

## SSJ 203 Professor Moskos

*The American System of Criminal Justice*  
(12<sup>th</sup> edition) by Cole and Smith  
Chapters 5 – 8

### The English Roots of the American Police

- US is not like the rest of the world (no national police force).
- Three major aspects of American policing evolved from the English legal tradition:
  - Limited authority
  - Local control
  - Fragmented Organization
- Unlike England, US police had guns and were controlled by local politicians.

### Early English Police: The Frankpledge System

- You are your brothers' (and sisters') keeper.
- Tithings were formed (10 families).
- A man raised the "hue and cry" to warn others of trouble and to pursue criminals.
- The tithing was fined if members did not perform their duties.

### Constable-Watch System

- Watchmen were appointed to help the constable
  - Patrolled the town at night
  - Ensured "all's well"
  - Enforced criminal law
  - Lit street lamps
  - Put out fires

### 18th Century English Policing

- Industrial Revolution. Urban population and crime dramatically increase.
- Development of police agencies prompted by street crime and mob violence.
- Merchants feared restlessness of the underclass.
- Gin became a major substance abuse problem.
- In 1829, the Metropolitan Police Act (MPA), advocated by Robert Peel, is passed. Creates the first organized police force in London.

### Robert Peel's Principles

- Prevent crime without using repressive force
- Maintain public order by police patrol
- Police and the public should have the same goals: To show efficiency through the absence of crime and disorder



### American Colonial Era of Policing

- Colonists adopted the offices of constable, sheriff, and night watchman.
- Slave patrols developed as organized forces in the South (considered by some to be the first modern police forces in the U.S.).
- Militia used to quell large-scale conflicts.

### Early American Police

- New York City police, modeled after London, was established in 1845.
- Other cities soon followed.
- Different from Peel's British model because US police were 1) controlled by local politicians, 2) armed.

### Three Eras of Police

- Political** (1845 – 1920)
- Reform or Professional** (1920 – 1970 )
- Community Policing** (1970 – present)

Know these eras and their characteristics

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### Political Era 1845 to 1920

- Input from local politicians, citizens
- Foot Patrol
- Limited technology
- Third degree common (if guilty, get confession)
- Corruption problems (especially during Prohibition)
- Curbside justice
- Keystone cop image

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### The Professional (or Reform) Era 1920-1970

- Technological advancements
  - telegraph boxes, motorcycles and police cars
- Part of the greater "Progressive Movement"
- Education                      Training
- Ethics                              FBI/UCR
- Professionalism              Centralization
- Specialized Units              Decreased Response Time
- Reduced Corruption              Increased Pay

### The Community Policing Era: 1970-Present

- Emphasis on good police-community relationships.
- Federal assistance to local and state agencies to fight the war on crime.
- Recruitment and promotion of women and minorities increased.
- Problem solving is best done at the neighborhood level, not in some distant headquarters
- Police unions also grew during this era (but not because of community policing).

### Law Enforcement Agencies in the United States Today

- 3,070 sheriff's departments.
- 12,666 local police departments.
- 1,376 special police agencies.
- 49 state police departments.
- 30 federal agencies that employ 100 or more full-time officers authorized to carry firearms and make arrests.
- 135 Native American Tribal police agencies.

### Native American Tribal Policing

- Treaties create sovereign nations that have some legal autonomy
  - Some tribes have the power to enforce tribal criminal laws against members and non-members on tribal lands
  - Enforcement is normally the duty of
    - Federal officers from the BIA (Bureau of Indian Affairs)
    - Separate tribal police departments

### County Law Enforcement (Sheriffs)

- Duties generally include:
  - Operate county jail
  - Court protection (bailiffs)
  - Serve civil papers
  - Policing rural areas, including unincorporated areas and/or small towns that do not have their own police forces

### State Police Agencies

- All states, except Hawaii, have state police
- Often formed in political response and opposition to cities and city police.
- State forces are generally responsible for:
  - Highway safety
  - Law enforcement in various areas
  - Technical support to other agencies
  - Policing rural areas, including unincorporated areas and/or small towns that do not have their own police forces

### Federal Law Enforcement

- Part of the **executive branch** of federal government.
- Investigate a specific set of crimes defined by Congress.
  - FBI is the federal government's general law enforcement agency
  - Other agencies such as the DEA, ATF, and TSA are responsible for enforcing specific laws

### Municipal (City) Police

- Have general law enforcement authority.
- Employ majority of personnel.
- NYPD is the largest.
- Decentralized and fragmented:
  - are authorized, funded, and operated within the limits of own jurisdictions.
  - Each jurisdiction develops own goals and policies.
  - And yet they are often very similar.

### Police Functions

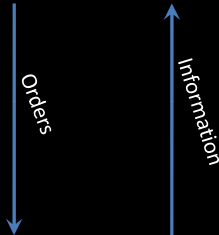
- Police are responsible for a variety of tasks that can be classified into three groups:
  - Order maintenance
  - Making arrests
  - Service (non crime-related activities)

### Police Organization

- Police are organized on a hierarchical structure
- Police organizations are bureaucratic in nature
  - Division of labor
  - Chain of command (information goes up, orders go down)
  - Rules and procedures

### Chain of Command & Rank Order

- Commissioner
- Chiefs/Colonial
- Major
- Captain
- Lieutenant
- Sergeant
- Officer



### Decisions on the Street: Police Discretion

- Discretion is what police do and don't do, when they have choice.
- Police are expected to exercise discretion but there is very little formal policy.
- Factors that influence the use of discretion:
  - The nature of the crime
  - The relationship between the criminal and victim
  - The relationship between the police and the criminal or victim
  - Race/ethnicity, age, gender, and class.
  - Departmental policy
  - Overtime pay

### Chapter 6 Police Officers and Law Enforcement Operations

### Who Are the Police?

- Policing is a difficult job
  - Modest salaries
  - Significant job stress
  - Danger
- Many people who would make good police officers choose other professions
- What are the motivations for becoming a police officer

## Educating the Police

- Pros:
  - Teaches responsibility and ethics.
  - Helps communication.
  - Helps coping with stress and difficult situations.
  - Education makes a better person. A better person makes a better cop.
- Cons:
  - More likely to question authority.
  - Public may not care.
  - Makes hiring harder.

## Changing Profile of Police

- Until 1970s, police officers were traditionally white men.
- Departments are becoming more diverse and actively seek to recruit women and minorities
  - 1968 National Advisory Commission on Civil Disorders
  - 1972 Equal Employment Opportunity Act

## Women in Police Work

- Research has shown:
  - In general, male and female officers perform in similar ways
  - Women are fully capable of doing street police work and meeting the performance expectations of superiors
- Represent about 10% of all sworn police officers, but 17% in NYC.

## Training

- **Police Academy**
  - Legal rules
  - Weapons
  - Social relations
- **Field Training**
  - Generally comes after the academy
  - Rookies teamed with more seasoned officers
  - Veterans help teach techniques
  - Recruits are further socialized into the subculture

## The Police Subculture

- Recruits learn the norms and values of this subculture during training and on the job
- Four key issues in understanding the police subculture:
  - Police “working personality”
  - Danger
  - Authority
  - Stress

## Moral Dilemmas Faced By Police Officers

- The contradiction between the goal of preventing crime and their inability to do so.
- The fact that they must use their discretion to “handle” situations in ways that do not strictly follow procedures.
- “The fact that they invariably act against at least one citizen’s interest, often with recourse to coercive force that can maim or kill.”

### Isolation of Police

- Officers feel as if:
  - They are looked upon with suspicion
  - The public is hostile toward them
- Develop police solidarity
- May socialize mainly with other police officers and their families

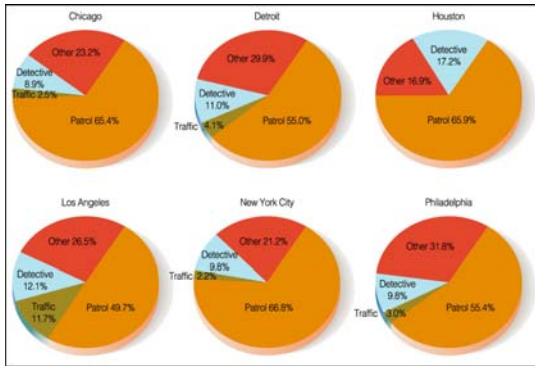
### Police Patrol

The expectation that police should immediately react to a citizens call has resulted in **Incident Driven Policing**.

As opposed to **community policing** or **problem-solving Policing** or **problem-oriented policing** which might use something like.

SARA: 1) Scanning, 2) analysis, 3) response, 4)assessment.

Distribution of Sworn Police Personnel



### Reactive Police Patrol

- A patrol strategy that is initiated by an individual’s call for service
- Dispatchers and responding officers generally have some discretion about how such calls will be handled
- Calls for service often referred to as incidents
- Doesn’t prevent crime

### Car Patrol

- **94% of patrol in large cities** (Reaves, 1992)
- Police cars cruise randomly through the streets, waiting for radio calls
- Based on the premise of omnipresence, the idea people will think cops are everywhere
- **Does not work** in preventing crime or reducing public fear
- Fast police response accounted for less than 5% of serious arrests
- Most calls do not require a fast response by the police

### Hot Spots

- Three percent of locations produce 50 percent of calls to the police.
- Most calls happen between 7pm and 3am.

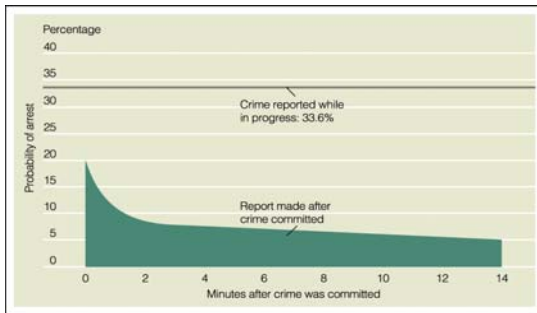
### Rapid Response

- “It made little difference whether they arrived 2 minutes or 20 minutes after the call. What did matter, however, was how soon the police were called” (Spelman and Brown, 1984).
- But people *do and sometimes should wait* before calling the police.
- Police also may respond slowly for safety and/or to let things settle on their own.

### How Effective Are Investigations?

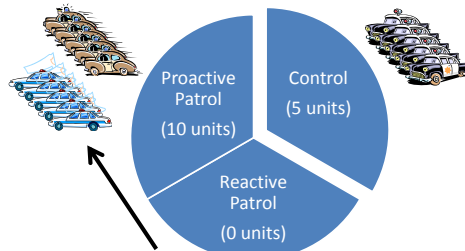
- Chances of making an arrest are most closely linked to when it was reported
  - 33% chance if reported in progress
  - 10% chance if reported 1 minute later
  - 5% if more than 15 minutes elapse before reporting the crime

Probability of Arrest and Time After Crime



- The probability of arrest declines sharply when the police are not called within seconds. What does this imply for patrol policies?

Kansas City Preventive Patrol Experiment



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### Kansas City Preventive Patrol Experiment

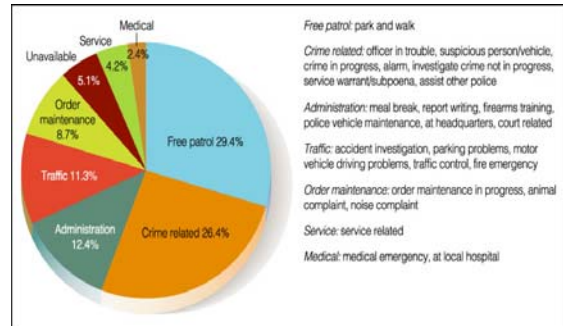
The authors examined crime, arrests, fear, citizen attitudes toward police, response time, and traffic accidents.

One year later...

- No significant differences were found on any of the indicators between the control, proactive, and reactive beats.

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Time Allocated to Patrol Activities (Wilmington, Delaware)



- Free patrol: park and walk
- Crime related: officer in trouble, suspicious person/vehicle, crime in progress, alarm, investigate crime not in progress, service warrant/subpoena, assist other police
- Administration: meal break, report writing, firearms training, police vehicle maintenance, at headquarters, court related
- Traffic: accident investigation, parking problems, motor vehicle driving problems, traffic control, fire emergency
- Order maintenance: order maintenance in progress, animal complaint, noise complaint
- Service: service related
- Medical: medical emergency, at local hospital

- The time spent on each activity was calculated from records for each police car unit. Note the range of activities and the time spent on each.

### Preliminary Investigations

- Generally conducted by patrol officers
- Good preliminary investigations are a major factor in crime solving
- Part of the investigation is the incident report which gives details about the crime, witnesses and all other pertinent factors

### Follow-Up Investigations

- Conducted by detectives following reports from the initial investigation by patrol officers
- Television over-dramatizes this aspect of policing
- Citizen cooperation is important
- Many times the offender is known, or known of, and the detectives simply locate him or her

### How Effective Are Investigations?

- Not very. Many people get away with murder.
- Most crimes are solved because somebody snitches.
- Evidence serves to prove guilt, not identify suspects.
- NYPD detectives work on 1) cases coming up for Compstat, 2) any cases that have press, 3) cases with a named suspect to arrest, for overtime.
- Bad detectives just wait for the phone to ring.

### Newark Foot Patrol Experiment

- Was not proven to reduce crime. But...
- Did result in less fear of crime.
- Gave officers greater satisfaction.
- Residents in areas with foot patrol were more satisfied with police services.
- While foot patrol had no effect on recorded crime rates, it should be remembered that citizens feel threatened by noncriminal (disorderly) behavior as well, Fear can undermine the viability of major cities and erode the quality of urban dwellers.

## Chapter 7 Policing: Issues and Trends

### Use of Force

- Police are permitted to use force, but only that much force as is necessary.
- Use of force continuum versus toolbox approach to use of force.
- Excessive force is more force than is necessary to achieve legitimate ends.

### Controlling Use of Deadly Force

- Tennessee v. Garner (1985)
  - Put an end to any local police policy that allowed officers to shoot unarmed or non-dangerous offenders if they resisted or attempted to flee.
- Graham v. Conner (1989)
  - Force is excessive when, considering all the circumstances known to the officer at the time he or she acted, the force used was **unreasonable**.

Just so you know...

In the police world:

A **police-involved shooting** is when a cop shoots somebody else.

A **police-shooting** is when a cop gets shot.

### Explanations of Police Misconduct

- The idea that a few bad officers always escape the screening of recruitment and training
- The idea that good ends in police work require the use of “dirty” methods
- How do we define corruption? Breaking law, regulation, or ethics?

### Corrupt Cops and the Knapp Commission (1972)

- In response to allegations brought by Frank Serpico.
- Meat Eaters
  - Those who aggressively misuse police power for personal gain by demanding bribes, threatening legal action or cooperating with criminals
- Grass Eaters
  - Those who accept payoffs when their everyday duties place them in a position to be solicited by the public

### Police Immunity

- Honest, well-intentioned police officers need enough legal protection to do their job.
- Sometimes cops makes mistakes, but it’s generally not a criminal problem unless it’s “**negligent.**”
- Internal versus criminal investigations.
  - The police department *can* require you to testify
  - A criminal trial *cannot* require you to testify

### Police Investigating Police: Internal Affairs Units

- Most Internal Affairs Unit Investigations Concern:
  - Sexual harassment
  - Substance abuse
  - Misuse of physical force
  - Breaking department rules

### **External Review of the Police**

- Should such a system be composed of civilians only?
- What powers should they be given?
- How would police rights be protected in such a system?
- But can you trust police to police themselves?

### **Police and Constitutional Law** (Chapter 8)

### **Search and Seizure**

- Defined as actions by agents of the government that intrude upon people's reasonable expectations of privacy
- When people are not free to leave when officers' assert their authority to halt someone's movement, then a seizure has occurred

### **Arrests**

- All arrests must be supported by probable cause: existing evidence to support the reasonable conclusion that a person has committed a crime

### **Searches With Warrants**

- Reasonableness depends on:
  - Particularity
  - Reasonable Cause
  - Affidavit
  - Some organizations have formal policies and procedures for verifying warrants and communicating with officers before police search their premises

### **Totality of Circumstances**

- This concept emanated from Illinois v. Gates (1983)
  - Allows for a more generalized determination about whether the evidence is both sufficient and reliable enough to justify a warrant

U.S. Customs Service policies for personal searches		
Search Type	Suspicion Level	Approval
1. Immediate pat-down (frisk): A search necessary to ensure that a person is not carrying a weapon	Suspicion that a weapon may be present	None required
2. Pat-down for merchandise: A search for merchandise, including contraband, hidden on a person's body	One articulable fact	On-duty supervisor
3. Partial body search: The removal of some clothing by a person to recover merchandise reasonably suspected to be concealed on the body	Reasonable suspicion, based on specific, articulable facts	On-duty supervisor
4. X-ray: Medical X-ray by medical personnel to determine the presence of merchandise within the body	Reasonable suspicion, based on specific, articulable facts	Port director and court order, unless person consents
5. Body-cavity search: Any visual or physical intrusion into the rectal or vaginal cavity	Reasonable suspicion, based on specific, articulable facts	Port director and court order, unless person consents
6. MIM (monitored bowel movement): Detention of a person for the purpose of determining whether contraband or merchandise is concealed in the alimentary canal.	Reasonable suspicion, based on specific, articulable facts	Port director

Source: U.S. General Accounting Office, U.S. Customs Service: Better Targeting of Airline Passengers for Personal Searches Could Produce Better Results (Washington, D.C.: U.S. Government Printing Office, March 2000).

### Plain View Searches

- The right to search and seize what Officers can discover by the use of their ordinary senses
- What police see, feel, touch, or smell is fair game.

### Open Fields Doctrine

- Allows police officers, acting without a warrant, to walk past “no trespassing” signs to find marijuana plants in fields on private property.
- Climbing a ladder to look over a wall is not allowed.
- Seeing from aircraft and helicopters is considered OK.

### Plain Feel Doctrine

- Minnesota v. Dickerson (1993)
  - While conducting a pat-down search of a suspect’s outer clothing, items in pockets or clothing may be seized as evidence if they are immediately identifiable by touch as weapons or contraband

### People V. Diaz (1993): New York State Exception to Plain Feel

- New York Court of Appeals is the highest court in New York State.
- **Contraband found during a Terry Frisk cannot be used for arrest or prosecution.**
- “A ‘plain touch’ exception would invite the use of weapons’ searches as a pretext for unwarranted searches, and thus to severely erode the protection of the Fourth Amendment.”

### Warrantless Searches (p. 303)

- Incident to arrest (Chimel v. California 1969)
- Stop and frisk on the streets
- Checkpoints for a specific purpose
- Search incident to a lawful arrest
- Exigent circumstances
- Consent
- Automobile searches

Warrantless searches	
The Supreme Court has ruled that there are circumstances when a warrant is not required.	
Case	Decision
<b>Special needs</b>	
<i>Michigan Department of State Police v. Sitz</i> (1990)	Stopping motorists systematically at roadblocks designed for specific purposes, such as detecting drunken drivers, is permissible.
<i>City of Indianapolis v. Edmond</i> (2000)	Police traffic checkpoints cannot be justified as a generalized search for criminal evidence; they must be narrowly focused on a specific objective.
<b>Stop and frisk</b>	
<i>Terry v. Ohio</i> (1968)	Officers may stop and frisk suspects on the street when there is reasonable suspicion that they are armed and involved in criminal activity.
<i>Adams v. Williams</i> (1972)	Officers may rely on reports from reliable witnesses as the basis for conducting a stop and frisk.
<i>Illinois v. Wardlow</i> (2000)	When a person runs at the sight of police in a high-crime area, officers are justified in using that person's flight as a basis for forming reasonable suspicion to justify a stop and frisk.
<b>Incident to an arrest</b>	
<i>Chimel v. California</i> (1969)	To preserve evidence and protect the safety of the officer and the public after a lawful arrest, the arrestee and the immediate area around the arrestee may be searched for weapons and criminal evidence.
<i>United States v. Robinson</i> (1973)	A warrantless search incident to an arrest is not limited by the seriousness of the crime for which the arrestee has been taken into custody.

Warrantless searches (cont.)	
The Supreme Court has ruled that there are circumstances when a warrant is not required.	
Case	Decision
<b>Exigent circumstances</b>	
<i>Warden v. Hayden</i> (1967)	When officers are in hot pursuit of a fleeing suspect, they need not stop to seek a warrant and thereby risk permitting the suspect to get away.
<i>Cupp v. Murphy</i> (1973)	Officers may seize evidence to protect it if taking time to seek a warrant creates a risk of its destruction.
<b>Consent</b>	
<i>Bumper v. North Carolina</i> (1968)	Officers may not tell falsehoods as a means of getting a suspect to consent to a search.
<i>United States v. Drayton</i> (2002)	An officer does not have to inform people of their right to refuse when he or she asks if they wish to consent to a search.
<b>Automobiles</b>	
<i>Carroll v. United States</i> (1925)	Because by their nature automobiles can be easily moved, warrantless searches are permissible when reasonable suspicion of illegal activity exists.
<i>New York v. Class</i> (1986)	An officer may enter a vehicle to see the vehicle identification number when a car has been validly stopped pursuant to a traffic violation or other permissible justification.
<i>California v. Acevedo</i> (1991)	Officers may search throughout a vehicle when they believe they have probable cause to do so.
<i>Maryland v. Wilson</i> (1997)	During traffic stops, officers may order passengers and as well as the driver to exit the vehicle, even if there is no basis for suspicion that the passengers engaged in any wrongdoing.
<i>Knowles v. Iowa</i> (1998)	A traffic violation by itself does not provide an officer with the authority to search an entire vehicle. There must be reasonable suspicion or probable cause before officers can extend their search beyond merely looking inside the vehicle's passenger compartment.

- ### Special Needs Situations
- Justified needs to conduct warrantless searches of every individual passing through certain specific contexts, e.g.:
    - Metal detectors in airports, schools
    - Border crossing searches
    - The effort to investigate and prevent terrorist activities in the aftermath of the September 11th tragedy has triggered new debates about whether police need greater freedom to conduct interrogations without the restrictions of Miranda.

- ### Stop and Frisk
- A stop is a brief interference with a person's freedom and must be justified by reasonable suspicion
  - Police must make observations, draw conclusions, identify themselves, and make inquiries before conducting the stop-and-frisk search
  - Searches Incidental to Arrest

Searches by sight and feel	
The Fourth Amendment's protection for reasonable expectations of privacy does not cover criminal evidence that can be seen or felt by officers in specific situations.	
Case	Decision
<b>Plain view</b>	
<i>Coolidge v. New Hampshire</i> (1971)	Officers are permitted to notice and use as evidence items in plain view when the officers are where they are legally permitted to be.
<b>Open fields</b>	
<i>Oliver v. U.S.</i> (1984)	Officers are permitted to intrude on private lands that are open areas, such as fields and pastures, but they may not search the yard area immediately surrounding a house (curtilage) without a warrant or a specific justification for a warrantless search.
<b>Plain feel</b>	
<i>Minnesota v. Dickerson</i> (1993)	While conducting a pat-down search of a suspect's outer clothing, police may seize items in pockets or clothing as evidence if they are immediately identifiable by touch as weapons or contraband.

- ### Exigent Circumstances
- When officers are in the middle of an urgent situation in which they must act swiftly and do not have time to go to court to seek a warrant. For example:
    - When officers are in hot pursuit
    - The immediate need to establish a search to determine that no one is in imminent danger

### Consent Searches

- Search made without probable cause or a warrant that is agreed to by the person being searched
- To claim your rights you must assert them!

### Automobile Searches

- A traffic violation by itself does not provide an officer with the authority to search an entire vehicle. There must be specific factors creating reasonable suspicion or probable cause to justify officers doing anything more than looking inside the vehicle

### Questioning Suspects

- *Miranda v. Arizona* (1966)
  - You have the right to remain silent
  - If you decide to make a statement, it can and will be used against you in court
  - You have the right to have an attorney present during interrogation or to have an opportunity to consult with an attorney
  - If you cannot afford an attorney, the state will provide one

Questioning suspects	
The Supreme Court has ruled that suspects' rights against self-incrimination are protected by the Fifth Amendment.	
Case	Decision
<b>Miranda Rules</b> <i>Miranda v. Arizona</i> (1966)	Before suspects in police custody may be questioned, they must be told that they have the right to remain silent, that anything they say may be used against them, and that they have the right to counsel during questioning.
<b>Public Safety Exception</b> <i>New York v. Quarles</i> (1984)	Officers may direct questions to arrested suspects prior to reading the <i>Miranda</i> warnings if concerns about public safety require immediate questioning.

BERGHUIS, WARDEN v. THOMPSON (2010): Suspects must speak up to invoke their right to remain silent.

### Public Safety Exceptions to Miranda

- The underlying premise is that some urgent situation of significant social importance outweighs the necessity of respecting individuals' rights

### The Exclusionary Rule

- *Mapp v. Ohio* (1961),
- States illegally seized evidence may not be used against an individual in court

Exclusionary rule	
The Supreme Court has created the exclusionary rule as a means of insuring that Fourth and Fifth Amendment rights are protected. It has also provided exceptions to this rule.	
Case	Decision
<b>Exclusionary rule</b> <i>Mapp v. Ohio</i> (1961)	Because the Fourth Amendment protects people from unreasonable searches and seizures by all law enforcement officials, evidence found through improper searches or seizures must be excluded from use at state and federal trials.
<b>"Good faith" exception</b> <i>United States v. Leon</i> (1984)	When officers act in good faith reliance on a warrant, the evidence will not be excluded even if the warrant was issued improperly.
<b>"Inevitable discovery" exception</b> <i>Nix v. Williams</i> (1984)	Improperly obtained evidence can be used when it would later have inevitably been discovered without improper actions by the police.

- ### Good Faith Exceptions
- Reliance on a warrant found to be incorrect
  - Reliance on statutes later declared unconstitutional
  - Reliance on records maintained by justice system employees
  - Inevitable discovery rule

Contexts outside of the standard criminal prosecution in which the exclusionary rule does not apply	
Case	Decision
<b>Grand jury proceedings</b> <i>United States v. Calandra</i> (1974)	A witness summoned to appear before a grand jury cannot refuse to answer questions simply because the questions were based on evidence obtained from an improper search.
<b>Parole revocation hearings</b> <i>Pennsylvania Board of Pardons and Parole v. Scott</i> (1998)	Improperly obtained evidence can be used at parole revocation proceedings.
<b>Immigration deportation hearings</b> <i>Immigration and Naturalization Service v. Lopez-Mendoza</i> (1984)	Improperly obtained evidence can be used at deportation hearings.
<b>Impeachment of defendant</b> <i>Harris v. New York</i> (1971)	Improperly obtained statements can be used to impeach the credibility of defendants who take the witness stand and testify in their own trials.

- ### The Bill of Rights
- Ratified in 1791, the first 10 Amendments to the U.S. Constitution (ratified 1788).

- ### Amendment 1
- Congress shall make **no law respecting an establishment of religion, or prohibiting the free exercise thereof**; or abridging the **freedom of speech, or of the press**; or the **right of the people peaceably to assemble**, and to **petition the government for a redress of grievances**.

- ### Amendment 2
- A well regulated militia, being necessary to the security of a free state, the right of the people to **keep and bear arms**, shall not be infringed.

### Amendment 3

- No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

### Amendment 4 (my favorite Amendment)

- The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### Amendment 5

- No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### Amendment 6

- In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

### Amendment 7

- In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

### Amendment 8

- Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Amendment 9**

- The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Amendment 10**

- The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Concepts & the Readings' Main Points:

- Broken Windows
- Tipping Point
- Gates' arrest
- Robert Peel
- Martin Luther King
- Each chapter of Cop in the Hood
- reasonable suspicion and probable cause
- Discretion
- Three Eras of policing
- patrol (car/foot)
- Compstat
- Corruption
- war on drugs
- Prohibition
- rapid response
- chain of command
- Terry v. Ohio.
- Bill of Rights