

file Speech

SPEECH BY:

ROBERT MORGAN
ATTORNEY GENERAL OF NORTH CAROLINA

GOLDEN DEEDS AWARD BANQUET
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THE ROLE OF POLICE IN TODAY'S SOCIETY

IT IS A PRIVILEGE TO BE HERE WITH YOU TONIGHT AND TO HAVE THE OPPORTUNITY TO PARTICIPATE IN YOUR GOLDEN DEEDS AWARD BANQUET. BY THE VERY NATURE OF MY JOB AS ATTORNEY GENERAL, I HAVE BEEN, IN THE PAST SEVERAL YEARS, IN CONSTANT COMMUNICATION WITH LAW ENFORCEMENT OFFICERS THROUGHOUT THE STATE AND HAVE COME TO APPRECIATE THEM AND THE WORK THEY DO EVEN MORE THAN WHEN I WAS IN PRIVATE PRACTICE.

MY APPRECIATION OF THE ROLE OF POLICE IN OUR SOCIETY IS TWO-FOLD. FIRST, AS A CITIZEN, I APPRECIATE THE ROLE OF THE POLICE IN PROTECTING ME, MY FAMILY, AND MY PROPERTY. SECOND, AS AN ELECTED STATE OFFICIAL, I APPRECIATE THE ROLE OF THE POLICE IN ENFORCING THE LAWS WHICH HOLD OUR SOCIETY TOGETHER AND MAKE GOVERNMENT POSSIBLE. THESE ARE THINGS WE SOMETIMES TAKE TOO MUCH FOR GRANTED, AND IT IS ESSENTIAL TO SET ASIDE SOME TIME TO THINK ABOUT LAW ENFORCEMENT AND WHAT IT MEANS.

THE WORD "POLICE" COMES FROM THE GREEK WORD "POLIS", WHICH MEANS CITY OR STATE. THIS IS THE SAME WORD FROM WHICH WE GET "POLICY" AND "POLITICS", WORDS WHICH DESCRIBE THE PROCESSES OF GOVERNMENT. POLICE ARE ESSENTIAL TO A CITY, A STATE, OR TO ANY KIND OF GOVERNMENT. GOVERNMENT CANNOT EXIST WITHOUT LAWS. LAWS ARE OF NO EFFECT UNLESS THERE IS A REASONABLE EXPECTATION THAT THEY WILL BE ENFORCED. ENFORCEMENT REQUIRES POLICE.

POLICE ARE ESSENTIAL TO OUR SOCIETY, BUT THEIR ROLE CHANGES CONSTANTLY. IN 1971, A NATIONAL ADVISORY COMMISSION ON CRIMINAL JUSTICE STANDARDS AND GOALS WAS APPOINTED TO STUDY CRIME REDUCTION AND TO MAKE RECOMMENDATIONS. COMMISSION MEMBERS REPRESENTED STATE AND LOCAL GOVERNMENTS, INDUSTRY, AND CITIZEN GROUPS. THE COMMISSION MADE ITS REPORT EARLIER THIS YEAR. I WAS PRIVILEGED TO PARTICIPATE IN THE CONFERENCE WHICH WAS CALLED TO DISCUSS THESE RECOMMENDATIONS.

THIS REPORT RECOGNIZES THE POLICEMAN AS THE PRIMARY FORCE IN REDUCING AND PREVENTING CRIME. IT MAKES A NUMBER OF RECOMMENDATIONS CONCERNING POLICE, NOT ALL OF WHICH I AGREE WITH. PERHAPS EVEN MORE SIGNIFICANT THAN THESE RECOMMENDATIONS, HOWEVER, IS THE COMMISSION'S DEFINITION OF THE POLICE ROLE. ITS REPORT LISTED THE FOLLOWING FUNCTIONS WHICH POLICE AGENCIES PROVIDE:

PREVENTION OF CRIMINAL ACTIVITY;

DETECTION OF CRIMINAL ACTIVITY;

APPREHENSION OF CRIMINAL OFFENDERS;
PARTICIPATION IN COURT PROCEEDINGS;
PROTECTION OF CONSTITUTIONAL GUARANTEES;
ASSISTANCE TO THOSE WHO CANNOT CARE FOR THEMSELVES OR
WHO ARE IN DANGER OF PHYSICAL HARM;
CONTROL OF TRAFFIC;
RESOLUTION OF DAY-TO-DAY CONFLICTS AMONG FAMILY,
FRIENDS, AND NEIGHBORS;
CREATION AND MAINTENANCE OF A FEELING OF SECURITY IN
THE COMMUNITY;
PROMOTION AND MAINTENANCE OF A FEELING OF SECURITY IN
THE COMMUNITY.

THUS THE POLICEMAN IS EXPECTED TO BE ALL THINGS TO ALL
PEOPLE. HE MUST BE ABLE TO ENFORCE LAW AND ORDER, USING
FORCE WHEN NECESSARY. HE MUST ALSO BE A SKILLED DETECTIVE.
HE MUST BE A CONSTITUTIONAL EXPERT. HE MUST BE A WELFARE
WORKER AND PSYCHOLOGIST. HE MUST BE A PUBLIC RELATIONS EXPERT.
HE MUST ASSURE THE COMMUNITY THAT THE LAWS ARE ENFORCED, BUT
HE MUST ALSO ASSURE OFFENDERS THAT THEIR CONSTITUTIONAL
RIGHTS ARE PROTECTED.

THESE ARE SOME OF THE THINGS WE EXPECT FROM OUR POLICE.
WHAT DO WE GIVE THEM IN RETURN? YOU KNOW THE ANSWERS. TOO
OFTEN, WE GIVE THEM LONG HOURS AND LOW PAY. WE GIVE THEIR
FAMILIES LITTLE OR NO COMPENSATION IF THEY ARE INJURED OR
KILLED IN THE LINE OF DUTY. WE GIVE THEM INADEQUATE ADMINISTRATIVE
BACK-UP AND, TOO OFTEN, INSUFFICIENT TECHNICAL RESOURCES OR

OUTMODED EQUIPMENT. TOO OFTEN, WE MAKE POLICE DEPARTMENTS TOOLS OF POLITICS. WE FILL THE NEWSPAPERS WITH STORIES OF "POLICE CORRUPTION" AND "POLICE BRUTALITY", AND DO NOT PUBLICIZE THE ACCOMPLISHMENTS OF THE POLICE, THE VAST MAJORITY OF WHOM ARE HONEST AND DECENT PEOPLE.

THE POLICE ARE THE VICTIMS OF A BASIC CONFLICT IN OUR ATTITUDE TOWARD LAW ENFORCEMENT. ON THE ONE HAND, WE DEMAND LAW AND ORDER, AND ENACT VOLUMES OF LAWS, ORDINANCES AND REGULATIONS. ON THE OTHER HAND, WE DON'T EXPECT ALL OF THESE LAWS TO BE STRICTLY ENFORCED, AT LEAST NOT AGAINST OURSELVES. HOW MANY OF US HAVE NEVER VIOLATED A SPEED LAW, OR PARKED ILLEGALLY? HOW MANY OF US HAVE NOT, KNOWINGLY OR OTHERWISE, VIOLATED SOME LAW OR ORDINANCE? WE HAVE SO MANY LAWS AND REGULATIONS THAT NOT EVEN WE LAWYERS KNOW ALL THAT WE CAN AND CANNOT DO. WE ALSO HAVE SOME LAWS THAT ARE REALLY A STATEMENT OF POLICY, AND WERE NEVER MEANT TO BE STRICTLY ENFORCED.

OUR SOCIETY, THEN, HAS BUILT A VAST STRUCTURE OF LEGISLATION, AND HAS SET UP COMPLEX ADMINISTRATIVE SYSTEMS TO ENFORCE IT. ALL THIS CONVERGES ON A SINGLE POINT: THE INDIVIDUAL POLICEMAN. BASICALLY, WE RELY ON HIS JUDGMENT IN APPLYING THE LAW. HE IS THE PERSON WHO TRANSLATES THE COMPLEXITIES OF OUR CRIMINAL CODES INTO THE REALITIES OF ARREST. HE MUST TRY AND JUDGE THE STANDARDS OF LAW ENFORCEMENT THE COMMUNITY WANTS AND APPLY THEM IN A REASONABLE WAY.

WE EXPECT THE POLICEMAN TO MAKE DECISIONS THAT WE ARE UNWILLING OR UNABLE TO MAKE AS A SOCIETY. HE IS TOO OFTEN CAUGHT IN THE MIDDLE, BETWEEN THOSE WHO COMPLAIN ABOUT LAX LAW ENFORCEMENT, AND THOS WHO COMPLAIN ABOUT POLICE INTRUSION ON INDIVIDUAL RIGHTS.

POLICEMEN IN OUR SYSTEM OF GOVERNMENT ARE THE REPRESENTATIVES OF LAWFUL AUTHORITY AND ARE THE PROTECTORS OF OUR INDIVIDUAL RIGHTS. OF WHAT VALUE IS YOUR RIGHT TO THE PURSUIT OF HAPPINESS IF YOU MUST WALK THE STREETS IN FEAR BY DAY AND NOT AT ALL BY NIGHT, LEST YOUR OWN UNASSISTED STRENGTH BE INADEQUATE TO REPEL THOSE WHO ATTACK YOU?

OF WHAT VALUE IS YOUR RIGHT TO LIFE IF THOSE WHO WOULD DEPRIVE YOU OF IT IN FACT ARE NOT RESTRAINED BY THE FEAR OF THE POLICEMAN - THE FEAR OF HIS COURAGE, HIS INTEGRITY AND HIS PERSISTENCE IN TRACKING A MURDERER DOWN AND RETURNING HIM TO THE BAR OF JUSTICE?

OF WHAT VALUE IS YOUR RIGHT TO LIBERTY IF THE LAW HAS NO MUSCLE TO REACT AGAINST THE TYRANNICAL DEMANDS OF THE ROBBER AND THE RAPIST?

OUR RIGHTS AND OUR LIBERTIES ARE MADE REAL BY COURAGE AND DEDICATION OF THE POLICEMAN ON THE BEAT.

HE IS THE TANGIBLE STRENGTH OF A GOVERNMENT OF LIBERTY UNDER LAW AND WHEN THE POLICEMAN CAN PREVAIL, DISPUTES AMONG MEN ARE SETTLED LARGELY IN INK RATHER THAN IN BLOOD. WHEN

THE POLICEMAN CANNOT PREVAIL, ORDER BECOMES CHAOS AND THE
CRY OF LIBERTY IS LOST IN THE HURRICANE OF SOCIAL DESTRUCTION,
THE PROOF IS WRITTEN IN BLOOD ON MANY A PAGE OF HISTORY,

A POLICEMAN IS A WALL AGAINST THE FORCES OF EVIL,

HE IS A BARRICADE ERECTED BY THE LAW-ABIDING AGAINST
ATTACKS BY THE LAWLESS,

HE IS AN ESSENTIAL COG IN THE SOCIAL MECHANISM, HE
KNOWS IT WHEN HIS POLICE RADIO BLARES OUT AN URGENT CALL TO
STOP A FIGHT, OR SAVE A LIFE, OR TAKE SOME ACTION WHICH
OTHERS ARE EITHER UNWILLING OR INCAPABLE OF TAKING,

HE KNOWS IT WHEN AN ORDER COMES FROM THE CHIEF THAT
ON THIS HOLIDAY OR THAT, WHEN YOU AND I HAVE GONE TO THE GAME,
THE PICNIC, OR THE PARADE, ALL POLICE OFFICERS WILL REPORT FOR
DUTY AS A MATTER OF PUBLIC PROTECTION,

HE KNOWS IT WHEN SOME VICIOUS CRIME STRIKES THE
COMMUNITY AND BOTH HIS DAYS AND HIS NIGHTS BECOME WORKING HOURS
TO COMPLY WITH THE PUBLIC DEMAND THAT THE CRIME BE SOLVED
AND THE OFFENDER BE BROUGHT TO JUSTICE,

A POLICEMAN IS A FRIEND IN NEED, HIS TELEPHONE HAS
A SPECIAL PLACE IN THE DIRECTORY, AND MANY OF US POST IT AT
SOME CONVENIENT SPOT, FOR INSTANT USE,

HE IS THE ONE TO WHOM WE INSTINCTIVELY TURN WHEN ALL
ELSE FAILS,

WE EXPECT HIM TO KNOW WHAT TO DO AND HE MOST OFTEN DOES. HE GUIDES THE TOURIST, FINDS THE MISSING CHILD, LOCATES THE DOCTOR AND RACES THE EXPECTANT MOTHER TO THE HOSPITAL.

HE IS OUR MOST VERSATILE PUBLIC SERVANT.

HOW A POLICEMAN LOOKS UPON HIS ROLE AND HOW HE ACTS IT OUT DEMONSTRATES IN THE TRUEST SENSE THE TYPE OF SOCIETY WE HAVE FASHIONED.

UNFORTUNATELY, PUBLIC UNDERSTANDING AND SUPPORT FOR LAW ENFORCEMENT AND THE ADMINISTRATION OF CRIMINAL JUSTICE IS NOT WHAT IT OUGHT TO BE. CRIME PREVENTION SUFFERS FROM A LACK OF PUBLIC SUPPORT. MAINLY, PEOPLE DO NOT ASSOCIATE THEMSELVES WITH LAW ENFORCEMENT PROBLEMS NOR WITH THE REMEDIAL STEPS NECESSARY FOR PROGRESS IN CRIME PREVENTION. THE PUBLIC HAS COME TO REFER TO LAW ENFORCEMENT AND THE COURTS AS "THEY" WHEN, IN FACT, THE REFERENCE OUGHT TO BE "WE".

THE STATE OF OUR LOCAL LAW ENFORCEMENT ARM IN TERMS OF ADEQUACY OF PAY, AVAILABILITY OF TRAINING AND EDUCATION, AND PROFESSIONALISM WITHIN THE CORPS UNTIL RECENTLY, HAS OFTEN BEEN A GENUINE TRAGEDY. YET OUR LAW ENFORCEMENT OFFICERS ARE EXPECTED DAILY TO EXERCISE THE PATIENCE OF JOB, THE WISDOM OF SOLOMON, THE DIPLOMACY OF AN AMBASSADOR AND THE JUDICIOUS RESTRAINT OF AN APPELLATE COURT JUDGE AS THEY GO ABOUT THEIR DUTIES.

THEY ARE REGULARLY CALLED UPON TO ARBITRATE FAMILY DISPUTES, INQUIRE INTO YOUTH-RELATED VANDALISM AND INVESTIGATE NEIGHBORHOOD NARCOTICS TRAFFIC WITHOUT ANY RELIEF FROM THE CONTINUING DEMANDS OF VIOLENT CRIME INVESTIGATION AND LOCATION AND CAPTURE OF ACCUSED CRIMINALS. AT THE SAME TIME, PRESENTATION OF POLICE-GATHERED EVIDENCE IN THE COURTROOM OFTEN PITS THE OFFICER'S TRUTHFULNESS AND SINCERITY AGAINST CUNNING AND ARTFUL CROSS-EXAMINATION BY THE BEST LAWYERS AVAILABLE.

THE LACK OF PUBLIC UNDERSTANDING AND SUPPORT FOR LAW ENFORCEMENT AND ADMINISTRATION OF CRIMINAL JUSTICE IS A SERIOUS PROBLEM. WITH YOUR HELP, THE PUBLIC CAN BE BROUGHT BACK TO THE REALIZATION THAT IN THE TWENTIETH CENTURY RE-ENACTMENT OF THE PARABLE OF THE GOOD SAMARITAN, THE GOOD SAMARITAN WILL MORE OFTEN THAN NOT, WEAR THE BADGE OF A LAW ENFORCEMENT OFFICER.