

The New York Times Sunday Review | The Opinion Pages

Search All NYTimes.com Go



NEWS ANALYSIS

When the Police Go Military

By AL BAKER
Published: December 3, 2011

RIOT police officers tear-gassing protesters at the Occupy movement in Oakland. The surprising nighttime invasion of Zuccotti Park in Lower Manhattan, carried out with D-Day-like secrecy by officers deploying klieg lights and a military-style sound machine. And campus police officers in helmets and face shields dousing demonstrators at the University of California, Davis with pepper spray.

- RECOMMEND
- TWITTER
- LINKEDIN
- E-MAIL
- PRINT
- REPRINTS
- SHARE

Related in Opinion

Op-Art: Riot Gear's Evolution
(December 4, 2011)

Is this the militarization of the American police?

Police forces undeniably share a soldier's ethos, no matter the size of

the city, town or jurisdiction: officers carry deadly weapons and wear uniforms with patches denoting rank. They salute one another and pay homage to a "Yes, sir," "No, sir," hierarchical culture.

But beyond such symbolic and formal similarities, American law and tradition have tried to draw a clear line between police and military forces. To cast the roles of the two too closely, those in and out of law enforcement say, is to mistake the mission of each. Soldiers, after all, go to war to destroy, and kill the enemy. The police, who are supposed to maintain the peace, "are the citizens, and the citizens are the police," according to Chief Walter A. McNeil of Quincy, Fla., the president of the International Association of Chiefs of Police, citing the words of Sir Robert Peel, the father of modern-day policing.

Yet lately images from Occupy protests streamed on the Internet — often in real time — show just how readily police officers can adopt military-style tactics and equipment, and come off more like soldiers as they face down citizens. Some say this adds up to the emergence of a new, more militaristic breed of civilian police officer. Others disagree.

What seems clear is that the terrorist attacks of Sept. 11, and the federal Homeland Security dollars that flowed to police forces in response to them, have further encouraged police forces to embrace paramilitary tactics like those that first emerged in the decades-long "war on drugs."

Both wars — first on drugs, then terror — have lent police forces across the country justification to acquire the latest technology, equipment and tactical training for newly

Log in to see what your friends are sharing on nytimes.com. Privacy Policy | What's This?

Log In With Facebook

What's Popular Now

Herman Cain Suspends His Presidential Campaign



Gifts That Say You Care



Optum is helping make the health care system work better for everyone.

Learn how >



© 2011 Optum, Inc.

Get the Opinion Today E-Mail



Sign up for the highlights of the day in Opinion, sent weekday afternoons.

ross@richardross.net

[Change E-mail Address](#) | [Privacy Policy](#)

MOST E-MAILED

RECOMMENDED FOR YOU

227 articles in the past month

ross142 All Recommendations

1. NOVELTIES
Software That Listens for Lies



2. Ruffalo Embraces a Role Closer to Home

3. CHICAGO NEWS COOPERATIVE
Plan to Close or Restructure 21 Chicago Schools Draws Quick Reaction

THE TEXAS TRIBUNE

created specialized units.

“There is behind this, also, I think, a kind of status competition or imitation, that there is positive status in having a sort of ‘big department muscle,’ in smaller departments,” said Franklin E. Zimring, a professor of law at the University of California, Berkeley. “And then the problem is, if you have those kinds of specialized units, that you hunt for appropriate settings to use them and, in some of the smaller police departments, notions of the appropriate settings to use them are questionable.”

Radley Balko, a journalist who has studied the issue, told a House subcommittee on crime in 2007 that one criminologist found a 1,500 percent increase in the use of SWAT (special weapons and tactics) teams in the United States in roughly the last two decades.

The Posse Comitatus Act of 1878 generally bars the military from law enforcement activities within the United States. But today, some local and city police forces have rendered the law rather moot. They have tanks — yes, tanks, often from military surplus, for use in hostage situations or drug raids — not to mention the sort of equipment and training one would need to deter a Mumbai-style guerrilla assault.

Such tactics are used in New York City, where Police Commissioner Raymond W. Kelly (whose department has had armored vehicles for decades) has invoked both the 19th-century military strategist Carl von Clausewitz and the television series “24” in talking about the myriad threats his city faces — both conventional and terrorist. After the would-be Times Square bomber Faisal Shahzad was arrested aboard a plane at Kennedy Airport in 2010, Mr. Kelly calculated the plot-to-capture time: Slightly more than 53 hours.

“Jack Bauer may have caught him in 24,” said Mr. Kelly, who served as a Marine commander in Vietnam. “But in the real world, 53’s not bad.”

IN truth, a vast majority of Mr. Kelly’s 35,000-member force are not specialized troops, but rank-and-file beat cops. But that did not stop Mayor Michael R. Bloomberg from sounding like Patton at the Massachusetts Institute of Technology last week, when he boasted, “I have my own army in the [N.Y.P.D.](#),” suggesting his reasons for preferring City Hall to the White House. More disturbing than riot gear or heavy-duty weapons slung across the backs of American police officers is a “militaristic mind-set” creeping into officers’ approach to their jobs, said Timothy Lynch, director of the criminal justice project at the Cato Institute, a libertarian think tank. “It is in the way they search and raid homes and the way they deal with the public,” he said.

The more the police fail to defuse confrontations but instead help create them — be it with their equipment, tactics or demeanor — the more ties with community members are burned, he said. The effect is a loss of civility, and an erosion of constitutional rights, rather than a building of good will.

“What is most worrisome to us is that the line that has traditionally separated the military from civilian policing is fading away,” Mr. Lynch said. “We see it as one of the most disturbing trends in the criminal justice area — the militarization of police tactics.”

Police officials insist they are not becoming more militarized — in their thinking or actions — but merely improving themselves professionally against evolving threats. This is the way to protect citizens and send officers home alive at the end of shifts in an increasingly dangerous world, they say. Of course, in the event of a terrorist attack, they have to fill the breach until federal or National Guard troops can rush in.

“If we had to take on a terrorist group, we could do that,” said William Lansdowne, the police chief in San Diego and a member of the board of the Major Cities Chiefs

- 4.  Dogs’ Evidence Stands as Woman Waits in Jail
- 5.  IN THE FAMILY Mom and Pop and More
- 6.  T. Franklin Williams, Early Geriatric Specialist, Dies at 90
- 7.  STATEHOUSE JOURNAL Washington State Democrats Hope Voters Have New Attitude on Taxes
- 8. NATIONAL BRIEFING | NORTHWEST Oregon: Court Rules Against Cigarette Maker
- 9.  Exam Cheating on Long Island Hardly a Secret
- 10. Older People Are a Larger Portion of U.S. Population

Go to Your Recommendations »
[What's This?](#) | [Don't Show](#)

PRESENTED BY



Judaism and Islam side by side

ALSO IN T MAGAZINE »
 A high-gloss tribute to Dior
 Talking with Joseph Gordon-Levitt

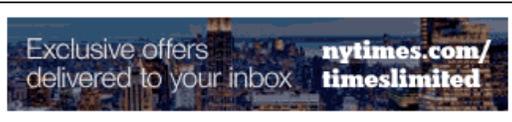
[nytimes.com](#)

T MAGAZINE

ADVERTISEMENTS



T Magazine: The Holiday Issue



Ads by Google

what's this?

Terrifying Brain Secret

You must see this terrifying brain secret before it's too late...

www.lumiday.com

Association. Though his force used federal grants to buy one of those fancy armored vehicles — complete with automatic-gun portals — he said the apparatus was more useful for traditional crime-busting than counter-terrorism.

“We are seeing suspects better armed than ever before,” Chief Lansdowne said.

Now the Occupy movement and highly publicized official responses to it are forcing the public to confront what its police forces have become. But analysts say that even here the picture of policing is mixed. While scenes from Oakland were ugly, the police in Los Angeles and Philadelphia last week evacuated Occupy encampments relatively peacefully; Los Angeles officers used a cherry picker to pluck protesters from trees.

Police officers are not at war, said Chuck Wexler, the executive director of the Police Executive Research Forum, and cannot imagine themselves as occupying armies. Rather, they must approach any continuing Occupy protests, now or in the spring, with a respect for the First Amendment and a realization that protesters are not enemies but people the police need to engage with up the road.

“You can have all the sophisticated equipment in the world, but it does not replace common sense and discretion and finding ways to defuse situations,” Mr. Wexler said. “You can’t be talking about community policing one day and the next day have an action that is so uncharacteristic to the values of your department.”

Al Baker is a metropolitan reporter for The New York Times.

A version of this news analysis appeared in print on December 4, 2011, on page SR6 of the New York edition with the headline: When the Police Go Military.

[Connect with The New York Times on Facebook.](#)

- [E-MAIL](#)
- [PRINT](#)
- [REPRINTS](#)

SPONSORED HEADLINES

[What's This?](#)

Get Free E-mail Alerts on These Topics

- Wired
Mini-Missile Promises to Shrink the Drone War
- Tablet Magazine
Why Israel Is a Strategic Asset to the United States
- History.com
History Reveals the Top 10 Spies You've Never Heard Of
- The Daily Beast
Pakistan Disaster Reveals Obama Doctrine

- [Police](#)
- [Demonstrations, Protests, and Riots](#)
- [New York City](#)

Ads by Google

[what's this?](#)

[In A Depressed State?](#)

Many Conditions Lead To Depression.
We've Listed The 10 Most Depressed.
www.health.com

INSIDE NYTIMES.COM



[T MAGAZINE »](#)

[SUNDAY REVIEW »](#)

[N.Y. / REGION »](#)

[SUNDAY REVIEW »](#)

[ARTS »](#)

[STYLE »](#)



Holiday 2011



Gray Matter: Our Microbiomes, Ourselves



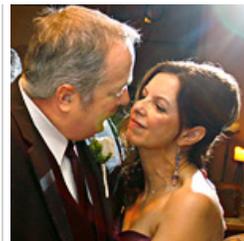
New Pose on the Mat: The Sleuth

Browning: Talking Is So Yesterday

Face time — what used to be known as spending time with family and friends — is a bit much these days.



Treasuring Urban Oases



Weddings & Celebrations

[Home](#) | [World](#) | [U.S.](#) | [N.Y./Region](#) | [Business](#) | [Technology](#) | [Science](#) | [Health](#) | [Sports](#) | [Opinion](#) | [Arts](#) | [Style](#) | [Travel](#) | [Jobs](#) | [Real Estate](#) | [Autos](#) | [Site Map](#)
© 2011 The New York Times Company | [Privacy](#) | [Your Ad Choices](#) | [Terms of Service](#) | [Terms of Sale](#) | [Corrections](#) | [RSS](#) | [Help](#) | [Contact Us](#) | [Work for Us](#) | [Advertise](#)

MORE IN OPINION (15 OF 26 ARTICLES)
Opinion: Talking Face to Face Yesterday
[Read More »](#)