

## MODULE 3 – HOW DID WE GET HERE?

### LECTURE 5 - The REFORM ERA, AND THE INQUISITOR DETECTIVE

#### THE REFORM ERA (EARLY 1900s – 1970s) AND POLICE PROFESSIONALIZATION

OK, in the **first part** of this HOW DID WE GET HERE module, we started off with the Continental and British models of social control.

We saw how the **Government Spy** detective model was predominant in the Continental model, but ran into some problems in Britain, and was subsequently modified (**sneaky** word for restricted) somewhat in the LMPD because of the public aversion to sneaky stuff.

We then jumped to the **Political Era** of policing in the US in the 1840s, when police organizations started to form there.

We looked at the colorful **Secretive Rogue and Classical detective models**, and we reviewed the beginnings of the forensic science movement.

Now we have wrapped up the 19th Century and are embarking on an examination of the **Reform Era**, which began around the start of the 20th Century.

This was a busy time, and it can be divided into **two parts** – before World War II, with the **Inquisitor Detective**, and after World War II, with the **Bureaucrat Detective**. As you may have anticipated, we'll start with the "before" part.

In the early 20th Century, the broad-based Progressive reform movement to counter political corruption in the US brought about a number of **significant changes** affecting the police, some of which are listed below. <sup>64, 71, 94</sup>

- 1905 – the first **state police** organization was established (the Pennsylvania State Constabulary).

- 1908 – the **Bureau of Investigations** (BOI), which was the forerunner to the FBI, was established.

- 1920 – **Fosdick**, spelled F-O-S-D-I-C-K, wrote about the need to reform the Secretive Rogue detective.

(Fosdick, as in Raymond B., not as in Al Capp's "Fearless.")

- 1923 – the forerunner of **INTERPOL** was established. That's an organization that promotes international police cooperation.

- 1930 – the **Federal Bureau of Narcotics** was established. That was the forerunner of the Drug Enforcement Agency, or the DEA.

- 1930s – the **Wickersham Commission** was appointed by President Herbert Hoover to push for the reform of the "Secretive Rogue" detective.

- 1935 – the **FBI** was established, with J. Edgar Hoover as its director (no relation to President Hoover).

- 1935 again – the **UCR** was established.

### **THE INQUISITOR DETECTIVE**

As hinted at from the above, part of the resulting new "Reform Era" of policing focused on "**professionalizing**" the police and detectives by reducing the problems associated with the Secretive Rogue (political influence, corruption and power abuse), and by increasing the accountability of the police to the public.<sup>65, 66</sup>

The police **crime control** function was emphasized, and the reactive, scientific investigator of the Classical Detective style was advanced as the ideal crime solver. However, what we got was the "**Inquisitor Detective**," instead. What, you might say, is that, and how did that happen? Yeah, well, I enjoy this part because it's a good example of unintended consequences and **really revolting developments**.

In response to the public dissatisfaction with the clandestine methods of the Secretive Rogue, detectives were **more tightly controlled** by centralizing case assignments, reacting to reported crimes, and close supervision (obeying the speed limit a bit more, eh?). This was, as you already know, similar to what happened to detectives in England a few decades earlier. **Remember** that **wise guy** I talked about before who said that those who cannot remember the past are condemned to repeat it?

Well, **we repeated it**. This is **déjà vu all over again!** **Bummer!**

As in England, this **fundamentally altered** the way detectives did their job. They no longer worked at their own discretion as Secretive Rogues, mingling among the underworld community to prevent or detect crime, or to barter with criminals. Instead they were assigned to offices, and they spent their time responding to supervisory and administrative directives to work on cases to solve specific crimes that had already been committed.

In other words, while their **GOAL** remained to **solve** crime (CUIISC), their **STYLE and FOCUS** changed from the proactive, covert and offender-oriented methods of the Government Spy and Secretive Rogue to that of being **reactive, overt and case-oriented**, similar to the fictional Classical Detective. They responded to crime after it had been committed and the offender was in the **FUGITIVE** phase, and the **ends** of their investigation was more important than the means. Only they forgot to become brilliant like the Classical Detective in the process. Again, **I hate it when that happens.**

These changes were **driven by public demand** and they reined in many of the corruption and abuse problems of the Political Era. However, the controls placed on detectives severely limited their information collection methods (reduced contact with underworld and other sources of info, respond only to reported crimes after ACTION and ESCAPE phases, limited follow-up discretion, etc.). They could no longer use any means to solve crime – they could only use **certain means**.

As a consequence, in order to achieve their GOAL of solving crimes (they were supposed to be the much-celebrated crime solvers like the fictional detectives, remember?), detectives resorted to relying much more heavily on the use of **coercion** and the development of **clandestine informants** (or “**stool pigeons**”) during the FUGITIVE crime phase, in an effort to obtain information about past crime activities.<sup>65</sup> And so, the “**Inquisitor Detective**” was created.

These guys also focused on the interrogation, or the “**third degree**,” as it was known (the first degree was arrest; the second was transportation of the arrestee to the station). The third degree could range from physical coercion to psychological pressure, designed to elicit confessions from suspects.<sup>65</sup> This evoked popular images of suspects being beaten with rubber hoses, and interrogated in dark rooms with a light shining on their faces, surrounded by tough-looking, cigar-chomping detectives in rolled up sleeve and fedora hats, relentlessly firing questions and accusations at them for hours on end. Not quite **waterboarding**, maybe, but close enough...? They apparently hadn't yet gotten the memo from the public that these were **no-no's** for

US citizens. Either that or they just thought they could **break the speed limit** without getting caught. I mean, **whaddaya t'ink woiks bedduh** – kid gloves or knuckle **sam'iches**?

Rather than the brilliant, morally superior, scientifically-oriented Classical Detective originally envisioned by reformers, the Inquisitor Detective became the **predominant type** of investigator in the early 20th Century, as many movies from the 1930s to the 1950s showed.<sup>65, 66</sup> Yes, OBSERVANT TRAVELER, Hollywood had finally been invented by then.

Before we jump into the post-World War II stuff, a brief review of the development of forensic methods during this period in the next lecture helps to understand why they were not yet the investigation panacea envisioned by fiction.