

Winter 1940

Unified State-Wide Police Force

Victor A. Rapport

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Victor A. Rapport, Unified State-Wide Police Force, 30 *Am. Inst. Crim. L. & Criminology* 706 (1939-1940)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in *Journal of Criminal Law and Criminology* by an authorized editor of Northwestern University School of Law Scholarly Commons.

A UNIFIED STATE-WIDE POLICE FORCE

VICTOR A. RAPPORT*

A state-wide police under a single administration operating as the sole police authority has been hinted at tentatively, proposed moderately, but rarely thoroughly discussed. The usual consideration of a state police assumes it to replace only the rural police, but accepts a retention of municipal departments. Part of the reason for avoiding the topic has been political, while another cause has been the lack of factual information and comparative detail upon which to build a case. Recognizing the lack of specific data, it is proposed nevertheless to attempt an analysis of the arguments for and against a co-ordinated police system with a view to focusing attention on the problem.

The fundamental aim of a police system, whether it be a single state-wide organization or a series of autonomous jurisdictions, should be to secure the greatest measure of protection at the least expense to the taxpayers. With this premise, one faces great difficulties in defining his terms. Virtually unanswerable questions present themselves. How is one to determine what constitutes "the greatest measure of protection"? Shall expense be figured on a per capita basis? Is it more desirable to increase budgets vastly in order to reduce crime slightly? Questions of this type might be asked endlessly without receiving any measure of accord from persons answering them. Certain aspects of these questions will become evident in the discussion which follows.

Proponents and opponents of the single system argue from relatively the same grounds: economy, efficiency, training, political freedom, and so forth. While it is generally admitted that the antiquated sheriff and constable system fails in the rural areas, it is not universally accepted that a state police is the panacea, much less, that a single police system would remedy the deficiencies of the anachronistic organization. It is, therefore, reasonable that those favoring and those opposing the two methods of policing an area should argue from the same grounds, each with a measure of justification. In the final analysis, however, one method must be superior to the other, if not in all ways, at least in a majority.

* Associate Professor of Sociology, University of Connecticut, Storrs, Conn.

The determination of the relative desirability rests upon an acceptance of a majority of the premises. These will be considered, not in the order of their importance since such a ranking is not possible, but rather as a series of pertinent approaches.

The question of training is one of the foremost points upon which the older police system is attacked. As Bruce Smith points out,¹ the rural constabulary is rarely trained to cope with the modernized criminal; it almost never has the scientific approach of the centralized police. Against this argument is the proposition that the rural police, with their more intimate knowledge of their region and its inhabitants, have a distinct advantage over the stranger who comes from a remote organization. The friendship and local esteem enjoyed by the constable or sheriff will elicit more information, it is held, than will fingerprinting or moulage. In answer to this, it need not be pointed out that there is no reason why an officer of a centralized system must be remote; he may be assigned to local regions and build up his sources of information.

The equipment of the rural police is closely associated with their training. This also does not usually equal that of the larger organization. In a period of fast cars, radios, and teletype, the small town can hardly furnish its police with the materials which are rapidly becoming considered necessities in police work. The rural police will therefore find itself badly handicapped when set against the swift-moving criminal, while the state police is well prepared to deal with him.

Still another criticism of the rural police associated with their training is the fact that many of the constables and sheriffs are not full-time policemen. With only a portion of their time and efforts devoted to police work, and with their other employment being most frequently their principal source of financial support, it is inevitable that they suffer in comparison with the policeman who regards his work as a profession.

One of the points upon which agreement will probably never be reached is that of the comparative domination by political groups over the two systems. The proponents of the centralized police may argue that with one system it will be more difficult to secure political control since the system will be so large and powerful in itself. They further assert that with the tremendous number of small jurisdictions, a police *system* may be broken down in its effectiveness by the presence of numerous areas in which police policies are

¹ *Rural Crime Control*, New York, 1933, pp. 126, 130; *The State Police*, Macmillan, New York, 1925, pp. 15, 22.

dictated by self-seeking politicians. Every Chicago, they point out, may have its Cicero. The answer to these claims is, of course, that the harm to the community in the event that the centralized system becomes politics-ridden will be immeasurably greater than in any uncentralized police where at the very worst only a small proportion will be subject to outside control.

Closely allied with the problem of politics is an issue which has become in recent years an outstanding point of attack upon the idea of centralized police. The democratic populace of the United States is far from unmindful of the importance of a centralized police as a vehicle leading to dictatorship. For this reason, many persons who might otherwise support the principle of centralization shy from its application to police through a fear that there might well develop in the United States an organization comparable to the OGPU, the *Gestapo*, or the Fascist police. One pleading the cause of a single and unified police system is not necessarily open to attack as favoring the course of dictatorship since he can set up the counter-claim that under the method he proposes there are fewer potential dictators to protect against—that while a local Hague may have his “cossacks” the extension of such a vicious control on a state-wide basis would be more difficult and more vulnerable.

A chief source of complaint against the state police has been from labor organizations protesting its use in industrial disputes. Here, it is charged, the police is little more than a tool of the employer and acts as a strong force to defeat the right of unions. That such a charge is unwarranted when applied only to the state police should be obvious. One need only to consider the sheriffs of Harlan County to observe that non-centralized police may act in a far more brutal fashion than has ever been known of any state police organization. Further, the state police may be present in industrial disputes without arousing charges of unfairness. In the history of strikes in Connecticut, the Connecticut State Police has maintained a high degree of impartiality and is not considered unfriendly by organized labor.

The question of cost is one which both sides raise as an argument in their favor. Each maintains that its system is the least expensive, that it can produce the most for the least amount. As has been pointed out earlier, there is probably no real answer to this, since no general agreement can be found as to what constitutes economical policing. The annual cost of police maintenance in ten small Connecticut cities ranging from 15,000 to 30,000 population, for example, ran from a low of approximately \$1.75 to a high

of slightly over \$4.00 per capita. (It should be mentioned that there was no constant relation between size of community and costs within this group.) Naturally a function of these costs is the amount and type of protection given. As yet there has been no satisfactory application of a method of determining the effectiveness of police functioning, so that one cannot evaluate what a community is receiving for its police budget expenditure.² The champions of the single centralized system argue that much duplication of effort, and thus of cost, results from the polynucleated police, particularly as applied to overhead costs. They maintain that their method will give as much, if not more, protection, of a more effective type and at a lesser expense to the whole community. To this the small community responds that it best understands its own problems and that it would not engage in the useless over-policing which results from a large department which must justify its existence.

From within the police department itself comes the claim that under a centralized system a higher degree of discipline could be achieved. An inefficient or dishonest policeman, for example, would be out of police work forever once he were dropped by the only department. Under the present system, where too careful a check is not made by many departments, another police job may be secured by a dishonored member of a distant department. The unified system would encourage the officer to maintain the highest standards of integrity and professional attitude. To this claim, however, the policeman answers that under the single system injustice could be done the individual by his superior officer; an officer dropped as a result of personal bias would be permanently excluded from police work.

A further claim for the superiority of the centralized police revolves around the matter of arrest and presentation. It is held that a greater measure of impersonality would insure more fairness in the arrest of wrongdoers regardless of their local standing. Prominent citizens involved in infractions of the law would not be excused by a friendly local policeman; the state officer would have less direct dependence upon such a person. That there should be personalized treatment of offenders, however, is argued, as well as that there is relevance in a knowledge of a man's background and family. Granting that the village banker should not be excused for exceeding the speed limit, the mill-hand whose wife and children

² Such a method of measurement has been suggested by Spencer D. Parratt in an article "A Scale to Measure Effectiveness of Police Functioning," in *The Journal of Criminal Law and Criminology*, 23:5:739-756 (Jan.-Feb., 1938).

are dependent upon his small wages should not be presented and jailed for going on his "Saturday night drunk." The local constable knows about this family; the state trooper considers this man "just another drunkard." Whether the policeman or the prosecuting official should make the decision is a question in the minds of many.

A criticism of the antiquated system which cannot be attacked is the fee-system upon which many non-salaried sheriffs and constables operate. A vast number of such officers are dependent upon actual arrests for their incomes, and in many cases bring in offenders, generally for infractions of minor motor vehicle laws, upon the flimsiest evidence. A further wrong results from such instances since in many jurisdictions the officer must be paid regardless of the disposition of the case; rather than have the expense come from the town funds, the judge exonerates the driver upon payment of "costs of court." That such a type of police "racketeering" should be eliminated is indisputable.

The friction and jealousy existing among the several overlapping police departments is notable. One frequently observes operatives of three or more properly qualified groups attempting a solution of the same crime, but without passing on to each other the findings or results of their investigations. The state police seek credit for "breaking" the case and withhold information from county officers who, in turn, are concealing their evidence from representatives of the city or town police. Instances are not lacking of actual barriers being created by one group in an attempt to thwart the successful activities of another. A single police would eliminate this sabotage which wrecks the smooth operation of the wheels of justice. Defenders of the present system argue, however, that such friction need not exist, that departments may work together harmoniously with adequate credit being accorded all. Instances where two or more departments have cooperatively solved crimes are also very frequent.

The principal grounds of attack and defense of the two sides have now been examined. The time has come for an attempt to evaluate the claims and to arrive at a decision as to which of the systems of police, in the final analysis, is preferable. But before such a determination can be made, two additional questions must be answered.

The first of these is: Which system is better, assuming that both are operating under maximum efficiency?

The second question will be: Assuming that at all times there will be human frailties and certain injustices, in which of these

systems is there the lesser likelihood of the appearance of improprieties?

The assumption of operation under maximum efficiency may well be held impossible of achievement, yet it should not be completely ruled out of consideration. As police work becomes more and more professionalized, and as the current trend toward public demand for a divorce of politics and law enforcement grows, the opportunity for a police department to arrive at a peak of efficiency will increase. Allowing therefore the possibility of such an attainment, it seems to the writer that the single police system is the more desirable. For one thing, its jurisdiction would be wider than that of any local department—a distinct advantage where township or county lines impede the investigating or arresting officer. For another thing, the centralization of information and records would eliminate costly and inefficient duplication, and would bring together an invaluable store of criminal records and identifications. Another point in its favor is that of economy; only one set of police would work on a case, and large numbers of unnecessary officials could be eliminated. Even though the training of the police of a metropolitan department may be on a par with that of a state department, certainly the latter would have a more highly skilled and better equipped officer than that of the small rural community.

Accepting the assumption in the second question, the verdict still seems to be in favor of the centralized body. The larger body should be the more difficult one over which to secure improper control; its very size and importance should render it less open to corrupt influences. It is felt that the citizenry would regard it with a higher degree of respect, and would therefore demand for it a greater measure of protection, realizing that in the protection of their only police department lay their individual safety.

Viewing the situation as a whole, one is forced to reach the conclusion voiced by August Vollmer and Alfred E. Parker in their book, "Crime and State Police"³ in which they say ". . . the ideal to be sought is a single State Police force and complete elimination of village, town, municipal, county, and all miscellaneous state police forces. Until this ideal can be attained, smaller police units ought to be taken over by the state with the provision that larger municipalities may avail themselves of State Police service on a cost basis."

³ University of California Press, Berkeley, Calif., 1935, p. 208.