THE POLICE: Background

Any discussion of police work in America inevitably evokes ambivalent responses, touching, as it does, on our deeply rooted but not always shared notions of privacy and social responsibility, of individual freedom and the law, of order, of violence, and of the use and abuse of power. The role of the police has been variously defined, historically, as our own responses to it, a history that has helped to shape the often frustrating and difficult roles in which policemen find themselves in this society.

During the late 1960s, when the Pittsburgh police films were made, Americans became increasingly aware of tensions and conflicts in their urban “asphalt jungles.” The Vietnam war, student protests, and race riots in Detroit, Newark, and other cities served to highlight these tensions and to focus attention on the figure of the urban policeman. Yet the conflicts and the antipathy toward the police were not new, nor were they to be resolved in the post-Vietnam war years. In May 1980, the worst racial and anti-police rioting in over a decade erupted in Miami, upon the acquittal of four white policemen accused in the fatal beating of a black man, Arthur McDuffy. Historically, long before the influx of blacks and Hispanic peoples into North American cities, the racial, ethnic, and class backgrounds of the police, the policed, and the police reformers played crucial roles in determining the nature and operation of the law-enforcement institution.

Town and cities were self-policing in eighteenth-century America, following the English model. A force composed of elected, unpaid, rather prestigious constables and night watchmen was charged with suppressing vice and debauchery, and promoting God’s glory and the honor of the King. A more complex police force with mounted patrols existed only in southern cities with large slave populations, where white masters feared black uprisings. In the 1830s, as cities grew rapidly, the problems of crime, vice, and disorder intensified. The flood of immigrants from Europe at this time not only increased population, but created a more complex ethnic, religious, and cultural mixture in the cities. Poor Irish Catholic immigrants now shared neighborhoods with middle-class established Protestants, and in 1830 de Tocqueville noted racial tensions even in the cities of the North. Riots broke out repeatedly in the 1830s and 1840s (against immigrants, blacks, and abolitionists) in New York, Boston, Philadelphia, and other large cities. The first organized American city police forces were established in the 1840s, modeled on the London police force that was created, also in response to riots, in 1829.

By the end of the nineteenth century, the distinguishing characteristic of the American police force was its close connection to the political machine. Whether Tammany Hall in New York, or the machines in Chicago, Kansas City, and elsewhere, the political patronage system provided jobs and promotions while the police delivered votes. If the ruling party was defeated, the police might also lose their jobs. On the other hand, this system offered mobility, if not stability, to poor immigrants with few options. Often lacking education, capital, and skills, newcomers welcomed these jobs, for which the primary qualification was steadfast devotion to the local political machine. By 1890 between one-half and one-third of the policemen in Chicago, Boston, Pittsburgh, and other cities were born abroad. The largest single group consisted of Irish-Americans, who comprised one-fifth of the force in Pittsburgh, one-fourth in Chicago, and one-third in New York. The overriding criterion of political allegiance also meant that some recruits were overweight, undersize, illiterate, alcoholic, syphilitic, and even, in a Kansas City instance, wooden-legged.

Born out of the disorder and heterogeneity of the early American cities, the new police force paradoxically came to be dominated by the very immigrants upon whom the established inhabitants had wished to impose order and homogeneity. In part this arose because the upper-middle and upper-class Americans disdained the job of policeman, yet they continued to resent what they considered the immorality, drunkenness, and poverty of the immigrants who sought to join the force. Provoked by this resentment, a series of police probes and commissions in the 1890s in New York, Atlantic City, Philadelphia, and most other major cities marked the beginning of several generations of police reform movements. These early investigations found the forces not only poorly qualified, but corrupt and incompetent as well. A 1904 survey, for example, claimed that the Chicago police spent most of their time not on the streets, but in saloons, barbershops, bowling alleys, pool halls, and bootblack stands. Moreover, what they chose to act upon was clearly discretionary: some gambling houses might be raided, while others ignored; some voters protected, others harassed; some civilians assisted, others clobbered; some riots suppressed, others supported.

Two issues emerge in these early probes: the problems of discretionary enforcement and of ambiguous police function. Both are related to an underlying argument about morality and values, and both have roots in the development of the police institution. The ambiguous,
"catchall," responsive function of the police developed in the absence of other specialized bureaucracies in the nineteenth century. The police did not merely attempt to curb crime, but they also cleaned streets, inspected boilers, distributed supplies to the poor, accommodated the homeless, inspected vegetable markets, and operated ambulances in various cities. The idea of the policeman as an all-purpose social worker as well as law-enforcer meant that police roles, and the limits on these roles, were nowhere clearly defined. It also allowed the individual policeman great discretion to impose his own interpretations of the law and his own morality upon the public.

The immigrant Irish Catholic police morality was not, however, the same as the upper-middle and upper-class Protestant morality of the commercial and financial elites of the nation. The latter—real estate brokers, bankers, merchants, and ministers—were the main spokesmen for police reform in the first few decades of this century. The reformers shared a resentment of the immigrants' use of public service to enhance personal mobility in the new land. They also shared an abhorrence of self-indulgence and deviance. The elimination of gambling, drinking, and prostitution from their own neighborhoods was not enough: they demanded the eradication of such activities from the ethnic ghettos as well. Yet many policemen came from these ethnic neighborhoods, where such “invidious crimes” were not only accepted but often constituted part of the local culture. By demanding uniform application of the law, the reformers were at the same time seeking to impose their particular morality upon a heterogeneous America.

This is, of course, still very much a problem in contemporary America, although the institution of the police has been considerably transformed. The political machines have largely collapsed, police administration is more centralized, more rigorous entrance requirements are upheld, and the common ideology is that police work provides public service rather than an avenue for individual advancement. However, the ambiguity of function persists. Police men still spend about 80 per cent of their time in non-criminal matters: domestic quarrels, traffic accidents, noisy parties, stray children, and so on. Descendants of Irish-American and other immigrant police from the early part of the century are now firmly entrenched in the forces in many cities: even in the 1960s a far greater proportion of Irish-Americans were found in the police force than in the general population.

These police, however, have become part of the middle class, with values and lifestyles no longer so threatening to the older Protestant establishment. The issues of individual interpretation of laws and the imposition of morality have merely shifted, surfacing most dramatically around the millions of blacks and Hispanic people who moved to urban North America after World War II. Unlike the European immigrants of earlier decades, however, these recent immigrants have little opportunity to join the reformed police force.

The racial and ethnic composition of America’s cities changed radically following the second World War. By 1965, blacks and Hispanics comprised over 25 per cent of the population in Chicago, New York, Los Angeles, and a far greater percentage in Washington, D.C. Yet everywhere the police force remained white. In Pittsburgh, for example, blacks comprised only seven per cent of the force in 1967. Until the second World War, blacks had been barred from joining the force in most southern cities, and in some northern ones as well. When blacks were later allowed to join, the reforms of the previous decades made their entry very difficult. Many were unable to meet the stiffer educational or “character” requirements, while abolition of a residency requirement meant that recruits might be sought anywhere but in the densely populated inner cities: at county fairs, at Boy Scout jamborees, on college campuses. Compounding these obstacles were feelings of resentment and rage due to a history of police harassment of blacks.

Indeed, a Los Angeles police officer told an investigating commission in the 1960s that most policemen simply did not view blacks as individuals, and so could not distinguish the law-abiding from the lawless. Exacerbating this was a shift in emphasis in the 1950s from responsive activity to crime prevention. The latter entailed new tactics such as stop-and-search, search-and-seizure, and other interventions that tread a narrow line between crime prevention and violation of civil liberties. Such tactics had severe impact in ghetto streets, where the distinction between “loitering” and socializing, for example, was thinly drawn at best. Here police discretion was most visible, most resented, and most inflammatory. In the attempt to smooth Americans into a single cultural style, the preventive posture was but another version of the earlier campaign for moral purification. Most police would bypass a rousing bingo game within the walls of an Irish or Italian club, while they would not tolerate a black teenage crap game on a side street.

The issues of police power and its limitations affect police relations with whites as well as blacks. As the Pittsburgh films show, the police can be intrusive in the lives, even in the living rooms, of arguing couples (Three Domes), or

"We always believe the woman and arrest the guy.

a Pittsburgh policeman
offering women advice on their boyfriends (Vagrant Woman). Or, they may cajole a boy to inform on his companions (The Informant). Clearly the self-concepts of police officers and their conceptions of their roles affect the parts they choose to play in often intensely personal interactions. How are these conceptions shaped, and what do we know of their history?

It has been said that police experience a kind of "occupational paranoia." To some extent this may be inherent in their ambivalent role, at once protector and antagonist. Historically, police work was never highly esteemed in this country. Structurally, the demanding work schedule, the work itself, and the tendency for policemen to spend free time with other officers reinforce a social and spatial isolation from the community. Such isolation approaches alienation when the community culture is substantially different from one's own, and when one is not a respected local elder, for example, but a salaried stranger enforcing an abstract and perhaps resented code. The violence that sometimes arises from the encounter between the powerful uniformed stranger and the local resident often intensifies the stranger's sense of alienation, as well as rage and frustration. It is not surprising that in the mid-1960s an officer called policemen the "most downtrodden, oppressed, dislocated minority in America."

Ironically, this comment was made at a time when police were absorbed more than ever into the middle class. According to public opinion polls, police status began to rise after World War II. The shift in status is reflected in the media. In the Keystone Cops films of the 1930s, police appear as lower or lower-middle-class, hefty Irish-Americans with thick brogues, living in immigrant neighborhoods and romancing with cooks and waitresses. The postwar Dragnet image, in contrast, shows accentless middle-class policemen in residential suburbs, with backyard swimming pools and college-educated wives. By the late sixties, we find Serpico, the goodhearted, intelligent cop with whom educated middle-class Americans sympathize or even identify as he struggles against a corrupt system. The same years produced a Chicago policeman's autobiography entitled I, Pig.

The contradictions in these images of policemen reflect ambivalences that not only affect the public's evaluation of the police, but also shape policemen's ideas about themselves. These contradictions and ambivalences undoubtedly will continue to have implications in urban streets and living rooms, as big-city police inevitably decide, in Robert Fogelson's words, "which laws to enforce, whose peace to keep, and which public to serve."

Bibliography:
Fogelson, Robert M. Big-City Police. Harvard University Press, 1977
THE POLICE: Film Production

Sponsored by the Lemberg Center for the Study of Violence at Brandeis University, the Pittsburgh police films were shot by John Marshall in 1969 and 1970. Marshall used a Bogdanowicz modified Auricon with 12-120 Zoom, and later an Eclair NPR with 9.5-95 mm Angenieux Zoom. Sound was recorded using Nagra with Sennheiser shotgun mikes.

In spite of the racially tense climate in the city, following civil disorders in which 2000 people were arrested (although no one was killed) in response to the death of Martin Luther King, permission to film was granted by the Director of Public Safety and by each Station's Inspector. Individual officers provided access, and in each case the people involved gave their consent. Several years later, the Department and individual policemen were invited to participate in the discussion film The 4th and 5th and the Exclusionary Rule, but the Patrolmen's Benevolent Association would not allow participation. The Pittsburgh Police Department now has copies of most of these films, all of which have been shown to Department members.

The films are designed for use in law schools, community relations projects, sociology and urban studies programs, and for use by the police themselves. In Pittsburgh, sequences shown to recruits in training and to off-duty officers provoked lively discussions about the conduct and decisions made by officers in the actual filmed events. Opinions were often divided on particular cases, as well as on the basic issues of police role. Recruits and officers argued about the extent to which the police must function as "social workers," becoming involved in domestic situations, and about their biases about men and women. "We always believe the woman and arrest the guy," said one policeman.

Underlying most of these films are the issues of privacy and civil liberties versus police intervention, interrogation, and search and seizure.

More specifically, the films may be grouped into several clusters that address various dimensions of these broad issues:

A. The Job. Films which focus on the variety and ambiguity of police roles include: A Forty Dollar Misunderstanding; Vagrant Woman; Nothing Hurt But My Pride; Youth and the Man of Property; Inside/Outside Station Nine.

B. Searches and Seizures. Fourth Amendment issues are addressed in such films as Three Domestics (in the first sequence, a warrant has been issued; in the third case, a man is simply hauled away), Wrong Kid, and After the Game. In the latter case, the police must choose between violating the boys' Fourth Amendment rights, and ignoring the dangers of glue-sniffing, in which the teenagers are involved.

C. Asking Questions. Fifth Amendment issues are at stake in Investigation of a Hit and Run and The Informant. In the latter film, a young black man is booked on a burglary charge and pressed for information about "communists" and "agitators" in the racially tense city. Relevant to this group and to group B is also the discussion film, The 4th and 5th and the Exclusionary Rule.

D. Public Places. You Wasn't Loitering and Henry is Drunk dramatize the issues of civic order versus civil liberties, of public versus private.

The films in this series lend themselves especially well to analytical treatments in "clusters" such as these, since many are short sequences and none are narrated. The groupings suggested here represent examples, and numerous other combinations may be constructed in order to explore and illustrate particular themes.

Films

AFTER THE GAME
bw, 9 minutes $150
$20

Police search for drugs in a house where they arrest a group of boys who return from a basketball game and are accused of having a loud party and sniffing glue.

A FORTY DOLLAR MISUNDERSTANDING
bw, 8 minutes $130
$15

White policemen intervene when a black woman calls to complain that her boyfriend stole forty dollars.

THE 4th AND 5th AND THE EXCLUSIONARY RULE
bw, 80 minutes, 2 reels $1000
$100

This film consists of sequences from the Pittsburgh police footage intercut with a panel discussion moderated by Professor James Voremba of Harvard Law School. Community organizers, police, students, and lawyers discuss the issues raised by four sequences, including the implications of the 4th and 5th Constitutional amendments and the Exclusionary Rule of Evidence for search, seizure and interrogation procedures. The film demonstrates the multiplicity of roles in police work and examines the conflicts between how the police define their duties and what the public expects of them.
HENRY IS DRUNK
bw, 7 minutes

Pittsburgh police observe a man's questionable driving pattern and request him to leave his car and take a cab.

THE INFORMANT
bw, 24 minutes

This film focuses on a black burglary suspect who, during interrogation by the police, offers his services as an "undercover" informant — providing the police will suppress his charge.

INSIDE/OUTSIDE STATION NINE
bw, 90 minutes, 3 reels

A number of sequences show some of the events and people in the daily lives of several policemen, including their intervention in domestic quarrels, the handling of a hit-and-run case, the approaches taken toward loitering youths, a drunk and disorderly charge being made in Magistrate's Court, and the interrogation of a burglary suspect. Police force candidates are shown being interviewed by members of the police department. Their reasons for wanting to be policemen and their thoughts about themselves and their jobs place the film in the context of the community from which the department draws its personnel.

INVESTIGATION OF A HIT AND RUN
bw, 35 minutes

This film follows the investigation of a hit-and-run accident by two officers, with the initial report, the questioning of people who witnessed the 18-year-old suspect, and his girlfriend's subsequent interrogation and statement. A number of factors complicate the case: the suspect was without a driver's license; he reported the car stolen to cover himself; he could not be persuaded to confess; and the girl was pregnant. The police use considerable pressure on the girl and treat her eventual statement as though it were a confession.

A LEGAL DISCUSSION OF A HIT AND RUN
bw, 28 minutes

A Harvard Law school class, led by Professor James Vorenberg, discusses the salient legal points about the police investigation and interrogation and the rights of witnesses or suspects after the class has screened the film Investigation of a Hit and Run.

MANIFOLD CONTROVERSY
bw, 3 minutes

A customer tries to explain to police why he feels he has been cheated out of an exhaust system by a garage owner.

901/904
bw, 65 minutes, 2 reels

In this film we accompany patrol cars 901 and 904 as they ply the streets of Pittsburgh. The diversity of situations to which the policemen are called upon to respond is striking: from a man who is furious because he cannot get his $20 deposit refunded on an exhaust system that does not fit his car, to an elderly white man who says he wants to shoot the black teenagers playing handball on his house wall, to a group of white teenage youths loitering in the street on a sultry summer day. Scenes from short films, such as Henry is Drunk and A Forty Dollar Misunderstanding, are intercut with other material, including footage in the police station where the men talk about their experiences.

The striking element in many of the scenes is the level of frustration, anger, and at times a feeling of impending violence. This is true of the policemen themselves (from "I'm not talking nice no more" to some brutal beatings), as well as the people of the city, who speak of guns and fear. As Laura Nader points out in the film Little Injustices (see page 75), the typical American ignorance of and lack of access to the law so often leads to not the resolution but the escalation of conflict. As one irritated man exclaims to the officer who seems to dismiss his complaint as though he was simply a cantankerous old pest, "That's where I'd like to know the definition of breaking the law!"

Viewing this film, we also understand the exhaustion that police work entails, for the policemen often have no real solutions themselves. It is clear why policemen are so often the victims of public rage, and why they in turn may vent their own rage and frustration on the public.

NOTHING HURT BUT MY PRIDE
bw, 15 minutes

This film consists of several sequences related to arrests after street fights involving policemen and discussions of the incidents by the police in cars and at the station.
THREE DOMESTICS
bw, 36 minutes
This film shows Pittsburgh police intervening in three domestic situations:
(1) A woman in a black household wants the police to remove the man she has been living with in common law. They arrange for his arrest on an assault and battery charge;
(2) A woman accuses her boyfriend of beating her, and the man accuses her of lying. The police remove the man with some difficulty;
(3) A boisterous and drunken father is removed from his house to spend the night in jail at the insistence of his wife and older son. Throughout the sequence, the father is cared for by his younger son.

TWENTY-ONE DOLLARS OR TWENTY-ONE DAYS
bw, 8 minutes
A black man arrested for disorderly conduct and resisting arrest tells his story in night court.

TWO BROTHERS
bw, 4 minutes
This short film shows a family's attempt to resolve a dispute among themselves over a brother's damaged car, after the police have been called to intervene.

VAGRANT WOMAN
bw, 8 minutes
An unemployed woman who has been living in her car is questioned by the police. They offer her advice and finally take her to the Salvation Army.

WRONG KID
bw, 4 minutes
The police, looking for a suspect, question the wrong youth.

YOUTH AND THE MAN OF PROPERTY
bw, 7 minutes
A suburban couple calls the police to intervene after being harassed by a youth.

YOU WASN'T LOITERING
bw, 15 minutes
This film treats the problem of "loitering." In a number of sequences, police warn youths, police administrators discuss enforcement of loitering laws, officers are insulted, and several youths are arrested.