

RURAL POLICE

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The Canadian central government went in advance of the settlers and covered the Northwestern Provinces with a network of stations manned by mounted policemen. Before there was a population dense enough to organize local courts and constabulary, a well disciplined force, with fine horses bred from Arabs and mustangs, were ready to detect, pursue, prosecute, try by legal forms, and punish lawless men. The isolated farmer and his wife slept securely in their sod hovels beyond the frontier, because they knew that a brave and swift corps of vigilant young athletes, many of them bred in stately homes of England, kept sleepless vigil. Life and property were secure, and the settlers were not obliged to divide time and energy between agriculture and war with anti-social men. The economic results were an adequate return for the cost. Family life was more regular because women and children were safe on the frontier. The wild cowboy and the border ruffian were not produced by conditions. The type of civilization was set high from the start. The church had an earlier and calmer hearing, undisturbed by elemental passions of fear and revenge. A milder and more humane policy with the Indians was made possible, because the occasions of exterminating warfare were reduced to a minimum by prescient action and a show of disciplined, military force at every strategic point.

The traveler in Spain has a sense of security on the trains, even in the desolate regions between Cordova and Madrid, because he sees the quiet armed guard who steps off at each station and receives instructions from the telegraph office, while he takes notice of the passengers and gives polite answers to inquiries or appeals for help. It is said that these State guards are more efficient and honest than the municipal officers. Before this ever-moving vigilant force brigandage has melted away, and dangerous robbers have turned to sheep raising and plowing.

The absence of such a far-seeing policy in the United States did produce bloodshed, loss of property, insecurity and barbaric

customs, and delayed the growth of customs and institutions of culture and morality for two generations. In the prairie and mountain territories individual self-defense was necessary, and the lynching party took the place of orderly legal procedure. The ugly scars of these errors will remain in some parts of the United States for generations to come, and many a page of our history will be black with the stories of the borderland of the mountains and plains. It is not pleasant to look at this story even in retrospect.

In the rural regions of the North the tramp, potential robber and murderer when mendicancy will not provide satisfactory repasts, is the terror of farmers' wives. Bands of sturdy rogues take possession of freight trains and have a way of silencing the protests of conductors and brakemen, while they steal rides for the gratification of wanderlust and base appetite. Innocent lads are cajoled into the nomadic and predatory life by the pictures of freedom and idleness which the older vagabonds paint for the imaginations of persons too young to realize the dangers of rheumatism and venereal poisons.

To meet these and kindred evils there is no adequate organization of police. Public attention has often been called, even by President Taft, to the absurd and dangerous delays caused by criminal procedure whose technicalities are an invitation to crime, a promise of immunity. Less attention has been given to the equally urgent necessity of improving our means of apprehending culprits and furnishing evidence for the prosecution of offenders. The value of a rural police as warning and prevention has seldom been discussed as it deserves. When the conflagration of violence and robbery has spread beyond control the forces of law are set to work to check it, all too late. The judicial mill cannot grind without its grist of detected offenders and the proofs beyond reasonable ground for doubt.

Let us support personal opinions by recognized authority. In a standard work by a master of the subject we read: "Most foreign countries have a system of centralized rural police, or *gendarmerie*; but no state in the Union has ever organized such a force, except that sometimes there is a special police to detect illegal sales of liquor. The rural peace officer in America is commonly the constable, elected by popular vote and wholly inadequate for any emergency."¹

¹ A. B. Hart, *Actual Government*, p. 575.

Speaking of forms of brigandage in certain parts of the country, Mr. Bryce says: "Brigandage is due to the absence of a mounted gendarmerie in the vast and thinly-peopled Farther West, and there is no gendarmerie because the federal government leaves the states and territories to create their own, and those unsettled communities, being well armed, prefer to take care of themselves." He raises and answers the question: "Why not create an efficient police? Because crime is uncommon in many districts—in such a district, for instance, as western New York and Ohio—and the people have deliberately concluded that it is cheaper and simpler to take the law into their own hands on those rare occasions when a police is needed than to be at the trouble of organizing and paying a force for which there is usually no employment." ("The American Commonwealth," ed. 1889, Vol. II, pp. 439-440.)

The British observer, in this instance, is rather indulgent to our defect and his explanation is too favorable. It is a national shame for a crowd of men to take the law into their own hands, and it breeds ruffianism and disorder. It is intolerable, and the moral forces of the people must be made to react against it; statesmanship ought to provide regular and legal defense of life, order and property.

We have legal precedents for commonwealth organization of detective service. Massachusetts found it necessary to have a state constabulary to enforce its law prohibiting the liquor traffic, and retained the organization for other purposes after the law was abolished. Rhode Island had a similar experience. South Carolina, in adopting its system of state dispensaries, introduced a state force to make it effective. Connecticut, in 1903, established a body of state police. Bitter experience with conspiracies of miners revealed to Pennsylvania the powerlessness of county authorities in presence of organized law-breakers. The Texas rangers, organized by state authority in 1901, have been found helpful in suppressing outbreaks near the Mexican frontier. Arizona and New Mexico appear to be satisfied with a similar experiment.²

The law is the law of the state. Municipal corporations have no original authority to enact legislation; their ordinances cannot go beyond charter limitations. The enforcement of law, the punishment

² John A. Fairlie, *Local Government in Counties, Towns and Villages* (1906), pp. 268-271.

of crime, the prevention of dangerous acts are all functions of the commonwealth. And this with good reason: it would be intolerable to have an independent law-making authority set up within the territory of a state. No local community can be permitted to become a nursery of criminals, a cave of Adullam serving as a resort for dangerous elements. Horse thieves and burglars will not restrict their malignant activity to the township of their residence. They may even spare their neighbors and live by spoiling persons at a distance.

The criminal of a city go out to plunder rural banks and stores. The common interest does not stop at city lines. The common enemy must be caught where he can be overtaken. The recent extension of trolley lines into the country and the introduction of swift automobiles have widened the field for professional burglars of cities. Against these trained villains the thin safes of country merchants and banks are mere tissue paper.

The rural constabulary is no match for city bred criminals, skilful in the use of dynamite and electricity, and shrewd in studying the hours best adapted for their exploits. The sheriff at the county seat is a toy in the hands of a professional sneak thief or burglar. Even if he can spare time from collecting the fees which fall to him as spoils of his office, he has no natural or acquired qualifications as a detective; he is both awkward and ignorant. Local agents of peace and justice have only a local knowledge of persons bent on crime, usually those who are most harmless, stupid inebriates, naughty boys whose mothers have neglected to spank them. Rural sheriffs and constables know nothing of the sleek, well dressed, polite criminals who reside in comfort in the city and put up at the best inn of the country town while planning to rob a bank or a merchant's cash drawers. The big, burly sheriff is a baby in cunning when pitted against a wily safe-blower who from childhood has lived by his wicked wits and fooled professional detectives. The rural officials are made cowardly by their habits of life; they know nothing of the daring which is characteristic of urban firemen and policemen who face death daily and never think of shrinking. A desperate fellow may dynamite fish, contrary to law, in a lake near a state university; but farmers and professors are afraid to inform, and county officials are too timid to arrest. State game wardens, just because they move about on large areas, seem to have some

influence on killing game out of season, but their organization leaves much to be desired.

What is needed may be inferred from the statement of essential facts in the situation. We need a larger unit of police control; under our political arrangements the governor is the natural head of all the forces of public safety. It would be a good beginning to clothe the chief magistrate of every commonwealth with authority to direct county sheriffs and to hold them to strict account. But a more important measure would be to furnish the governor with a complete and thoroughly organized corps of detectives, plain clothes men and mounted police, under a professionally trained chief responsible to the governor for methods and results. In the central office would be found an identification bureau, with Bertillon and finger print records, in close and regular correspondence with the federal bureau of identification; and this office would furnish descriptions at a moment's notice for any point in the state or elsewhere. The state police force of a state would co-operate with those of other states in matters of detection, arrest and extradition. Suspicious characters in villages and cities would be kept under espionage and plots would be discovered and thwarted. Of the necessary legal adjustments between municipal police, sheriffs and the state force this is not the place to write. Such adjustments could easily be made in accordance with precedents already established.

The men of this country owe it to the wives and daughters of farmers to provide for them better protection. Self-appointed patrols are not enough, and the state ought not to leave private citizens to guard their own barns and homes. The insolence, the fierce passion and the dangerous brutality of certain types of negroes in the South could be effectually curbed by a guard of mounted police. It is the hope of immunity which nurses sexual passion into assault. Animal impulses meet with their best counter-stimulus and inhibition in the frequent and unexpected appearance of alert and omnipresent mounted policemen.

Certain results may fairly be expected: In the war with crime it is essential to make the way of the transgressor as hard as possible, and, at the same time, open ways to honest industry. Wild animals disappear before the hunters of civilization. Gangs of criminals are like predatory animals and must be harried and

watched until this mode of living becomes unendurable. Swift and sure justice begins with a trained corps of detectives. All admit that mobs and lynchings are a disgrace and menace to our civilization. They arise out of prolonged neglect and frequent miscarriage of justice. They would diminish and disappear with a well disciplined and effective rural police.