

## To Protect and Serve Themselves: Police in US Politics since the 1960s

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**“Who do you protect? Who do you serve?”** You could hear this chant frequently at protests in recent years, directed at lines of grim-faced cops across the United States. Modifying a common police tagline, the chant raised the possibility that the aggressive police management of Occupy Wall Street and Black Lives Matter street protests was not simply about maintaining the peace but rather about a more sinister effort to maintain the racial capitalist status quo. But the chant also raises a challenging sociological question about the purpose or function of police and how that has changed over time. How does the internal organization of law enforcement as an institution interact with the external role of law enforcement to enact authorized state violence? To ask such a question is to inquire into the organizational sociology of police, a topic typically analyzed to understand outward effects of police activity.<sup>1</sup> Instead, I am interested in the inward effects of police activity, particularly in the realm of formal politics. Changing internal organization, I argue, affects what police activity looks like on the streets. This article examines how that internal organization has shifted over the past five decades since the 1960s.

In the United States, the notion that police serve the citizenry and impartially enforce the law is relatively new. To win widespread belief in this notion was a political achievement of a coterie of mid-twentieth-century police professionals

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1. Among the most important such studies are Armenta, *Protect, Serve, and Deport* (2017); Brown, *Working the Street* (1988); Fassin, *Enforcing Order* (2013); Herbert, *Policing Space* (1996); and Peirson, “Introductory Study of Institutional Racism” (1977).

who felt they had to stamp out voluminous evidence to the contrary in many Americans' everyday lives. According to widely accepted periodizations, US police underwent a transformation across the twentieth century. In the first part of the century, police officers were largely the foot soldiers of partisan political machines. They had little formal training. Political loyalty was the primary job requisite. The machines were engines of state formation, with police violence protecting business interests and assuring racial and ethnic order. Police directly served powerful political bosses and enforced loyalty with their nightsticks. Once entrenched, however, these very engines of state formation proved incapable of ensuring state legitimacy. Cruel violence and clear partisanship, along with class and racial selectivity, imperiled the ability of the state to govern without serious challenge from social movements. Police professionalization was one major response. This effort had two peaks, one in the 1920s and one in the 1960s, with the first originating within policing and the second imposed more directly by social-movement and other public pressures in the high era of civil rights struggles. Professionalization disentangled cops from political machines, raised standards of training, increased pay, and formalized procedures. Entry-level educational requirements increased, reliance on technological innovations intensified, and rigorous divisions of labor within police forces emerged. Instead of a haphazard and purely reactive stance toward crime and emergency response, the mark of professionalized policing was to be methodical planning. Prestige and political independence were the goals. Now police would better serve to legitimize the liberal state by enacting violence, or its threat, with fairness and without bigotry. That project was never completed, but it was the dominant approach among police for decades. It remains the dream of many police leaders today.<sup>2</sup>

Yet since the 1970s another period in the evolution of policing has been upon us, one that scholars have yet to identify and name. If professionalization entailed the extraction of police from political control of partisan machines so that they might act as independent executors of law and order, a peculiar result followed. Once freed of political requirements, police were able to organize themselves as coherent and semiautonomous political actors with their own interests. This new purpose and function is inwardly directed, as police have come to protect neither party machines nor the legitimacy of the state but, rather, themselves. Police assert political autonomy while also making demands on the state for resources. With crime as a key campaign issue, and with bipartisan calls for its reduction, elected

2. One classic account is Fogelson, *Big-City Police* (1977).

officials entrusted police to fulfill their political promises. Professionalization, moreover, conferred on police a monopoly of expertise in the particular social region of crime control. This situation created a structural trap: police gained more resources and ideological support even when they could not or did not curtail crime because officials had made campaign promises that assumed police would succeed and officials were thus loath to criticize their failures. Police gained prodigious political power in the process, touted for isolated successes and fiscally rewarded because of the mistaken belief that more resources would finally turn the tide in the fight against crime.

Rather than elected officials demanding loyalty from police, as was the case during the partisan era, today police demand fealty of elected officials. At the same time, police continually expand their capital-intensive repertoires. In this way, as fiscal Electroluxes sucking up every last penny they can find, the police of today might be best characterized not as partisan or professional but as profiteering. The internal logic of police has shifted. This perspective suggests that activist appeals for fairness and procedural reform in the wake of police killings of unarmed Black people are asking for a return to a bygone internal logic of police, one that itself gave rise to the conditions of the present.

To analyze the changing organizational sociology of police, this article examines the International Association of Chiefs of Police (IACP), a membership organization composed of police executives from across the United States and beyond. The IACP got its start in the nineteenth century and has counted among its members many important figures in the history of US law enforcement. It became the locus of police professionalization in the 1950s, aiming to sever cops from political machines once and for all. In this article, I show how the IACP renovated itself under the leadership of former high-ranking FBI agent Quinn Tamm in the 1960s to become a key supporter of what became President Lyndon Johnson's "war on crime," building on the organization's experience in assisting the federal government in the Cold War effort to raise policing standards and introduce professionalism in "Third World" countries considered at risk of communist subversion. At home, the federal government waged war on crime by providing money and technical assistance to states and municipalities, as well as private organizations, research firms, and academics. The Office of Law Enforcement Assistance (OLEA), created in 1965, and the much larger Law Enforcement Assistance Administration (LEAA), which replaced it in 1968, were the vehicles for the war on crime. This effort marked the apogee of professionalization and set into motion processes that would usher in the next era of policing, characterized

by a strong rift opening up between professionalizing police executives and rank-and-file officers. After explaining the IACP role in the development of the war on crime, I examine an episode from the 1980s that revealed this rift. I then turn to how the IACP attempted to continue to spearhead the self-conscious organization of police as a political force throughout the 1990s, when it provided key support for President Bill Clinton's anticrime efforts. The IACP has been the crucible and catalyst for the shifting institutional logic of police, while reaping material benefits from policies it has advocated.

### Territorialism and Scales

Police protect and enforce social boundaries. Through professionalization, this boundary work became a key part of how police approached themselves, orienting officers' accountability mainly to professional standards rather than to broader social forces, actors, and institutions. The police came to protect the boundaries of their profession by orienting expenditure of political capital inward, rather than using it on behalf of a broader project of securing the legitimacy of elected officials or governing regimes.<sup>3</sup> Notably, a catalyst for this disposition was itself a territorial border-crossing effort, as explained below, to impart US-style professionalism to police from other countries, which changed the IACP's relationship with the federal government. If professionalism was supposed to tame some of the wild and brutal characteristics of policing, then its unexpected effect was to allow police to take on a political life of their own.

What professionalism enables has been mutating, particularly as crime rates have fallen and urban economies and municipal tax bases have metamorphosed. These transformations did not occur in a vacuum. From the 1960s to the present, intragovernmental fiscal relations have undergone rescaling processes affecting police. The war on crime itself rescaled federal-state-municipal relations. It aimed to help jurisdictions with limited fiscal capacity to improve law enforcement by funneling federal dollars to them, even as other federal funding tightened.<sup>4</sup> Yet it is important to pay attention to actors beyond administrative and elected bodies. Organizations like the IACP act nationally or even internationally but are composed of place-bound member police executives. These members, through these organizations, can "jump scales" to address legislative bodies and audiences

3. The classic sociological text on professionalization is Abbott, *System of Professions* (1988).

4. The war on crime has been unfortunately ignored in the literature on state-spatial rescaling: Cox 2009; Brenner 2009a.

outside their jurisdictions.<sup>5</sup> At the same time, state- and municipal-level organizations, including unions or union-like entities that engage in formal or informal collective bargaining, are vehicles for pressing sector-wide demands introduced to the national agenda by lobbying of the IACP and other organizations but in distinctly geographically bounded forms. National executive organizations like the IACP and rank-and-file unions converge on the expansion of resources for police but differ on how best to use police legitimacy and professional autonomy. The conflict between them can be characterized by looking at the perspectives each brings to the internal organization of policing. Executives answer to elected officials, but rank-and-file police answer to the internal police hierarchy. This article focuses on the efforts of executives and their organizational cohesion, rather than the rank and file and the effects of unionization. For executives organized extrajurisdictionally, professionalism enables political autonomy. For rank-and-file officers, political autonomy enables professional insulation.

Internal conflict and variegation within police, however, must further be analyzed in terms of macro-level changes in political economy. A key component of the rescaling processes shaping urban finances and governance in the period under examination has been what David Harvey (1989) characterized as the shift from managerialism to entrepreneurialism. US police organizations have also been caught in this shift. Political demands for crime control in this period have had great affinities with the economic turn toward urban entrepreneurialism, as city governments compete with each other, using crime rates as proxies for consumer desirability. But less appreciated has been the way that this condition has pushed police departments to become entrepreneurs themselves. They have advocated for their own interests, within a matrix of urban competitiveness shaped by racialized fears of crime. At the national scale, organizations like the IACP have pushed for greater sector-wide fiscal endowments. At state and local scales, police departments have competed with each other and competed with other administrative state agencies for resources. This intrastate competition is nestled within locational competition among municipalities for mobile capital investment. If neoliberalization has entailed concomitant “rollback” and “rollout” moments, inter-agency competition has meant fiscal rollback for some agencies and fiscal rollout for others (Peck 2012). Police have frequently won this competition, which helps

5. In the literature on scale, “scale jumping” has typically been considered the activity of social movements. Here I suggest that it is also a key activity of actors within the state, particularly in the specific situation of US federalism. At the same time, I recognize the analytic problems of such a metaphor, which reifies and hierarchizes scales as external to social processes that are better understood as “scaled.” See Brenner 2009b and Miller 2009.

explain why fiscal austerity has not been applied uniformly within and among the fifty states and their municipalities.

### **Policing Theories of the State**

This research reveals the surprising convergence between orthodox Marxist and liberal theoretical approaches to police. Both remain ahistorical and inattentive to the shifts across the twentieth century in policing charted here. Both often fail to grasp the state itself as complex and contradictory, presuming rather than demonstrating that state legitimacy is achieved and uniformly shared across state apparatuses. Neither theorizes how actors within the state instrumentalize legitimacy for their own purposes. The orthodox Marxist approach posits the police as an instrument of class rule, a conduit for exogenous forces to impinge, mainly through coercion, upon exogenous objects, from dominating to dominated. Police exist for the “rationalization of social relations,” which remains a key analytic and political insight, though it cannot explain what police achieve at scales beyond the street stop or even the factory picket line (Spitzer 1993).<sup>6</sup> In such theoretical accounts, class struggle occurs outside the police. The police consistently aid class rule by acting according to external dictates transmitted from an often monolithic-seeming capitalist class. Similarly, liberal accounts, which focus on procedural fairness, or lack thereof, in police activity, posit a neutral institution as the goal (President’s Task Force 2015). Again, class and other forms of conflict occur outside the police, but occasionally police take a (predictable) side. If the police can devise procedures that enable them not to take a side, then their neutrality will be preserved, and fairness will be within reach.

The alternative approach developed here understands the police as possessing a specific institutional materiality and a scale-selective mode of operations. Building on the insight of Nicos Poulantzas that the state is a social relation—a material condensation of a balance of forces expressed in a specific form—the police too might be understood as a social relation, in addition to the rationalizer of social relations that exist beyond them. The state, for Poulantzas, comprises social relations expressing and realizing dominant and subordinate forces through specific agencies or branches. These branches contend strategically with each other within the state for ideological and resource primacy. Policing is also an internally con-

6. Sidney L. Harring (1983) offers the best account of the orthodox Marxist view, while also suggesting a route out from it that remains within a Marxian theoretical project. He argues that police do not exist outside class struggle, but he nonetheless insists that the “form” of police has not changed in over one hundred years. See also Walker 1977.

tested field, but police are endowed with material interests and political wherewithal to realize those interests. Such inwardly directed action is semiautonomous from what police outwardly do to secure the conditions for capital accumulation and enforce and perpetuate racial inequality. Police are not neutral or frictionless vessels that transmit exogenous forces. Nor are police the thin blue line, as they have historically understood themselves: the bearers of reason and virtue, against the chaos of civil society. Rather, police are institutionally striated, with officers and units channeled in competing directions (technoscience is one, manual labor is another). Police self-organize according to this contestation, with capital-intensive professionalization as one expression. Police professionalization was, to repurpose the words of Poulantzas ([1978] 2000: 184), “imposed on the State by the struggle of the dominated classes,” who became fed up with the conduct of police, particularly after World War II. But police action in the current era represents not simply the reassertion of the power of the dominating classes but the police acting as a type of dominating class for itself, inscribing its power on the state and civil society. Police action to rationalize social relations is their downscaling prerogative of governance; police action to endow themselves with resources and institutional autonomy from onerous oversight is their upscaling prerogative. This perspective suggests a superordinate unity behind contending popular understandings of the current era of policing, such as militarized, order maintenance, data driven, or community policing. All entail organized police activity to bolster their own power, independence, and resources, conditioned by a macro-level political economy of interjurisdictional and intrajurisdictional competitiveness.

### **Professionalization and Its Discontents**

The conditions of the current moment of politically self-interested advocacy by police grew out of contradictions of the earlier professionalization moment. The IACP has been at the center of both. Police have never spoken with a unified voice. Leaders of the IACP, however, attempted to speak on behalf of the profession. This move was successful in creating institutional, if not ideological, coherence among police, even as it created new divisions and challenges for purposeful and unified action. As a private, membership-based organization and publisher of a major magazine, *The Police Chief*, the IACP advocated on behalf of police as a whole. Yet it did not actually represent them because it was not a democratically accountable organization. The IACP successfully pushed for two main goals that secured its status as a representative of law enforcement’s cutting edge: first, for the creation of a federal program that would enlarge the amount of resources

available to police, and second, for a professionalization and reform program that would result from this expanded pool of resources.

The IACP's efforts in the 1960s to garner resources for police opened a Pandora's box. In general, police have been happy to accept the resources since the 1960s but have been less willing to accept the demand for professionalization. In effect, a divide opened between the top echelon of police executives and the rank and file. It was not new but became exacerbated as leaders tried to insist that their officers undertake new approaches to patrol, investigation, and emergency and special-event preparedness. The rank and file saw professionalizing reforms as a form of undue control over them. These cops used the newfound legitimacy of police to make fiscal demands on the state. The push to delink the quest for resources from the quest for reform has been largely successful. Resources flowed, but the money was not conditional on reforms IACP leaders also wanted, thanks to the design of the funding infrastructure and to long-standing conservative nostrums, as well as the architecture of federalism. The IACP's influence over policing did not diminish greatly, but other contenders, including representatives of rank-and-file police who felt no compunction to advocate reform, took advantage of the new discursive and ideological space the IACP had created by turning police into political actors.

Two major impediments to the organization of police as a coherent political force have characterized the decades since the 1960s. The first preexisted the era of professionalization: geographic unevenness. Compared to big-city police executives, small-city and rural police executives faced dramatically different social situations, crime profiles, demographics, and, most importantly, resource availability. Further, small-city chiefs have long tended to be more politically conservative and beholden to local political interests than big-city chiefs, especially after the IACP in the 1960s and 1970s successfully advocated new hiring practices for police chiefs that would enable the appointment of individuals who had not risen through the ranks of a given force he or she was to oversee. As mentioned, the war on crime's availability of funding for police through the LEAA, and its successors, combined with state increases in anticrime budget appropriations, was one major effort to decrease fiscal unevenness across the United States. To lessen the impediment of unevenness was a target of the very political intervention that ushered in the war on crime. It was a struggle to garner greater shares of the fiscal pie for law enforcement. Still, the objectives of the war on crime's fiscal instruments were innovation and reform. Lawmakers designated how LEAA funding could be used and kept it from offering direct infusions of cash to pay full salaries of new police hires, buy new equipment, or purchase land for building new facilities. Police

chiefs may have desired such infusions in the 1960s, but Congress did not allow such federal funding until the 1994 Violent Crime Control and Law Enforcement Act. By this time, chiefs' fears that such subventions might come with conditional strings attached had largely been assuaged—because by then police chiefs were speaking with a more unified voice. Geographic unevenness was not impervious to federal outlays.

In contrast, a divide between police chiefs and rank-and-file officers, also pre-existing, grew as professionalization became dominant. In general, the leading professionalizers of the mid-twentieth century saw the route to reform and modernization of policing as the institutionalization of a more military-like hierarchy, with greater controls on the activities of patrol officers. These controls would be ensured not only by more extensive training requirements but also by explicit procedural codes. The particular modality of the war on crime, which made most funding contingent on innovative research-intensive measures, heightened hierarchical tensions. These measures often required new everyday routines among officers. Many chafed at such requirements. Moreover, this division overlapped with geographic unevenness, as few small-city chiefs were deeply interested in innovation, though some realized that innovative and experimental reforms might raise their own professional profiles while additionally garnering new revenue streams (Schrader 2017). Perceived as limitations on the sacrosanct and racially selective discretion of individual rank-and-file police officers, professionalization fostered a backlash that took two forms: first, a rumbling labor revolt that persists to the present (outside the scope of this article), and second, an effort among police scientists to create a new police orthodoxy that reasserted the individual officer's discretion. This new orthodoxy has earned a range of labels. The most common and misleading is "community policing," which makes it seem like this approach is exogenously directed when in fact it is endogenously directed toward the work routines, rhythms, and requisites of "the job." Notably, the intellectuals who have pushed this new orthodoxy all took advantage of the platforms and funding structures that professionalization created, from professional magazines to LEAA and Police Foundation grants (Kelling and Kliesmet 1971; Wilson and Kelling 1982). Some of them would resist the form professionalization took.

Professionalization was supposed to claim external legitimacy, but this organizing principle corroded from the inside. The generation of police leaders associated with professionalization was aging out over the course of the 1960s (Bittner 1978). By the beginning of the 1970s an upstart generation was challenging it, including academic figures like George Kelling and police executives like Daryl Gates of Los Angeles and Clarence Kelley of Kansas City (Tafuya 1990). The

fiscal infrastructure to at last achieve professionalization came into being in 1965 with the commencement of the federal war on crime and the creation of the OLEA. At this moment, professionalizers were accomplishing their goal of political independence for police, in reaction to the preceding politicized version of policing. Yet political independence was not enough because police legitimacy was fragile. Protests against racialized injustice, including police killings of Black people, spurred nearly all the civil unrest of the 1960s. These destructive events troubled the hope for slow but steady achievement of professionalism, and persistent corruption in many big-city forces seemed impervious to professionalization. For police executives, professionalization would help bolster legitimacy, but the demands it placed on rank-and-file officers were high. Routinization, methodical planning, and military-like adherence to standards, which professionalizers ordered, provoked rank-and-file revolt. For its part, the LEAA funded research, including by the IACP, on how chiefs could protect against such revolt.<sup>7</sup> Professionalization alone did create political independence for police, but police officers transformed independence into self-interest.

Fiscal austerity, shrinking union density, and the political popularity of “law and order” appeals have coincided in the decades since Richard Nixon’s election to president in 1968. These conditions created the structural context for police to embody a new type of authoritative political actor. In the period while fiscal austerity shaped government budgets across the United States and union density shrank, police in most locales managed to buck these two major trends, in part because union or union-like activity dovetailed with police-managerial efforts to resist austerity even as rank-and-file demands clashed with managerial efforts to reform work routines. In the contemporary moment of precipitously declining crime rates in most areas of the United States, the capacities police developed in their entrepreneurial or rollout efforts have now become surplus. Rather than allow these capacities to evaporate, police protect them. Police have become unwilling to let go of their competitively realized gains, placing their self-interested advocacy at an increasing distance from achieving their nominal mission of crime control.

### **International Associations**

The initial impetus for police to issue greater demands on the federal government had an unlikely origin: a forgotten Cold War effort to prevent communist revolution across the globe. From 1955 through 1962, the IACP held a contract

7. The LEAA issued a grant of over \$160,000 to the IACP for research on strike activity among police in the 1970s, resulting in William D. Gentel and Martha L. Handman’s *Police Strikes* (1980).

with US foreign aid agencies to coordinate training of police executives from the “developing” world in the United States. Police from Iran, South Vietnam, Somalia, Chile, and many other countries visited stationhouses in US cities and towns, as well as a range of other destinations, including colleges, manufacturers of technical policing implements, military bases, prisons, and so on. The idea was to demonstrate the US model of professional policing, as well as to cultivate relationships between these police officials and US intelligence agencies. At its peak, the program brought upward of three hundred foreign police officials to the United States annually. Although the IACP admitted there were inefficiencies in its coordination of the program, the program still entailed a lot of work. Around sixty thousand days of local police work went into hosting, orienting, and training visiting police officials. Many US chiefs, though they felt honored to be included, did find the visits burdensome. And neither the IACP nor Washington reimbursed them for the effort and time their officers expended, beyond direct costs for the visit. The rewards were intangible: playing a key role in facilitating the prosecution of the Cold War in “Third World” countries conferred a sense of purpose and belonging on underresourced US police.

Changes within the IACP were afoot. The new executive director and editor of *The Police Chief*, Quinn Tamm, was responsible for the IACP’s shifting posture. He believed there was an opportunity for the IACP, and its member police chiefs around the country, to accelerate the movement to professionalize policing. The IACP was relocating to a new building in Washington, DC, and its leaders had developed plans to create an international police college, along with other training initiatives. Such growth could allow it to spearhead all training of police officials visiting from overseas. A new contract that might expand the IACP role in national security efforts could provide more money for other IACP programming, while also bolstering the organization’s credibility as the leading voice of police professionals. And, most importantly, Tamm, who had once been close to J. Edgar Hoover, was trying to assert independence from the FBI director, raise his own prominence nationally, and give the IACP a unique institutional identity.<sup>8</sup>

In 1962, the newly formed Agency for International Development (AID) decided not to renew the existing contract with the IACP to maintain the training program. IACP officials were infuriated. The contract’s cancellation seemed to

8. Director, IACP Training Division to Chief, Public Safety Division. September 13, 1961, IACP Move to New Headquarters Building, entry 29, box 8, RG 286, National Archives and Records Administration (hereafter NARA); Edward C. Kennelly, Memo for the Record, December 29, 1962; Quinn Tamm to Fowler Hamilton, February 2, 1962; Edward C. Kennelly, Memo for the Record, March 9, 1962, IACP 1962, entry 29, box 1, RG 286, NARA. Caplan 1973; Schrader 2019.

be a setback for the organization at a crucial moment. AID had decided to build its own International Police Academy, rendering the IACP's planned international police college superfluous. The response of Tamm and the IACP's Training Division to the cancellation was petty. The IACP returned file cabinets to AID without the files in them, for example, claiming the files were now IACP property. Tamm sent letters to colleagues imploring them to support him and even interfere with future AID efforts. And he demanded a public explanation and apology from AID. Once the bitterness subsided, however, the experience proved useful. It turned out to be a rehearsal.<sup>9</sup>

### Tamm's Take-Home Lessons

The abrupt cancellation of the IACP's contract to facilitate foreign police training planted seeds that would blossom in the federal war on crime. Tamm, already deeply knowledgeable about law enforcement, gained experience in negotiating with intricate federal bureaucracies. Three aspects of the unraveling of the AID-IACP relationship stuck with him to shape how the IACP would advocate for the war on crime. First was the avoidance of external control. Tamm worried that AID might disburse funding to other institutions instead of the IACP, which could place civilians without policing expertise in positions to exercise influence over police. That never happened, but Tamm repeated this very concern a few years later when advocating federal anticrime legislation. Similarly, he and other IACP officials continually denounced civilian review boards (*Police Chief* 1963b, 1964; Murdy 1965). Deeply conservative senators who supported the legislation concurred with this inclination. North Carolina's Sam Ervin insisted to Tamm that a key legislative goal was avoiding a "federally directed and federally implemented program."<sup>10</sup> One way to do so was not to give a direct oversight role to Attorney General Ramsey Clark, whom conservatives in Congress distrusted. Tamm himself made just such a request, despite his own politically cautious support of the administration.<sup>11</sup> The cops' demand to avoid external control of policing produced

9. Sixth Meeting of the Interdepartmental Subcommittee on Police Advisory Assistance Programs, May 11, 1962; Johnson F. Munroe to Daniel Van Buskirk, March 19, 1963; Quinn Tamm to Ralph A. Butchers, January 11, 1963; Edward C. Kennelly to Byron Engle, March 4, 1963; Quinn Tamm to Byron Engle, December 17, 1962, IACP 1963, entry 29, box 1, RG 286, NARA.

10. US Senate, Hearings before a Subcommittee of the Committee on the Judiciary, July 22, 23, and 30, 1965, 89th Cong., 1st sess. (Washington, DC: Government Printing Office, 1965), 90.

11. Clark turned out to be in agreement with Tamm on the need to "rely on the expertise and the needs of the states and local communities," which "bear the heaviest burden of law enforcement." Tamm told President Johnson's aides that Clark was "the most sincere, the most intelligent and the

the peculiar shape of the Omnibus Crime Control and Safe Streets Act of 1968, which created state planning agencies to determine how block grants would be distributed. The legislation empowered governors, who had not exhibited much desire to be so empowered and were even more susceptible to complaints from police than congressional representatives. Keeping federal oversight or democratic control out of the legislation would ultimately be gravely consequential for the transformation charted here. The protection of local autonomy and sanctioning of patrol discretion led to a lack of accountability that emboldened police politically.

Second, Tamm recognized the power of Washington's purse. During the seven years of the IACP program for foreign police, multiple prominent policing experts realized that money from Washington might be a useful stimulant to local law enforcement, long hamstrung by the limited fiscal capacities of states and municipalities. Among these men—they were all men—were reformist chiefs with whom Tamm collaborated, including members of the executive board of the IACP. Herbert Jenkins of Atlanta, for example, was the most nationally prominent police chief from a southern state, and he became an important ally of the Johnson administration in its anticrime efforts. Jenkins had urged the IACP to complain up the AID ladder about the contract's cancellation, unaware that the foreign police assistance program was not answerable to the AID hierarchy but was nearly autonomous owing to its unique national security role. Nonetheless, this disposition suggests that the chiefs were becoming aware of their own leverage, political capacity, and power, particularly as elected officials across the political spectrum deemed police to be a bulwark against ongoing civil unrest among minoritized peoples.<sup>12</sup>

Third, beyond Washington, police executives recognized that private foundations could be useful in transforming policing. Already by 1959, policing experts working in networks affected by or adjacent to the AID-IACP relationship discussed ways to garner funding for the modernization of US policing that did not necessarily entail any foreign-affairs entanglement, such as from the Ford Founda-

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most helpful toward local law enforcement” of the many attorneys general he had known in his thirty-seven-year career. Still, Tamm specifically asked Congress in open session to ensure that the attorney general “have the benefit and counsel of professional state and local police executives.” Horace Busby to Marvin Watson, February 1, 1968, FG 135; White House Central File, box 186, Lyndon Baines Johnson Presidential Library, Austin, TX (LBJL); Department of Justice, *Law Enforcement Assistance, Part V*, Administrative History, box 3, LBJL, 4.

12. Excerpt from Minutes of the Meeting of the Board of Officers of the IACP, September 18, 1962, IACP 1963, entry 29, box 1, RG 286, NARA.

tion. Shortly, exactly this type of foundation funding started to become available, with Ford granting \$1.46 million to the IACP, the Southern Police Institute, and two law schools. Ford and the IACP cosponsored a 1963 conference titled “Police Responsibility in Race Tension and Conflict,” attended by police administrators from across the South. It included addresses by African American leaders Roy Wilkins and James Farmer along with several prominent law-enforcement figures. The IACP under Tamm’s guidance led the charge to pursue private funding. In 1973, the Ford Foundation provided the seed funding for the Police Foundation, which became a competitor with the IACP that was not beholden to the demands of the chiefs and could focus solely on innovative research, some of which undermined reigning orthodoxies of the era of professionalization (Ford Foundation 1964; *Detroit Tribune* 1964; *Police Chief* 1963a; Murakawa 2014: 74–75; Schrader 2019). Altogether, avoiding external control, drawing on the federal purse, and relying on foundations would all become key planks of the war on crime. They also empowered police to become self-interested.

### **Crime Bills**

Although the 1960s closed with the election of a new president on a platform of “law and order,” Richard Nixon’s predecessor’s support for a war on crime surprised many police themselves. Once active, this war effort created new opportunities for police to act in self-interested ways. At the decade’s outset, few cops or legislators thought federal intervention into policing would be possible. Police were wary of change. They were skeptical of federal action, even in the name of improving the policeman’s lot. Many police officers could not easily disentangle new civil rights legislation, which seemed to intrude on local prerogative, from other forms of attention from liberals in Washington. Nevertheless, under the sway of prominent social scientists and jet-setting police reformers, the Johnson administration (1963–69) was poised to act. Urban unrest in northern cities in the summer of 1964 proved the necessity of upgrading police capabilities (Hinton 2016). But on what terms? The IACP’s membership “wanted more men and equipment—not studies and innovative programs.” Members even criticized the new Law Enforcement Assistance Act by issuing a resolution because the federal government seemed to be going too far, placing its coarse hands on the shoulders of municipal cops (ACIR 1977: 10). Tamm saw things differently. In the pages of *The Police Chief*, he rebuked the membership for passing this resolution. Soon the OLEA awarded the IACP \$800,000 in grants (\$6.4 million in 2018), with more to come. Tamm knew he had made the right decision.

The availability of federal money changed the attitudes of IACP members. The OLEA in effect created a constituency that would defend federal funding for law enforcement, even though the legislation was designed to foster research and reform. IACP leaders were genuine in their belief that funding for research and reform would diminish crime and raise the stature of the police. But that was beside the point. The incentive to support federal funding now existed, regardless of its use. When Congress lessened appropriations for the OLEA in 1966, Tamm used his acid tongue, usually reserved for supposed communists, to attack legislators for their malfeasance (Lewis 1965; *New York Times* 1966; Caplan 1973). He hoped a much bigger anticrime bill was in the works. To indicate the two-way, mutually beneficial relationship between Johnson's anticrime push and the IACP's demands, the president spoke at the IACP annual meeting in 1967. Within a year, Congress passed a bill that used block grants and lodged control of the LEAA's planning dimensions with state-level agencies controlled by governors. It was an inefficient system. But the IACP came to benefit from discretionary spending in Washington, under the Safe Streets Act's provisions.

Becoming voracious, the IACP continued to lobby. The effort was not without dangers. The organization risked its own tax-exempt status through aggressive lobbying at a time when such activity was considered unseemly for nonprofit entities. By accepting the risk and winning its actual demands, the IACP helped pave a path toward such self-interested lobbying by other similar organizations. When funding for the LEAA came up for renewal in 1970, again Tamm and the IACP were ready to offer "strong support" for the federal effort. This support helped dramatically expand a program that was widely considered in Washington not to have gotten off to an efficacious start. Notably, Tamm did not agree with prevailing criticisms of the LEAA, which pointed to the inefficiencies of the block grant system and the tendency of this system to shower funding on areas outside the major cities, away from the hotspots of crime. Instead, he savvily concurred with the thrust of the block grant system by arguing that a modification that might direct funds toward the big cities in a more focused manner would only "dislocate" crime from "the central city into the suburban environs."<sup>13</sup> Not only did this argument resonate with racist fears of Black crime spreading from beyond cities into growing white-flight bedroom communities, it tried to ensure that small-town IACP-member chiefs would still have a shot at securing some funding from

13. Statement of Quinn Tamm, Executive Director, IACP, March 17, 1970; Hearings before Subcommittee No. 5 of the Committee on the Judiciary, House of Representatives, 91st Cong., 2nd sess., 820–21.

LEAA grants, particularly if they were proactive and innovative. Most importantly, Tamm also asked Congress to rewrite the law to allow discretionary LEAA funding to be awarded to private-sector projects directly so that private nonprofit organizations like the IACP might be able to win such funding without subcontracting through a public unit. It was an arcane request that was not fulfilled until the 1973 renewal of the legislation. Previously, private organizations needed to be included in state-level criminal-justice planning grants or they could be awarded funds through the LEAA's in-house research institute. As the amount of money the LEAA distributed on a discretionary basis grew, from \$4.35 million in 1969 to \$87.9 million in 1973, the range of recipients expanded (LEAA 1973). J. Edgar Hoover's death in 1972, moreover, created new breathing room and possibilities within law enforcement nationally. With legislative change, the door opened to a much greater private-sector role in expanding the criminal-justice sector, effectively creating a self-interested lobby that worked parallel to law-enforcement officials in government. It was also independent from the direct police function of the state. A revolving door opened, as the ideological and practical valorization of the private sector gained a foothold within the criminal-justice system.

### **Chief versus Chiefs**

By the early 1980s, the criminal-justice landscape was shifting. The new, internally directed logic of policing had not quite coalesced, but the professionalizer generation of the 1960s was being eclipsed. Tamm had retired from his position with the IACP. The LEAA was on life support by the end of President Jimmy Carter's administration (1977–81), with some modifications to the governing legislation under his watch but no radical shifts. Congress finally pulled the plug in 1982. Crime remained a pressing political problem at local levels, but because Carter rarely spoke of it, his administration lavished little attention on federal anticrime efforts. President Ronald Reagan (1981–89) addressed the IACP annual meeting in 1981, and high-level officials from his administration tried to draw attention to the problem of drugs at the next year's annual meeting. With the support of the IACP, Reagan exercised a pocket veto of crime-related legislation passed by Congress in 1982 that, among other goals, was to create a new federal "drug czar." (In 1988 he signed legislation that did create a drug czar position.)

Meanwhile, a dispute roiled police executives. Although not a fight between executives and rank and file, it emblemized the division between proactive professionalizers and those who wanted to be left alone, simmering since the 1960s. At its center was Patrick V. Murphy, a top OLEA official in the 1960s and then the

commissioner of the New York Police Department. In 1973, Murphy became the president of the Police Foundation. This organization funded disruptive research and questioned prevailing orthodoxies. Although Murphy was a consummate reformer and professionalizer, the Police Foundation's research, such as the well-known Kansas City Patrol Experiment, overseen by George Kelling, came to upend shibboleths of professionalized policing. Murphy publicly criticized racism among police officers, and under his leadership the Police Foundation helped create additional professional organizations, like the Police Executive Research Forum and the National Organization of Black Law Enforcement Executives. The former was a top-echelon advisory group of law-enforcement elites that would come to have the ear of policy makers, without any accountability to a membership. These moves heightened tensions within the profession.

Murphy's outspoken approach earned him enemies. In New York City, as commissioner, he faced a five-day wildcat strike by as much as 85 percent of the force in January 1971. In August 1972, he instituted a new policy on the use of deadly force only in defensive situations, which was supposed to replace the customary fleeing felon posture—which allowed police to shoot suspects in the back. In 1980, he attempted to get the IACP to adopt an analogous defensive policy. He failed miserably. The membership reaffirmed its commitment to the outdated fleeing felon approach.<sup>14</sup> Already in 1978 Murphy had excoriated the “stranglehold” of small-town chiefs on the IACP, complaining that their “needs, fears and level of attainment and education . . . predominate in setting” its “priorities and tone” (Henry 1978). How to divvy LEAA funds was the question. The IACP, in his view, pushed for too much money to go to relatively pacific small towns. Murphy's Police Foundation, like the Police Executive Research Forum that he was addressing, was not beholden to conservative small-town chiefs. But these comments came back to haunt him, not only derailing his attempt to get the IACP on board with a global limit on discretionary use of deadly force, but in 1982 leading the censorious IACP to expel him from its member rolls.

This expulsion indicated how both Tamm and Murphy—and, by extension the professionalizers—were losing their grip on the profession. The two had been allies for over a decade. Tamm defended Murphy, calling the episode “shabby” and “outrageous” (UPI 1982; Herbers 1982). He also decried the attempt to impose “conformity” among IACP members—exactly what he had tried to do a decade and a half earlier in the effort to push passage of federal anticrime legislation.

14. The Supreme Court's 1985 decision in *Tennessee v. Garner* held that deadly force cannot be used against unarmed fleeing felony suspects. The ruling's effects have been negligible.

Although Murphy may have been correct to identify a geographic divide within the IACP, he miscalculated how committed the organization was to garnering widespread political support and rejecting criticism. The battle was not only over how best to spend federal funds; it was over how the police as a unit would be treated. In the past, the thinking was that greater resources would lead to respect for the police. Now the police would wield respect like a pistol in a stickup. The IACP in 1982 used its annual meeting to urge greater federal spending, invoking familiar specters, like communism, and relatively new ones, like drugs. Proudly, one IACP member reflected on changing public perceptions of the profession: “We used to be ‘no good, rotten pigs’” (Harris 1982). The new esteem cops garnered was the result of professionalization, but esteem alone was insufficient. They needed money more than legitimacy. Neither protesters in the streets nor longtime members like Murphy could apply derogatory labels by the 1980s, went the thinking, if Reagan would allow more funding to become available. And soon he did. Reagan pushed Congress to pass an extensive new federal crime bill to his liking in 1984, which redesigned the law-enforcement assistance program and included provisions to expand asset forfeiture and standardize sentencing. The former would incentivize a range of law-enforcement activities that had little to do with crime control.

### **Making Money Moves**

By Bill Clinton’s presidency (1993–2001), the IACP had overcome some of the rifts among police executives that characterized the preceding two decades. In the 1990s, the IACP mobilized its membership to act in directly political ways. It created a legislation committee to monitor laws that might affect expenditures for law-enforcement agencies and lobby state and federal officials. Further, *The Police Chief* started featuring a monthly “Legislative Alert” section. A “Congressional Update” sometimes accompanied the section, offering a tabular listing of roll-call votes in Congress on legislation of concern to IACP members. This direct monitoring of the voting records of elected officials illustrates a shift: not only was the IACP trying to shape anticrime legislation, it was trying to make elected officials accountable to police, rather than the other way around. IACP president Sylvester Daughtry, Jr. (1994), described his goal as increasing the IACP’s visibility. He felt he had been successful, with press appearances and “the presence of the association’s leadership at numerous meetings and press conferences” with Clinton, the vice president, the attorney general, and the FBI director. The posi-

tions of the IACP and the Clinton administration on crime policy were becoming virtually indistinguishable.

Like Johnson and Reagan, Clinton addressed the IACP's annual meeting to speak about his signature anticrime push. Yet the two prior presidents came to the IACP seeking support for their efforts. The timing of the 1994 Violent Crime Control and Law Enforcement Act differed. Clinton addressed the IACP immediately after its passage, discussing how funds were already being disbursed within two weeks of the beginning of the fiscal year. He informed the assembled chiefs of the benefits they would reap from the new legislation. Clinton departed the meeting with an IACP baseball jacket emblazoned with the words "America's Chief" on the back, unthinkable for Lyndon Johnson, who painstakingly avoided the appearance of federal control over local police. Three decades of federal efforts, however, had allayed police chiefs' and doctrinaire conservatives' fears that federal funding would come with strings attached. By 1994, the legislation provided \$8.8 billion for hiring new cops, an entailment all the prior crime bills avoided. In fact, municipalities with populations under fifty thousand, once the most reluctant to back federal expenditures because of worries about loss of prerogative, would now receive fast-tracked funding through a simplified application process that did not require a trained grant writer (Kime 1994; Kenworthy 1994). The legislation created its own constituency whose thirst for resources would be difficult to slake.

## **Conclusion**

Historians and political scientists have recently demonstrated the importance of the federal government in fostering aggressive and expansive policing and incarceration in the United States since the 1960s (Hinton 2016; Murakawa 2014). But lower-scale police were not simply recipients of imperatives from Washington. They also became active and self-interested agents of their own destiny by organizing and reorganizing. This article has described the federal relationship with lower-scale governing units as mediated by organizations that allow extrajurisdictional cohesion and political power, particularly the IACP. It has also argued that this mediation has itself transformed in purpose over time. Without this perspective, it becomes impossible to explain how the two greatest crises involving police in the past half-century—the "civil disorders" of the 1960s and Black Lives Matter—led to such divergent outcomes, with professionalization efforts in the past and their repudiation in the present.

To assume that the federal government could transmit its dictates to the local

level without passing through a mediating institution is to revert to an unsupportable view of law enforcement as neutral and inert. Instead, law enforcement, and particularly policing, as this article demonstrates, is a polyglot institution that has a specific materiality and identifiable interests—and cleavages around those interests. These interests have been mutable, relationally shifting in response to exogenous transformations and propelling endogenous transformations. Among the exogenous transformations has been the availability of funding from the federal government, which spurred the increase of available funding from state governments. Since the 1990s, police have been remarkably successful in promoting an exception to fiscal austerity. This position was not inherent but had to be developed through intensive efforts to organize police politically into an institution with leverage. Elected officials hailed police as political actors by answering political support with fiscal outlays. But now elected officials are increasingly beholden to police, who make demands that have little to do with their working conditions or the reality of the crime or terrorism they are called on to fight. Strangely, the only restraint on the political power of police today seems to be the growing divergence between police executives, who typically serve at the pleasure of elected officials and thus are responsible for producing measurable results, and the rank and file, who answer to no one but themselves. As one result, US citizens have little official information on the numbers of people police kill. Rather than submitting to oversight, what police seek is the continual endowment of their sector with resources. It is a profiteering outlook, attached to a capacity for organization, that deserves its own analytic attention, separate from the way police protect and serve social conditions amenable to capital accumulation. A critique of policing that fails to address this specific institutional materiality is destined to fail politically in its quest to shrink the power of police.

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