

Sir Robert Peel

Do his thoughts from 1829 still hold true?



The history of law enforcement has been well documented in textbooks throughout the country over the past hundred years. Many criminal justice textbooks take us back to the days of the shire reeve and hundredman in early English villages and it is quite evident that crime was a concern back in the 13th century as much as it is today.

As these textbooks continue through the early English model of law enforcement, we are taken to 1829 where we meet Sir Robert Peel. This may seem to be quite a long time ago for many of us as we try to connect the dots to modern day policing, but I am confident that the reader will make that connection of the Peelian Principles to what is occurring on many American streets each and every day.



Sir Robert Peel is considered to be the father of modern policing. He developed the nine principles of policing which are based upon the well documented phrase, “the police are the public and the public are the police.”

Sir Robert Peel’s Principles of Law Enforcement

The basic mission for which police exist is to prevent crime and disorder as an alternative to the repression of crime and disorder by military force and severity of legal punishment.

The ability of the police to perform their duties is dependent upon *public approval* of police existence, actions, behavior and the ability of the police to secure and maintain *public respect*.

The police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain public respect.

The degree of cooperation of the public that can be secured diminishes, proportionately, to the necessity for the use of physical force and compulsion in achieving police objectives.

The police seek and preserve public favor, not by catering to public opinion, but by constantly demonstrating absolutely impartial service to the law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws; by ready offering of individual service and friendship to all members of society without regard to their race or social standing, by ready exercise of courtesy and friendly good humor; and by ready offering of individual sacrifice in protecting and preserving life.

The police should use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of *persuasion, advice and warning* is found to be insufficient to achieve police objectives; and police should use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

The police at all times should maintain a relationship with the public that gives reality to the historic tradition that *the police are the public and the public are the police*; the police are the only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the intent of the community welfare.

The police should always direct their actions toward their functions and never appear to usurp the powers of the judiciary by avenging individuals or the state, or authoritatively judging guilt or punishing the guilty.

The test of police efficiency is the *absence* of crime and disorder, not the *visible evidence* of police action in dealing with them.

This path to modern day policing has woven through several different policing styles or eras that have been used here in the United States over the past three centuries.

Political Era (1840-1930)

Policing in America began in the mid 19th century on the eastern border of the United States. At the time, law enforcement was greatly influenced by local politicians and the emphasis was keeping these politicians happy. As historian Robert M. Fogelson pointed out, "From the outset most Americans had a firm belief that the police should be controlled by local officials and organized along municipal lines." Just as cities were divided into wards controlled by local politicians, police departments were organized along district or precinct lines corresponding to those wards. With that said, officers were typically recruited from within that ward or area which meant that the police force was not very diverse. For example, Irish officers patrolled Irish neighborhoods, Jewish officers in Jewish neighborhoods and so on.

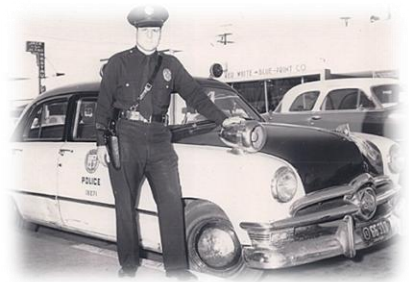


At the time, police officers walked a beat and due to the fact that they were from the neighborhood and lived in the very same area; they were familiar with what was going on in their beat. Officers did not have an elaborate communication system and relied on leveraging citizens' help when problems arose.

Reform Era (1930-1980)

The reform era followed next and focused on bringing a more professional product to law enforcement. Police administrators at the time started to rely on statistics in gauging the effectiveness of their troops. This era was ushered in with the creation of the FBI's Uniform Crime Reporting (UCR) system that compiled statistics on crime as well as arrests and cases cleared.

Technology also started to evolve and we saw the beat cops being moved into patrol cars. The thought at the time was that these patrol cars could cover a wider area in a shorter amount of time thereby the criminal would never know when a patrol car were to drive by. Patrol cars were also now equipped with two way radios for instant communication. Many of these tactics were implemented quite successfully by noted reformer Chief William Parker of the Los Angeles Police Department.



The reform era had employed some good tactics and changes, however at the same time we saw the patrol officers losing touch with the community. This was illustrated in the Kansas City preventative patrol experiment in 1972. The study showed that routine preventative patrol did little in preventing crime or reducing the fear of crime. In fact, officers were losing touch with their community. This was further proven with the Newark Police foot patrol experiment that showed the effectiveness of foot patrols as a valuable tool in information gathering and reduction in the fear of crime.

Community Policing Era (1980 – present)

The results of these studies led to another era towards community oriented policing. This era focuses on forming partnerships with the community and other organizations to resolve problems within the community. Police methods from the reform era are still in effect, however we are starting to see a shift back to the political era, in the connection with the community that occurred with the beat cops.

The community oriented policing era saw several works from police theorists such as Herman Goldstein, George Kelling and James Q. Wilson. Kelling and Wilson authored *Broken Windows* which focused on addressing the small problems in order to keep tabs on the bigger issues. William Bratton, who served as police commissioner in the New York City Transit Police, Boston Police, New York City Police, and lastly the Los Angeles Police, was a believer in the Broken Windows philosophy which he successfully implemented in those agencies under his command.



So as we have evolved into the 21st century, the question we are faced with here is *Does Sir Robert Peel's Nine Principles of Law Enforcement still apply today?* Let's take a look at each one of those a little more in depth.

The basic mission for which the police exist is to prevent crime and disorder.

This is pretty straight forward and the reason why law enforcement was created back before Peel's time. This is still the heart of every agency tasked with keeping the peace. Of interest in this first principle is the reference to "crime and disorder". Even back in the early 19th century, Peel recognized that law enforcement had another role in society and that was preventing disorder or in modern day – solving problems.



Preventing disorder and solving problems is a critical part of The Broken Windows Theory where the authors of that report, George Kelling and James Wilson, reference that if small problems go unchecked, they invariably will lead to larger problems and crimes. This principle is in effect throughout the country and can be seen in many mottos and mission statements such as that of the Appleton (WI) Police Department, "Fighting crime and solving problems."

The ability of the police to perform their duties is dependent upon public approval of police actions.

Law enforcement needs the support of their community and the public in order to be effective. For the most part, I believe that the public approves of what law enforcement does. There are many people that may not want to know the specifics of what officers do and see during each shift, but take comfort in that the police are there for them.



There have been several well documented incidents in our history where the public has questioned police actions such as the Rodney King (LAPD), Amadou Diallo(NYPD), Ferguson and Baltimore incidents. Even though those incidents involved a single agency and maybe a few officers, they did have a profound effect on law enforcement not only in those municipalities but also in communities throughout the United States. As evidenced in these types of incidents, police actions are captured and portrayed with regularity in the media and in social media which affords the opportunity for much greater scrutiny than Peel had ever imagined.

Law enforcement leaders tend to be guarded with regards to information. There are times that 'we' in law enforcement need to be a little more transparent with situations and explain the 'why's' of our actions. Often times that little explanation can go a long ways. Granted, we are bound by investigations and the necessity to keep some information out of the public eye for the integrity of the investigation, but we can certainly be a little more forthcoming in our explanations. That all leads to more of an understanding from the public.

Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.

It is quite evident that we have the willing co-operation of the public in law observance; otherwise we would be facing totally chaos. Much of that compliance is a result of the awareness and education that law enforcement and other influential community leaders do on a routine basis.



It has been said that a small percentage of the population is responsible for a significant percentage of the crime. We touch on this more in a later principle, but the average officer to citizen ratio in the United States is 1:220 and is even greater when considering the number that are on-duty at any given time.

The degree of co-operation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.

Historically, citizens have disapproved of excessive force measures, whether it is that of the police, military or general public. Take a look at the last quarter of a century. Veteran officers now who started back in the early 90's were working side by side with officers that had the "fight first, ask questions later" mentality. Those officers were from the 1970's and 1980's generation and were trained by those from the 1960's generation (LA riots and Chicago Democratic National Convention).



Present day officers tend to have more formal education and are taught to 'fight' with their brain and mouth first. This can also be seen through the equipment on an officers duty belt, gone are the days of the sap and wood baton and officers are now carrying electronic control devices and OC spray.



Police seek and preserve public favour not by catering to public opinion but by constantly demonstrating absolute impartial service to the law.

This principle is one of the reasons for the change from the *Political Era to the Reform Era*. Instead of catering to the wants of certain interest groups everyone is deemed equal before the law and through observance of the rule of impartiality the police can make that a reality.



The police need to show impartiality when addressing crime or problems regardless of the person's race, gender, or status. Keep in mind that these principles were written in the early 1800's in Britain which was not very racially diverse. In the today's age of policing, policing and race has become a hot topic.

The police need to adhere to the utmost standards of the criminal justice system. They say that justice is blind and the police must have that same standard. Regardless of one's political connections, wealth or any other standing in society the level of policing service needs to be the same.



That is not to say that they cannot use the informal justice system in some of these cases, there needs to be public trust instilled in the department. Without that trust, the police will never be able to fulfill the other principles that Peel has outlined.

Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient.

This is the second mention of use of force in Peel's Principles which shows the concern back in the 19th century and it continues to be of importance in present day. If you look at this closely, there are actually two issues Peel relates to here.

The first is the hierarchy of the approach that law enforcement uses in addressing crime and restoring order. Obviously the focus needs to be on a less physical approach and the use of persuasion.

The second addresses those times when force is used and looks at the appropriateness and the type and/or amount used.

Many agencies and states have outlined use of force procedures which are taught throughout the officer's career. In Wisconsin, there are five steps in the use of force: presence; dialogue; control alternatives; protective alternatives; and deadly force. The first two steps involve just mere presence and/or speaking and then there is a gradual uptick to deadly force which goes along with the principle that Peel outlined in 1829.

Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.

This principle is in effect today through the many police-community programs in existence. These programs include neighborhood watch, crime stoppers, crime prevention coalitions, etc. Without the public involvement, it would be very difficult for any police agency to be effective. Many people do not realize the number of officers that are on patrol at any given time. They tend to believe that there are far more officers out there than what is reality.

The police rely on the community to help maintain the quality of life. An example of this is Neighborhood Watch. In Fox Crossing (WI) there have been a few cases where tips from neighbors have led to the closures of drug houses. Without this cooperation, which was the result of the relationship with their residents, the police would've had a difficult time making a case.



Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary.

The police must keep in focus that they are not the “judge, jury and executioner”. Each component plays a specific role in the criminal justice process. The role of the police is quite clear in the formal criminal justice system and is also clearly laid out in the branches of government. Law enforcement falls into the Executive branch that enforces those laws that are set through the Legislative branch. Upon the enforcement, it is the Judicial branch that applies the law. Granted, law enforcement may play a role in creating new legislation and is clearly a part of the Judicial branch, officers need to be clear that their primary role is within the Executive branch.



The criminal justice system was designed to ensure a separation of roles between the police, the prosecution and the courts. The system is designed to ensure fair treatment at all stages of the process. There is a saying that it is preferable for 10 guilty men to go free than for one innocent man to be convicted speaks to the tradition of our approach to justice.

The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

Policing is a unique profession in that the less we do, the better off everyone is! Prevention is the ultimate goal and we truly want our communities to be crime free.

When we look at what crime is and how people define it. many rely on statistics, primarily the FBI UCR reports, as that is how many police administrators and elected officials use to gauge police effectiveness, we would like to think that the public's perception of crime is equally, if not more important than what the hard stats are. If you have no documented crimes in a certain area, but the residents and public are fearful to go out at night, are you really effective?



Conclusion

Peel's Nine Principles of Policing continue to shape and mold many programs in law enforcement to this day and will continue to do so in the foreseeable future. Even as technology has advanced by leaps and bounds since the day these were introduced, that technology makes Peel's Principles more applicable with each advancement. There is no question that what was written in 1829 still has effectiveness two centuries later!