at all, depending instead on local sheriff’s departments to deal with law violators.

City police chiefs are typically appointed by the mayor or selected by the city council. Their departments’ jurisdictions are limited by convention to the geographic boundaries of their communities. Sheriffs, on the other hand, are elected public officials whose agencies are responsible for law enforcement throughout the counties in which they function. Sheriff’s deputies mostly patrol the “unincorporated” areas of the county, or those that lie between municipalities. They do, however, have jurisdiction throughout the county, and in some areas they routinely work alongside municipal police to enforce laws within towns and cities.

Sheriff’s departments are generally responsible for serving court papers, including civil summonses, and for maintaining security within state courtrooms. Sheriffs also run county jails and are responsible for more detainees awaiting trial than any other type of law enforcement department in the country. For example, the Los Angeles County Jail System, operated by the Custody Operations Division of the L.A. County Sheriff’s Department (LASD), is the largest in the world.44 With eight separate facilities, the custody division of the LASD has an average daily population of 18,423 inmates—considerably more than the number of inmates held in many state prison systems. More than 2,200 uniformed officers and 1,265 civilian employees work in the custody division of the LASD, and that division alone operates with a yearly budget in excess of $200 million.45

Sheriff’s departments remain strong across most of the country, although in parts of New England, deputies mostly function as court agents with limited law enforcement duties. One report found that most sheriff’s departments are small, with more than half of them employing fewer than 25 sworn officers.46 Only 12 departments employ more than 1,000 officers. Even so, southern and western sheriffs are still considered the “chief law enforcement officers” in their counties. A list of conventional police agencies found at the local level is shown in Table 5–4. For information on selected local law enforcement agencies, visit Web Extra 5–11 at MyCrimeKit.com. Visit Library Extras 5–4 and 5–5 to learn more about staffing levels at local and state police agencies.
PRIVATE PROTECTIVE SERVICES

Private protective services constitute a fourth level of enforcement activity in the United States today. While public police are employed by the government and enforce public laws, private security personnel work for corporate employers and secure private interests.

Private security has been defined as “those self-employed individuals and privately funded business entities and organizations providing security-related services to specific clientele for a fee, for the individual or entity that retains or employs them, or for themselves, in order to protect their persons, private property, or interests from various hazards.” The growth in the size of private security in recent years has been phenomenal. In 2002, for example, $212.7 million was spent for security arrangements at the Olympic winter games in Salt Lake City, Utah—leading to the employment of more than 40,000 private security personnel in association with the event. Only two years later, in 2004, however, official estimates put the total amount spent to secure the Olympic Games in Athens at $1.5 billion—or $283 per paid ticket. Given Greece’s geopolitical situation and its proximity to the Balkans and the Middle East, officials in Athens wanted to be sure they could prevent terrorist attacks.

ASIS International, with more than 33,000 members, is the preeminent international organization for private security professionals. ASIS International members include corporate security managers and directors, as well as architects, attorneys, and federal, state, and local law enforcement personnel. Founded in 1955, ASIS International, formerly known as the American Society for Industrial Security, is dedicated to increasing the effectiveness and productivity of security professionals by developing educational and certification programs and training materials that address the needs of the security profession. ASIS also actively promotes the value of security management to business, the media, governmental entities, and the public. The organization publishes the industry magazine Security Management.
With 204 chapters worldwide, ASIS administers three certification programs: (1) the Certified Protection Professional (CPP) program, which provides for board certification in security management; (2) the Physical Security Professional (PSP) program, which provides a technical certification opportunity for specialists in physical plant security; and (3) the Professional Certified Investigator (PCI) program. Holders of PCI certification have satisfactorily demonstrated significant education and/or experience in the fields of case management, evidence collection, and case presentation. ASIS also promotes the importance of ethical standards in the private security sector. The ASIS International Code of Ethics can be found in the “Ethics and Professionalism” box in this chapter. Visit ASIS online via Web Extra 5–12 at MyCrimeKit.com. The ASIS Security Toolkit, consisting of advisories, guidelines, case studies, information, news, and advice in the area of private security, can be seen at Web Extra 5–13.

A report released by the National Institute of Justice in 2001, entitled The New Structure of Policing, found that “policing is being transformed and restructured in the modern world” in ways that were unanticipated only a few decades ago. Much of the change is due to the development of private protective services as an important adjunct to public law enforcement activities in the United States and throughout much of the rest of the world. The NIJ report says that “the key to understanding the transformation is that policing, meaning the activity of making societies safe, is no longer carried out exclusively by governments” and that the distinction between private and public police has begun to blur. According to the NIJ, “gradually, almost imperceptibly, policing has been ‘multilateralized,’” meaning that “a host of nongovernmental agencies have undertaken to provide security services.” As a result, the NIJ report says, “policing has entered a new era, an era characterized by a transformation in the governance of security.” The report concludes the following:

- In most countries, certainly in the democratic world, private police outnumber public police.
- In these same countries, people spend more time in their daily lives in places where visible crime prevention and control are provided by nongovernmental groups rather than by governmental police agencies.
- The reconstruction of policing is occurring worldwide despite differences in wealth and economic systems.

View the NIJ report in its entirety at Library Extra 5–6 at MyCrimeKit.com.

According to the National Center for Policy Analysis, private security personnel outnumber public law enforcement officers in the United States by nearly three to one. The widely cited Hallcrest Report II, another important document describing the private security industry, says that employment in the field of private security is anticipated to continue to expand by around 4% per year, whereas public police agencies are expected to grow by only 2.8% per year for the foreseeable future. Still faster growth is predicted in private security industry revenues, which are expected to increase about 7% per year, a growth rate almost three times greater than that projected for the gross national product. Table 5–5 lists the ten largest private security agencies in business today and some of the services they offer.

Major reasons for the quick growth of the American proprietary security sector include “(1) an increase in crimes in the workplace, (2) an increase in fear (real or perceived) of crime and terrorism, (3) the fiscal crises of the states, which have limited public protection, and (4) an increased public and business awareness and use of . . . more cost-effective private security products and services.”
The Conch Republic

The citizens of the tiny island town of Key West, Florida, have always prided themselves on being different. Hence it should have come as no surprise when, on April 23, 1982, the island’s mayor issued a proclamation seceding from the United States and declaring Key West a new nation named the Conch Republic. The decision to withdraw from the Union came in reaction to a 19-mile-long traffic jam created when authorities from the Task Force on South Florida Crime set up a checkpoint on U.S. 1—the only highway traversing the Florida Keys. Law enforcement officers used the checkpoint to examine the driver’s licenses of travelers leaving the Keys and meticulously searched vehicles looking for contraband and illegal immigrants. At the time of the roadblock, at least one law enforcement official estimated that up to 80% of all marijuana and cocaine entering the nation was coming through south Florida, and Key West was said to be the “drug-smuggling capital of America.”

In 1982, as today, the primary legal industry in Key West was tourism, and island officials feared that long delays at police roadblocks would keep visitors away. Protests about the roadblock were lodged with the White House, the Florida governor’s office, and U.S. congressional offices—all to no avail. Then-Vice President George H. W. Bush’s press secretary issued a statement saying, “You have illegal immigrants and crime on the streets... There’s going to be some inconvenience. I think most people would want a little inconvenience compared to having grocery stores held up and senior citizens mugged in the streets.”

Island officials, however, didn’t agree and hired an attorney to seek an injunction against the roadblock, arguing that it violated the Fourth Amendment’s restriction against unreasonable search and seizure. “Unless they see the hand of a Haitian sticking out of the trunk or marijuana wafting out of the car, they don’t have probable cause,” said David Horan, the town’s attorney. When the roadblock remained in place, island leaders issued a secession proclamation and promptly applied to the U.S. government for foreign aid.

For its part, the U.S. government ignored the secession movement, but the roadblock was quietly removed two months after it was put in place. Island residents, however, still celebrate April 23 as the day when, as one former Key West mayor put it, “the brave men and women of the Conch Republic gave up their lunch hour to secede from the United States.”

YOU DECIDE

Although Key West’s secession was never taken very seriously by the people involved in it nearly 30 years ago, it illustrates an undeniable tension between freedom and security that continues to characterize American society today. How would you describe that tension in your own words? Are Americans today more or less willing to sacrifice some of their personal rights and freedoms in the interest of safety than they were 30 years ago?


Private agencies provide tailored policing funded by the guarded organization rather than through the expenditure of public monies. Experts estimate that the money spent on private security in this country exceeds the combined budgets of all law enforcement agencies—local, state, and federal. Contributing to this vast expenditure is the federal government, which is itself a major employer of private security personnel, contracting for services that

### TABLE 5–5 American Policing: Private Security Agencies

| The Largest Private Security Agencies in the United States |
|-----------------|-----------------|-----------------|
| American Protective Services | Pinkerton’s, Inc. | Wells Fargo Guard Services |
| Burns International Security Services | | |
| Private Security Services | | |
| Airport security | Computer/information security | Nuclear facility security |
| ATM services | Executive protection | Railroad detectives |
| Bank guards | Hospital security | School security |
| Company guards | Loss-prevention specialists | Store/mall security |

range from guards to highly specialized electronic snooping and computerized countermeasures at military installations and embassies throughout the world.

There are indications that private security activities are rapidly growing beyond traditional guard services to encompass dedicated efforts at security-related intelligence gathering. In August 2004, for example, the Department of Homeland Security warned that terrorists might be actively targeting Citigroup, Prudential, the New York Stock Exchange, and other large financial institutions on the East Coast of the United States. At the same time, however, Austin-based Stratfor, Inc., a low-profile private intelligence agency run by former CIA officers, was quietly assuring its clients that such an attack was very unlikely, saying that “Al Qaeda has never attacked into an alert.”

According to security investment firm Morgan Keegan, overall spending on corporate security, including intelligence, will amount to around $50 billion in 2005. The total includes spending on physical security, Internet safeguards, staff screening and training, and terrorist and related intelligence analysis.

Integrating Public and Private Security

As the private security field grows, its relationship to public law enforcement continues to evolve. Some argue that “today, a distinction between public and private policing is increasingly meaningless.” As a result, the focus has largely shifted from an analysis of competition between the sectors to the recognition that each form of policing can help the other.

One government-sponsored report makes the following policy recommendations, which are designed to maximize the cooperative crime-fighting potential of existing private and public security resources:

1. The resources of proprietary and contract security should be brought to bear in cooperative, community-based crime prevention and security awareness programs.
2. An assessment should be made of (1) the basic police services the public is willing to support financially, (2) the types of police services most acceptable to police administrators and the public for transfer to the private sector, and (3) which services might be performed for a lower unit cost by the private sector with the same level of community satisfaction.

3. With special police powers, security personnel could resolve many or most minor criminal incidents prior to police involvement. State statutes providing such powers could also provide for standardized training and certification requirements, thus assuring uniformity and precluding abuses. . . . Ideally, licensing and regulatory requirements would be the same for all states, with reciprocity for firms licensed elsewhere.

4. Law enforcement agencies should be included in the crisis-management planning of private organizations. . . . Similarly, private security should be consulted when law enforcement agencies are developing SWAT special weapons and tactics and hostage-negotiation teams. The federal government should provide channels of communication with private security with respect to terrorist activities and threats.

5. States should enact legislation permitting private security firms access to criminal history records in order to improve the selection process for security personnel and also to enable businesses to assess the integrity of key employees.

Law enforcement can ill afford to continue its traditional policy of isolating and even ignoring the activities of private security.
—National Institute of Justice

Without close scrutiny, it has become difficult to tell whether policing is being done by a government using sworn personnel, by a government using a private security company, by a private security company using civilian employees, by a private company using public police, or by a government employing civilians.
—David H. Bayley and Clifford D. Shearing
THINKING ABOUT ETHICS

1. The ASIS code of ethics says, “A member shall observe the precepts of truthfulness, honesty, and integrity.” Why are these qualities important in a security professional?

2. Why is it important for security personnel to “safeguard confidential information and exercise due care to prevent its improper disclosure”? What might happen if they didn’t?

6. Research should . . . attempt to delineate the characteristics of the private justice system; identify the crimes most frequently resolved; assess the types and amount of unreported crime in organizations; quantify the redirection of the public criminal justice workload . . . and examine the . . . relationships between private security and . . . components of the criminal justice system.

7. A federal tax credit for security expenditures, similar to the energy tax credit, might be a cost-effective way to reduce police workloads.

One especially important policy area involves building private security/public policing partnerships to prevent terrorism and to respond to threats of terrorism. A 2004 national policy summit report, jointly authored by the International Association of Chiefs of Police and the 30,000-member ASIS International, says that despite similar interests in protecting people and property in the United States, public police and private security agencies have rarely collaborated. The report notes, however, that as much as 85% of the nation’s critical infrastructure is protected by private security. It goes on to say that “the need for complex coordination, extra staffing, and special resources” in the light of possible terror attacks, “coupled with the significant demands of crime prevention and response, absolutely requires boosting the level of partnership between public policing and private security.” The full national policy summit report is available at Library Extra 5–7 at MyCrimeKit.com.
American police departments owe a historical legacy to Sir Robert Peel and the London Metropolitan Police. Although law enforcement efforts in the United States were based to some degree on the British experience, the unique character of the American frontier led to the growth of a decentralized form of policing throughout the United States.

Police agencies in the United States function to enforce the statutes created by law-making bodies, and differing types and levels of legislative authority are reflected in the diversity of police forces in our country today. Consequently, American policing presents a complex picture that is structured along federal, state, and local lines.

Dozens of federal law enforcement agencies are distributed among 14 U.S. government departments and 28 nondepartmental entities, and each federal agency empowered by Congress to enforce specific statutes has its own enforcement arm. The FBI may be the most famous law enforcement agency in the country and in the world. The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.

State law enforcement agencies have numerous functions, including assisting local law enforcement departments in criminal investigations when asked to do so, operating centralized identification bureaus, maintaining a centralized criminal records repository, patrolling the state’s highways, and providing select training for municipal and county officers. State law enforcement agencies are usually organized after one of two models. In the first, a centralized model, the tasks of major criminal investigations are combined with the patrol of state highways. The second state model, the decentralized model, draws a clear distinction between traffic enforcement on state highways and other state-level law enforcement functions by creating at least two separate agencies.

Local police agencies represent a third level of law enforcement activity in the United States. They encompass a wide variety of agencies, including municipal police departments, rural sheriff’s departments, and specialized groups like campus police and transit police.

Private protective services constitute another level of law enforcement. While public police are employed by the government and enforce public laws, private security personnel work for corporate or private employers and secure private interests. Private security personnel outnumber public law enforcement officers in the United States by nearly three to one, and private agencies provide tailored protective services funded by the guarded organization rather than by taxpayers.

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**questions for review**
1. Describe the historical development of policing in America. What impact did the Prohibition era have on the development of American policing?
2. What are the three levels of public law enforcement described in this chapter?
3. Identify a number of significant federal law enforcement agencies, and describe the responsibilities of each.
4. Explain the role that state law enforcement agencies play in enforcing the law, and describe the two major models of state law enforcement organization.
5. What different kinds of local law enforcement agencies exist in the United States today? What role does each agency have in enforcing the law?

6. Describe the nature and extent of private protective services in the United States today. What role do you think they will play in the future?

1. Why are there so many different types of law enforcement agencies in the United States? What problems, if any, do you think are created by having such a diversity of agencies?

4. How can the quality of private security services be ensured?

2. What is evidence-based policing? What assumptions about police work have scientific studies of law enforcement called into question? What other assumptions made about police work today might be similarly questioned or studied?

5. What is the relationship between private security and public policing in America today? How might the nature of that relationship be expected to change over time? Why?

Discuss your answers to these questions and other issues on the CJ Today e-mail discussion list (join the list at MyCrimeKit.com).

Go to MyCrimeKit.com to explore the following study tools and resources specific to this chapter:

- Chapter Quiz and More Practice: dozens of multiple-choice and true-false questions
- Flashcards: 18 flashcards to test your knowledge of the chapter’s key terms

Go to Chapter 5 of Criminal Justice Interactive to use the following resources and study tools:

- Web Quest: One Week in Heroin City—A Case Study
- Assignments: real-world essay questions about current issues, e-homework, opinion-based essay questions, and chapter projects for research and analysis
- Myths and Issues Videos: Myth versus Reality: CSI Solves Another One
  Issue 1: Women and Minorities in Law Enforcement
  Issue 2: Who Do the Police Represent?
- Simulation: Policing Styles. Apply three policing styles in different neighborhood crime scenarios.

Endnotes for this chapter can be found online at MyCrimeKit.com