

Arizona Peace Officer Standards and Training Basic Curriculum Model Lesson Plan

LESSON TITLE: HISTORY OF LAW ENFORCEMENT 1.2

SUBJECT:	History of Law Enforcement
AZ POST DESIGNATION:	1.2
HOURS:	2
COURSE CONTENT:	A history of the development of law enforcement agencies from their inception to the present day, including the impact of reforms implemented by Sir Robert Peel and the development of policing in the United States.
PERFORMANCE OBJECTIVES:	Upon completion of this course of instruction, students using notes, handouts and other support materials as references, within the allotted time, will:
LEARNING ACTIVITIES:	
1.2.1	The trainee will receive instruction and participate in an instructor-led discussion of key points in the evolution of law enforcement, including: <ul style="list-style-type: none">A. Laws of Hammurabi.B. Mutual pledge system.C. Magna Carta.D. Peelian reform.E. Development of police agencies in the United States.

DATE FIRST PREPARED: June 2000

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REVIEWED – **REVISED**: Gary Neumeyer
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AZ POST – APPROVAL: Richard Watling DATE: November 2015

AZ POST - APPROVAL: Lori Wait DATE: November 2021

INSTRUCTOR REFERENCES: Procedures in the Justice System, 6th Ed., Stuckey, Prentice Hall; Criminal Justice Today, 6th Ed., Schmalleger, Prentice Hall; Tucson Police Department, STIM (Supplement Training Information Manual).

CLASS LEVEL: Student

TRAINING AIDS: Overhead projector, LCD projector for computer, computer with Microsoft PowerPoint and optional: Rodney King video clip.

INSTRUCTIONAL STRATEGY: Instructor-led discussion.

SUCCESS CRITERIA: N/A – learning activity.

COMPUTER FILE NAME: 1.2 History of Law Enforcement

DATE RELEASED TO SHARE FILE: May 27, 2022

I. INTRODUCTION

- A. Instructor – (self) introduction.
- B. Preview of performance objectives.

II. WHY STUDY THE HISTORY OF LAW ENFORCEMENT?

- A. Because our past shapes the present and the future. ***INSTRUCTOR NOTE: Cultural Awareness: Discuss how cultural awareness affects the public's perception of how laws are enforced.***
- B. The Rodney King incidents in Los Angeles and the George Floyd incident in Minneapolis have affected the present and the future of how law enforcement officers and agencies interact with the community. ***INSTRUCTOR NOTE: Discuss the Rodney King and George Floyd incidents in regard to public perception on law enforcement and changes that were made following the aftermaths. If desired, show video or clips of the incidents.***
- C. We now have classes on human communication and interaction; we now stress community policing.
- D. We refer to training and policies as either pre-King or post-King; this one (1) incident in 1991 and Post George Floyd (2020), has affected the future of law enforcement.
- E. That is why we study the past. . .because it tells us where we are headed in the future.

III. HISTORY: PRIOR TO SIR ROBERT PEEL

- A. Ancient history: Prehistoric man.
 - 1. Families.
 - a. The concept of law enforcement began with primitive man.
 - b. They imposed social control upon family members to promote the survival of the family. Social controls involved food gathering, family social order, protection from other families and animals and adherence to religious rituals.
 - c. The leader of the family was the father, followed by the eldest son or the son who displayed the ability to protect the family (use of brute force). ***INSTRUCTOR NOTE: Discuss gender roles and how they have evolved in society.***

- d. The head of the family was in charge of making rules and the enforcement. If the father died, then the oldest son or the father's brother assumed responsibility of the family.
2. Clans.
 - a. As the number of families grew, there became more interaction between the families. Also, it increased the amount of conflict over territory and food. **INSTRUCTOR NOTE:** *Get input from the students as to how THEY view gender roles and how this can affect their performance interacting with the public as police officers.*
 - b. Families cooperated with each other against other families. These groups of families became clans. **INSTRUCTOR NOTE:** *How has this changed?*
 - c. The strongest person in the group had the responsibility of making and enforcing the law. This person was selected because he was the strongest and the meanest. **INSTRUCTOR NOTE:** *What laws have been the ramifications toward females who desire to become police officers? How can students reverse female stereotyping both as students and as police officers?*
 - d. (Note: This was the selection method of many law enforcement agencies until the late 1960's. You had to be over six feet (6') tall, know the 10 commandments and had to have your own gun to be a police officer.)
 3. Tribes.
 - a. Different clans joined together and became tribes. This affected how laws were enacted and enforced.
 - b. The leader or chief was responsible for the protection of the tribe and preservation of social order.
 - c. The chief, with the tribal elders, made and enforced rules. Those who failed to obey were dealt with severely. The enforcement of the rules was the responsibility of the tribal warriors (the military).
 4. Nation States.
 - a. As society developed, tribes banded together according to geographic boundaries and formed the Nation States, which superseded tribal law.
 - b. The leader of the Nation was the king and he was responsible for the enactment and enforcement of the Nations States' laws. The military assisted in the enforcement of the laws.

- B. The past 3,000 years of the criminal law/justice system can be divided into four (4) basic stages:
1. Personal revenge.
 - a. (Lex Talionis = “An eye for an eye” and blood feud = a family practicing revenge against another family that wrongs them).
 - b. If you crossed or injured a person, the family or the individual would seek revenge.
 - i. At first, it was the death of the person.
 - ii. Then, the family would seek revenge.
 - iii. This still occurs in some segments of our society. **INSTRUCTOR NOTE:** Give an example of vigilantism in cities, gang warfare and paybacks.
 - c. As society developed, slavery was to be an accepted form of revenge.
 - d. How did this affect law enforcement? There was no organized law enforcement. Justice was enforced by families and friends or by the leader.
 2. Fines/restitution.
 - a. In addition to slavery, the victim began to like the idea of restitution or fines for one’s own transgressions. The offender would pay to keep from being killed or enslaved. **INSTRUCTOR NOTE:** Do we do this today?
 - b. Again, there was no organized law enforcement. Family and friends or the leader enforced the conditions of the fine or restitution. If it was not paid, it resorted to a blood feud.
 3. Courts.
 - a. The government did not like the concept of people deciding justice for them.
 - i. Justice varied from offense to offense and from suspect to suspect depending upon the social standing of the victim and suspect.
 - ii. Court was developed to decide if an offense had occurred and what justice should be deemed.
 - b. This occurred about 2,500 years before the birth of Christ. It eventually

led to the last stage in the development of the criminal justice system.

4. Obligation of the state to prevent and punish wrongdoing. The state is the victim.
 - a. This occurred in about 1764 with the onset of the Classical School of Criminology led by Cesare Beccaria.
 - b. He was an Italian prison reformer. His concept was: The state is the victim and it is the responsibility of the state to punish.
 - c. The purpose was to do away with uneven or unequal justice.
 - d. The police were to gather evidence of guilt or innocence and present it to the courts for determination of guilt.

C. Code of Hammurabi.

P. O. 1.2.1A

1. Hammurabi was the king of Babylon (modern-day Iraq). He lived 1,700 years before the birth of Christ.
2. His kingdom stretched from India to the Mediterranean Sea. This was a very large area with different laws according to each area's customs.
3. King Hammurabi wanted one (1) set of laws for his entire kingdom. So he developed the first set of written laws and criminal justice system known to man. Justice belonged to the king. Private dealings were to be handled between individuals.
4. The laws were based upon the social system of Babylon, with a different set of laws and punishments for each social class: Upper class, commoners and slaves.
5. The laws contained retributive punishment. If the right hand stole, it was cut off. If the person lied or slandered, the tongue was cut off. An "eye for an eye" justice was practiced and was known as Lex Talionis.
6. The king selected individuals who could read to be the messengers. Their function was to go to each of the regions of the empire and tell everyone the law.
7. After the public was informed, the law would be enforced. The messenger then became the judge and jury for each violation of the offense. Enforcement of the law was the responsibility of the military.

D. Roman Empire.

1. Even the Roman Empire with Caesar Augustus had some effect on law

enforcement.

2. He was the first principate, which meant he was ruler over all of the provinces outside of Rome and was the commander in chief of the army.
3. He was also the treasurer and considered by some to be God.
4. Importance:
 - a. He created an urban/rural police department.
 - b. It was divided into two (2) separate departments, one (1) for aristocrats and one (1) for others. Their job was to protect life and property.
 - c. Later, he was responsible for creating the first public safety department called the Vigiles of Rome.
 - d. They were non-military and responsible to keep the peace and fight fires.
 - e. Assigned to geographical precincts, they were considered the first municipal law enforcement agency in the modern world.
 - f. He also developed a system of law, which became a basis for French civil law today.
5. After the fall of the Roman Empire in 475 AD, Europe returned to the tribal system for the next several hundred years.

E. Medieval history.

1. Feudal System.
 - a. One (1) of the systems to develop during the medieval time was the Feudal System. The system was described as different persons being responsible to enforce the laws against certain classes of persons.
 - b. Four (4) forms of laws developed:
 - i. King's Law – regulated and protected nobility. These individuals were considered free men in that they could travel. **INSTRUCTOR NOTE:** *The King's Law is also known as a "Secular Law".*
 - ii. Church Law – regulated those that sought it. This did not carry the same weight as King's Law. **INSTRUCTOR NOTE:** *Church Law is also known as "Canon or Ecclesiastical Law". Discuss the need today for the separation of church and state.*

- iii. Power varied from time to time, depending upon the influence of the church. It could protect people from punishment.
 - iv. Reading of the Bible could also spare a person from death.
 - v. Manor Law – this was the law imposed upon the serfs by the lords of the manor. Serfs were considered as slaves.
 - iv. Customary/Municipal Law – laws that govern the merchants within a city.
2. Frankpledge or “Mutual Pledge” System. **P. O. 1.2.1B**
- a. Definition: The public being responsible to enforce its own laws and catch violators.
 - b. Developed as the result of the decline of the Feudal System.
 - c. There was a migration of serfs into the city and a growing number of merchant classes. This created a need for law enforcement.
 - d. The concept of “sheriff” was developed from the office of Shire-Reeve. The Shire-Reeve was responsible for the jail and to gather taxes for the king.
3. Sheriff.
- a. The Norman invasion of Saxon England in 1066 ended Saxon rule and changed law enforcement.
 - b. The Normans appointed their own Shire-Reeve or sheriff to perform: Tax collection, road maintenance and maintaining control over Saxons. This evolved into the chief law enforcement officer of the county with the power of POSSE COMITATUS (power to require citizen help).
INSTRUCTOR NOTE: Discuss how Posse Comitatus can be used today.
4. Magna Carta. **P.O. 1.2.1C**
- a. In 1214 AD, the Magna Carta was signed by King John (the Terrible) after losing a rebellion with his barons and other nobility.
 - b. The Magna Carta is important because it is the foundation of our procedural due process and the Bill of Rights.
 - c. King John and his sheriffs were arresting people without warrants and punishing them without a trial. He would hold them in prison without letting people know what had happened.

- d. King John was also taxing people without their consent. He would seize houses to quarter his troops or search the people's homes without a warrant.
- e. The free men became angry and rebelled. They circled him in the Plains of Runnymede in 1215 and forced him to sign the document, which gave them rights that no free man shall be seized and imprisoned except by judgment of his peers or by the law of the land.
- f. However, the right to a jury trial came later and is not part of the Magna Carta.
- g. As a result of the Magna Carta, and later events, several important concepts became important to not only the English criminal justice system, but to the U.S. as well:
 - i. Taxation with representation.
 - ii. Due process.
 - iii. The right to trial.
 - iv. A jury of one's peers.
 - v. Search warrants.

IV. SIR ROBERT PEEL (PEELIAN REFORM)

A. Biography of Sir Robert Peel:

P. O. 1.2.1D

1. Elected to Parliament in 1809 at the age of 21. **INSTRUCTOR NOTE:** *British police officers and still referred to as "Bobbies" today.*
2. At age 24, he became Chief Secretary to Ireland where he established the Royal Irish Constabulary to enforce British rule over Ireland.
3. In 1829, Peel misled the Parliament into believing that he was only going to restructure the present law enforcement agencies, instead of establishing a new one.
4. In June of 1829, Parliament passed the Metropolitan Police Act which created the London Metropolitan Police.

B. Peel's principles were: **INSTRUCTOR NOTE:** *Discuss EACH example with the class.*

1. Organization along military lines.

2. Governmental control.
3. Police efficiency reflected by crime rate.
4. Distribution of crime data is essential.
5. Proper deployment.
6. Command of temper (professionalism).
7. Good appearance.
8. Training of “proper” persons.
9. Police officers given numbers.
10. Centrally-located headquarters.
11. Probationary period for all officers.
12. Complete police records to be kept.

V. LAW ENFORCEMENT IN THE UNITED STATES**A. Law enforcement prior to 1800.****P. O. 1.2.1E**

1. Prior to 1800, there was little or no development in American law enforcement.
 - a. There were only six (6) cities that had a population over 8,000 in 1790.
 - b. There was little need for law enforcement.
2. What was used? Rattle watch.
 - a. Volunteer groups of men that only worked at night. They carried with them noisemakers. They used these to identify each other and to scare away troublemakers. Criminals were often assigned to perform this function.
 - b. Also, the system of using the English system of a constable and watch was used.

B. Law enforcement in the 1800's.

1. American society was forced to reconsider law enforcement in the early 1800's.

2. Why? Advent of juvenile delinquency in the large cities and riots.
 3. Cities had four (4) options to consider by the 1830's.
 - a. Continue with the present system of constable and rattle watch.
 - b. Utilize the military.
 - c. Follow the city guard system used in Charleston, South Carolina, to maintain control over slaves.
 - d. Emulate the London Metropolitan Police.
 4. The Metropolitan Police option was chosen by large cities.
 5. The first formal police department was developed in 1838 in Boston. Six (6) officers were hired to work the day shift. What we saw developed was two (2) police departments: One (1) for the daytime and one (1) for the night. An example was in Philadelphia, they had 24 officers working for the daytime police and 120 for the night police.
 - a. In 1844 – New York State authorized funds for day and night police for the entire state.
 - b. By 1845, the two (2) departments were combined into one (1) department, starting a trend throughout the U.S.
 - c. In 1823 – Texas, prior to statehood, created the first state police – the Texas Rangers. That is still around today.
 - d. In 1857 – New York created a state police. But, the concept of state police was slow to spread because of our fear of it being used for political means.
- C. Eras of law enforcement:
1. Political Era 1840-1920. Those in political power appointed family and friends to positions of authority.
 2. Professional Model Era 1920-1970.
 - a. Influenced by upper class, educated individuals with three (3) goals:
 - i. Efficient operation of government.
 - ii. Provision of governmental services to improve the conditions of the less fortunate.

- iii. Rid the government of undesirable influences such as politics and corruption. **INSTRUCTOR NOTE:** *Discuss with current examples.*
 - b. Six (6) essential elements:
 - i. Law enforcement stays out of politics.
 - ii. Trained, disciplined and organized.
 - iii. Laws equally enforced.
 - iv. Take advantage of technological advancements.
 - v. Merit basis of personnel procedures.
 - vi. Crime fighting role is prominent.
 - c. Community Problem-Solving Era – AKA **INSTRUCTOR NOTE:** *Discuss pros and cons of community model.*
 - d. Community Model Era, 1970 to present.
3. August Vollmer:
- a. Elected to City Marshall of Berkeley after leaving the army. Served in the Spanish American War.
 - b. Wanted to be a businessman, but talked into running for office to change politics in the department.
 - c. He served in this position until 1932 under which time his title was changed to Chief of Police as well, as the city and the department were growing.
 - d. The first police academy – where his officers had to take two (2) years of college at USC taking criminology and chemistry courses.
 - e. Implemented fingerprint classification system in the U.S.
 - f. Implemented motorcycle patrol.
 - g. Implemented the beat system based upon crime rates.
 - h. Trained the leading reformers of this century. **INSTRUCTOR NOTE:** *Discuss the influence on today.*

- i. Founder of the International Association of Chief of Polices (IACP).
- j. Helped create the Uniform Crime Report.
- 4. Orlando Winfield Wilson:
 - a. Protégé de Vollmer.
 - b. Served as the chief of police of Fullerton, California, and Wichita, Kansas.
 - c. Also, was superintendent of the Chicago Police Department.
 - d. Implemented the first marked patrol car, two (2)-way radios, polygraphs and mobile crime laboratories.
 - e. Wrote texts on police administration and police planning records that are the foundation of today's texts.
- 5. Major events:
 - a. Civil Rights Movement.
 - b. Vietnam protests.
 - c. Chicago police riot.
 - d. Rise in crime – due to crime on television.
 - e. Omnibus Crime Bill – Safe Street Act.
- 6. The Future: Where do we go from here?

VI. CONCLUSION

- A. Review of performance objectives.
- B. Final questions and answers.
- C. Instructor closing comment(s).

