

The Trajectory/Historical Evolution of Police in The United State of America

Internship Based Project

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Abstract

The state of any country's criminal justice system plays an important role in the growth and development of such a country politically, economically, and socially. A healthy criminal justice system facilitates an enabling environment for equal growth, equal distribution of resources, and accountability from those in power down to the ordinary citizens. Lately, the American criminal justice system, especially law enforcement agencies, has faced backlash from the media, business entities, private sectors, religious leaders, and even a handful of politicians over their physical conduct and practices, especially when engaging with people of color. This research explored the trajectory/historical evolution of police in the United States of America by looking at the recent encounter between a black person (George Floyd) in relation to other historical incidents between police and people of color. This research adopted a quantitative strategy and interpretivism approach because it makes use of external data i.e., already existing data. The findings showed that law enforcement has grown positively from 1838 to the present but, the approach of some officers especially white or non-black when engaging a person or people of color especially an African American male hasn't seen a tremendous positive change.

LAW ENFORCEMENT

Law enforcement according to the Bureau of Justice and Statistics, “describes the individuals and agencies responsible for enforcing laws and maintaining public order and safety. Law enforcement includes the prevention, detection, and investigation of crime, and the apprehension and detention of individuals suspected of law violation” (bjs.gov). This branch of the criminal justice system is not only supposed to enforce laws, but prevent crimes, investigate crimes and apprehend violators, protect civil rights and liberties, and provide social services in the communities that they serve. But recently law enforcement agents have looked down on their responsibilities to protect as has been witnessed in countless deaths of civilians in the hands of officers especially the death of Mr. George Floyd in the hands of officer Derek Chauvin on May 25, 2020. These repeated incidents involving the deaths and horrible treatments of people of color in the hands of especially white officers begs an answer to the question... Has law enforcement evolved positively?

Law enforcement in the United States closely followed the development of law enforcement in England. It was informal, communal, its members were volunteers, and it was watched over by the constable. The U.S. modern police force is many at times thought to be as old as the nation itself but, that’s not actually the case. “The U.S. law enforcement is a relatively modern invention, sparked by changing notions of public order, driven in turn by economics and politics” (time.com). This branch of the Criminal Justice System that is charged with the responsibility of enforcing laws was derived from the incompetence of The Watch system of policing during the colonial American era. Before law enforcement, the night watchers were created in the colonies in the north, while a group of white men (KKK) organized into *slave patrols* in the colonies in the south. These slave patrols were responsible for controlling,

returning, and punishing runaway slaves. “The Watch policing system was an informal policing system privately funded with volunteer workers who sign up to work certain days and hours and “whose primary duty was to warn of impending danger” (plsonline.eku.edu).

Although night-watchers were supervised by constables to ensure efficiency, the policing system was seen by the community as corrupt and cruel hence, it wasn't a well-sought job and even the already employed/volunteered men, “didn't want to wear badges because the job had bad reputations, hence they didn't want to be identified as people that other people didn't like”. This echoes the feelings of many officers of today as the bridge between communities and police has collapsed. Effective and progressive policing relies on “strong relationships of mutual trust between police and the community they serve” (U.S Department of Justice, n.d.). Today, there are training and courses that prepare law enforcement officers on how to deescalate issues as opposed to the night-watch system of policing with unskilled personnel and limited numbers of men. Yet the institution is riddled with incidents that can only be associated with early forms of law enforcement.

It was not until 1800 that Richmond, Virginia, created a full-time police force only after Gabriel Prosser led a slave uprising (Cater, 2015). Other cities started making the police a full-time occupation all the effort to subdue black people. And decades after the Civil War, the South continued to worry about its restive black population (Cater, 2015). The North, meanwhile, continued to rely on variants of the watch system. In the 1800s, changes in American society forced changes in law enforcement. Specifically, the processes of industrialization, urbanization, and immigration and few enslaved blacks become free men. These propelled a new fear in the South and forced the Southern cities to hire black officers in large part because they were thought to have expertise in how to deal with the formerly enslaved population (Cater, 2015) and

not because the institution thought that they were qualified. As citizens left rural areas to the urban areas in search of employment, unsanitary living conditions and poverty hence characterized American cities. These poor areas that are predominantly inhabited by immigrant and formerly enslaved populations were tagged by police as areas of increased crime and disorderliness. Hence the new police force with the establishment of formal training, academies, and oversight (Cater, 2015) swooped in to maintain orderliness. By this time, a certain image of police—tough, well-armed, often cruel – was established in the popular imagination (Cater, 2015). The imagination formed an attitude of resentment in the black communities hence a series of riots occurred throughout the 1830s in numerous American cities because immigrants and blacks saw the police as an institution created to keep them in their place – the same way black Southerners viewed the slave patrols.

Similarly, is the riot that broke out in response to the death of George Floyd, a 46-year-old black man, after a convenience store employee called 911 and told the police that Mr. Floyd had bought cigarettes with a counterfeit \$20 bill (Hill, et al., 2020). Many of these riots were the result of poor living conditions, poverty, and police actions towards people of color. In the celebrated South Carolina case of *State v. Boozer* (1850), an entire patrol was fined after attacking a group of slaves gathered for quilting. These slaves had tickets from their masters allowing them to attend. These officers were not fined because they broke the law or infringed a Blackman's human rights, the ruling of course stemmed from the felt need to protect the property of the masters. The slave patrol of Charleston, South Carolina, had more members than any city police force in the North. Despite legal codes purporting to control them, the patrollers were feared and reviled for their cruelty. A freedman named Lewis Garrard Clarke wrote that the

patrols were "the tooth and tongue of serpents ... the fool's cap of baboons ... the scum of stagnant pools ... the meanest, and lowest, and worst of all creation."

As stated earlier, Southern cities hired black officers because of an easier and better relationship it would create with the formal enslaved population. However, the Black policemen were not able to arrest whites. This fair treatment when it comes to arresting between a white and a black person is still evident today. Unarmed black man, Edward Eugene Garner was shot and killed while fleeing but white Dzhokhar Anzorovich, the Boston Bomber was carefully arrested. Law enforcement depends on two things, the environment it exists in and the people it serves. Although the functions of law enforcement may evolve, their roles and responsibilities stay the same; to maintain law and order. The responsibility or job of the police has traveled miles from the Watch System of Policing to something endearing, complex, and somewhat more dangerous. Today the police force is saddled with various responsibilities. They also get involved in social service functions, tracking, altering, controlling, and monitoring crime. They also engage in "problem-solving partnerships with the citizens" to "create a healthy, crime-free environment" (Hess, Orthmann, & Cho 2015). The purpose of law enforcement according to an online source is, "to ensure the preservation of peace and public and public safety through the enforcement of local, state, and federal laws, and by providing support and assistance during emergency or crisis situations". (www.duluthmn.gov).

Law enforcement operates to achieve its purpose. First, they "patrol designated districts to ensure the preservation of peace and public safety". By this, they "inspect persons, places, and properties exposed to crime". They also "identify, report, and/or correct hazards to public safety, provide services for public convenience, monitor and enforce compliance with laws, direct traffic, administer specialized tests to determine illegal drug or alcohol consumption, establish

and maintain professional relationships with the general public, and maintain a positive, visible law enforcement presence in the community”. Second, according to the above source, law enforcement agents identify, apprehend, and assist in the prosecution of suspected violators of the law. By this the agency, “respond to and document reports of crime, stop, detain, and search persons suspected of criminal activity, plan, conduct, and coordinate investigations, interview, question, interrogate victims/complainants, witnesses, informant, and suspects, collect and preserve evidence, execute search and/or arrest warrants, using only the appropriate level of physical force necessary”. Third, law enforcement according to (duluthmn.gov) also “respond to non-emergency, emergency, and crisis situations' ' mainly to establish control during critical situations or civil disorders. They also according to the source “assist in calming neighborhood and family disputes and administer first aid in cases of injury”.

Society needs law enforcement because humans are naturally violent and need external power or authority to keep them in check. According to Ian Johnston a science correspondence for Independent News U.K, in the article *Humans Evolved to Have an Instinct for Deadly Violence*, he quoted scientific research from (nature.com) which says that “humans have evolved with a propensity to kill one another that is six times higher than the average mammal”. These researchers concluded, “that a certain level of lethal violence in humans arises from the occupation of a position within a particularly violent mammalian clade, in which violence seems to have been ancestrally present”. (www.independent.co.uk) In other words, humans inherited their inclination for violence”. If humans are innately prone to violence, laws to regulate behavior are undoubtedly necessary and the agency to enforce those laws is even more vital. But the outcry today is that the agency created, trained, and funded by the citizens to protect them has turned against them. Crime and violence are the most important reasons why society needs

law enforcement. According to the conflict sociological theory proposed by Karl Marx, “the society is in a state of perpetual conflict because of competition for limited resources” (www.investopedia.com). This perspective underscores that social order is maintained through the acquisition of power hence, the powerful suppresses the powerless. Today’s society is in great turmoil as everyone has resorted to violence or power showcases as the means to survive in a world of scarce resources. The smart ones are in cyberterrorist and wire fraud, the ones with institutional powers are in government embezzling money and passing legislatures that favor them and their businesses. The layman is on the street robbing shops and fellow neighbors. All these crimes perpetrated by individuals on a different level and more fall on the lap of the law enforcement to the device and implement an effective way to tackle and hopefully put an end to some of this social menace. According to (www.duluthmn.gov), “as individuals misbehave, they disrupt society, and the government must protect itself and the members of society.

Over the years since the first organized law enforcement agency was established in Boston, the institution has evolved, its functions have changed, and so has the expectation from the general public. One online source refers to law enforcement as the “ever-changing occupation” and another called its role in society “the ever-changing role”. As Roufa wrote, “we train our police officers to be warriors, to be ready to face any fight and engage nearly any threat. Our officers stand on the thin blue line, ready to protect their community. An agency with the image of tough, well-armed, often cruel sounds scary as opposed to a protector.

(Cater, 2015) As I said at the outset, my point certainly isn’t to criticize the police forces of today. But it’s crucial for all of us, of every color, to recognize how each new incident of brutality constitutes a fresh and painful brushstroke on a canvas that the nation has been painting for centuries

Case Study

Who: George Floyd (46); Derek Chauvin Police Force

What: An African American man named George Floyd died while in the custody of the police. A video was captured of Mr. Floyd's arrest, where you could see white officer Derek Chauvin pinning Mr. Floyd down on the ground with Officer Chauvin's knee on his neck. Repeatedly, you can hear Mr. Floyd letting the officers know that he couldn't breathe on the video. Mr. Floyd was unarmed. The video went viral, erupting major protests and riots across the United States.

When: Monday, May 25, 2020

Where: Minneapolis, Minnesota.

Why: With the death of George Floyd, people felt as though it was another black man losing his life unnecessarily at the hands of another white officer. People began to wonder whether race played a role in his untimely death and the history behind the police and Black Americans. With Black Americans "fed up," they took to the streets to protest, where some of those protests highlighting police unjustly, led to major riots, and even more deaths (at least six people have died due to the violence/riots since Floyd's death). With the death of George Floyd and many other unarmed POC who have died at the hands of white police officers, some begin to wonder if the history of the American police force plays a role and calls for actions on police reform.

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