

RELEASE UPON  
DELIVERY

DEPARTMENT OF JUSTICE  
LIBRARY

LAW ENFORCEMENT AS A PROFESSION

AN ADDRESS

by

HONORABLE HOMER CUMMINGS

THE ATTORNEY GENERAL OF THE UNITED STATES

before the

INTERNATIONAL ASSOCIATION FOR IDENTIFICATION

The Great Hall

Department of Justice Building

September 30, 1937

9:45 a.m.

It is a pleasure to address the members of the International Association for Identification and to welcome you to the Department of Justice. Your organization has, for over a score of years, assumed leadership in the application of science to the problems of crime.

Until comparatively recent times in this country the criminal element, at least the organized variety of the criminal element, managed to remain just a few steps ahead of the law enforcement officials. In the moving pictures and magazines of a few years ago the forces of law and order were usually symbolized by a rather clumsy policeman who spent most of his time chasing criminals, rarely catching anyone, and then usually the wrong one. The policeman was a favorite subject for ridicule. And similarly, until very recent times, detective work was symbolized by that creation of Conan Doyle - Sherlock Holmes. There was always a checkered cap, a large pipe and a microscope. The members of the criminal element, on the other hand, were usually represented as shrewd, equipped with the latest devices for the commission of crime and avoidance of pursuit. Those of us connected with law enforcement naturally resented such portrayals. I am not so sure, however, that our resentment was wholly justified, for only recently has science been keeping pace with the criminal and matching his devices, his methods and his equipment. When scientific crime detection, as such, first received public attention it was met in some quarters with skepticism by many experienced law enforcement officials who labeled themselves as "practical" men - men who boasted that an ounce of horse sense was worth a dozen microscopes.

This controversy within the police ranks is fast disappearing. Scientific crime detection has established its place and the men engaged in this work are securing for it recognition as a professional field.

If I were to venture an explanation why the field of scientific crime detection has won its spurs, so to speak, I would say that it is because of the premium which you have placed upon skill and the emphasis which you have given to trained personnel. If these are essentials of effective identification work, I submit that they are equally indispensable to the other groups and agencies in the law enforcement field.

If I were to name one of the outstanding deficiencies in crime control efforts today I would without hesitancy point to the need of greater emphasis on personnel. You represent a body of experts. I wish that all groups dealing with crime control were equally expert. But it is because you have seen the futility of non-expert work, because you have replaced the hunch and the guess with science, that I am reminded to stress the necessity for the same approach throughout the entire crime-fighting army.

Any study of characteristic failures in law enforcement reveals that in the large percentage of instances they are the result of faulty, unskilled administration of the law rather than of weaknesses in the law itself.

A few years ago we found that our criminal laws and our procedural laws needed a thorough renovating. This task was undertaken both in the Federal system and in the several States, and great accomplishments have been made in a comparatively short space of time.

We have paid much too little attention to the skill of those who investigate, apprehend, prosecute and mete out sentence. We have attracted too few men of merit to enforce the criminal laws which have been enacted by our legislators.

Often breakdowns occur in the administration of criminal justice. Sometimes they may consist of failures to arrest or failures to prosecute. Sometimes the evidence is insufficient although available. So-called expert witnesses quite frequently disagree on the given statement of facts. Juries sometimes acquit despite overwhelming evidence of guilt. Delays occur between conviction in the trial court and decision by the appellate court. Persons who should not be released from prison are occasionally paroled and deserving men are denied release who are safe risks. In virtually all of these instances the breakdowns - the failure, could not have been averted by the placing of additional statutes upon the books. In these cases somewhere down the line there has been a defect in skill and character - a breakdown in people, not in laws. Some person - policemen, prosecutor, judge, juror, parole officer, prison guard, has failed to measure up.

We have been woefully lax in this country in establishing standards of performance and prerequisites for those who would make crime suppression a career. While such standards need not always be inscribed upon the statute books, it is nevertheless significant that in most States any person, regardless of his intelligence quotient or his training, can become a Justice of the Peace, a coroner, a prison guard, a parole officer, a sheriff. The medical and legal professions are waging a winning fight

for standards; and other professional and trade groups have established higher standards of proficiency. In the field of law enforcement we have lagged far behind, but in recent years we can safely report progress. One evidence in the Federal system can be found in the requirements for admission established in the Federal Bureau of Investigation, the 14-weeks training course for Agents and the system of promotion on merit. All of our prison officials are chosen by the Civil Service; and in both the Federal Bureau of Investigation and the Bureau of Prisons career service is encouraged and employees have been granted retirement privileges. Much might be said of similar trends in the State and local governments. The establishment of regular training courses in connection with the police departments of many cities is a new and an encouraging development.

I have no hesitancy in predicting that some day crime fighting will attain a professional status. The good work of your organization and the example of your membership will, I am sure, hasten that day.