

1945

## American Journal of Police Science: Book Reviews

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## BOOK REVIEWS

**POLICE UNIONS AND OTHER POLICE ORGANIZATIONS.** International Association of Chiefs of Police—Washington, D. C., 1944. Pp. 30. \$.50.

The topical problem of police unions which has caused much controversy and sometimes had feelings in police departments is one that is perhaps misunderstood. The average police officer often assumes a biased viewpoint which is usually the result of misinformation.

In this 30 page printed booklet, the International Association of Chiefs of Police present an impartial, unbiased review of the police labor union movement, action taken in various cities prohibiting police affiliation with trade unions, legal aspects of unions of police employees, the Fraternal Order of Police, and complete legal citations, excerpts from legal opinions and departmental orders affecting police unions.

In the Foreword, Edward J. Kelly, executive secretary of the Association, introduces the problem as follows: "The issue of police unions has come increasingly into focus during the past few months. Where the question has been passed upon by jurists, corporation counsels, and city bodies, the prevalent majority opinion appears to be that police unions, affiliated with trade-labor organizations, are (1) contrary to the basic nature of police duties, (2) powerless to engage in collective bargaining or benefit from the closed shop, check-off system, or strike privileges, and (3) state and municipal governments are vested with constitutional authority to adopt a policy prohibiting public employees from affiliating with such organizations.

"Through all of the rulings and opinions appears the general conclusion that police agencies are semi-military in nature, and police officers, by the very nature of their duties, are required to forego certain personal privileges enjoyed by employees in private industry.

"It is a premise that any delegation of authority vested in public officers, not sanctioned by law, is an act violating the constitutional mandates of our country. It follows that no police chief or other municipal official may legally surrender or relinquish his unfettered control of the police department to meet the demands of a union. A democratic system of government depends upon the unbiased and impartial enforcement of laws adopted by the people through constitutional processes and the unquestioned loyalty and devotion to duty of the men who are entrusted with this most important branch of democratic government.

"The International Association of Chiefs of Police has collected in this bulletin a record of action taken in various jurisdictions with respect to police unions. It is presented for the information of police administrators and other public officials who may be confronted with the necessity of passing upon the legality or propriety of recognition of such an organization in their jurisdiction."

There is a wealth of information packed into the 30 pages of this Bulletin. The Boston Union Precedent, The Police Union Movement, Bans on Police Union Organizations, Legal Aspects of Unions of Public Employees and Other Police Organizations are the discussion headings.

Do police officers realize what a police union could or could not accomplish for them? This little booklet points out that there are many legal citations and legal precedents which bear out the distinctive nature of the obligations and duties of a policeman which supersede the normal personal prerogatives of private employees.

Union benefits to private employees are usually termed collective bargaining in matters pertaining to wage and working conditions, the closed shop, the check-off system, and the strike to enforce these benefits.

1. *Collective Bargaining.* This benefit is denied to police employees, since courts of the nation have declared that a municipality, county or state is without power to enter into collective bargaining agreements with its employees. Appropriations for police salaries are fixed by statute or through certain statutory provisions. The legislative body of the state, county or municipality cannot bargain away or delegate its statutory powers and responsibilities.

2. *The Closed Shop.* The closed shop benefit is denied to police employees. Statutes, charters, civil service rules and regulations stemming from statutory provisions, departmental rules, or other instruments define the procedure under which police employees are selected and appointed. In public employment there can be no discrimination of citizen against citizen, of union member against non-union member, where other eligibility requirements are met. This has been declared by courts of the nation.

3. *The Check-Off System.* The check-off system provides that the employer shall deduct at stated intervals the union membership fees of a union member. This cannot apply to police union members, since state or local governments cannot be used as an agency for the collection of private debts.

4. *The Strike.* Police union members cannot exercise the right of strike to enforce demands. In almost every instance where there has been agitation for a labor union, or where such union has been organized, the constitution contains a no-strike clause. The American Federation of Labor in March, 1943, at meeting of the General Executive Board of the American Federation of State, County and Municipal Employees, directed that a no-strike provision be included in all charters issued to affiliated local unions which comprise police officers. Public opinion is so overwhelmingly against strikes by police officers that to exercise this weapon of private employees would bring immediate disaster to the group. It was demonstrated in Jackson, Mississippi, when 36 officers were dismissed for failing to withdraw from a police union. It was demonstrated in Boston in 1919.

Therefore, if the original tenets and expressed objectives of a recognized trade or labor union are to be adhered to, there is very little advantage, if any, offered to police officers by union membership. Police employees, along with other public employees, are now contributing generously to charitable and welfare causes in addition to deductions for retirement benefits, and perhaps the only privilege afforded them by union membership would be that of adding union dues to their already sizeable contribution list.

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