The Political Influence of the Police in American Cities

Steven White∗

Note to readers: This is a very early articulation of what I hope will eventually be a book manuscript examining the historical development of police political involvement in American cities. I start with some background on the topic, then describe some of my motivating research questions. The majority of this document, though, is my first attempt at writing up some of my historical research on the New York City case. Focusing on the 1950s and 1960s, I describe how the political involvement of the police there, while initially focused on issues like pensions and wages, eventually shifted to more contentious issues related to race and civil rights. Police protest activities also developed from subtle tactics (like signing paychecks with the phrase “under protest”) to more combative ones (like pickets, petitions, and the threat of strikes). Perhaps more controversially, police organizations also began to endorse political candidates and engaged in a public campaign, culminating in a contentious referendum vote, to stop civilian oversight of police misconduct.

∗Assistant Professor, Department of Political Science, Maxwell School of Citizenship and Public Affairs, Syracuse University; email address: swhite10@maxwell.syr.edu.
Previous Work

The police attracted substantial attention in political science and other social science disciplines in the pluralist era. Many social scientists were, in the years following the Second World War, worried about the rise of a “police state” and expressed concern about the “authoritarian” personality, which many thought policemen were disproportionately likely to possess.\(^1\) Social scientists in this period were not always unsupportive of the police, though. Writing in 1972, Seymour Martin Lipset declared that “liberals are prejudiced against police, much as many white police are biased against Negroes.”\(^2\) Perhaps the social scientist that wrote most about the police in this era was James Q. Wilson, who would, in later decades, be a major advocate of the controversial “broken windows” theory that became influential in the 1990s.\(^3\) While Wilson was critical of police unions, his writing was broadly sympathetic to the concerns of policemen and often bluntly critical of city residents at odds with them.\(^4\)

In the decades that followed the decline of pluralism, though, political scientists paid increasingly little attention to the police, leaving the topic to legal scholars, sociologists, and historians, as well as more applied research programs in public administration and “police science.” In 2017, Joe Soss and Vesla Weaver noted that “the mainstream of the American politics subfield...has continued to frame most of its inquiries around the liberal-democratic face of American politics, largely and unreflectively ignoring the role of the police.”\(^5\) In the past several years, though, this has started to change. A particularly important line of research has examined how disparate policing practices lead to declining political participation and perceptions of political efficacy in marginalized communities.\(^6\) Other work has examined determinants of policing practices themselves, in-

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cluding responsiveness to managerial directives and police utilization of military equipment.⁷

**Research Questions**

In this project – hopefully a stand-alone article and a larger, multi-case book project – my goal is to offer something different: a historical, developmental account of the police themselves as political actors over time.⁸ Although police officers might engage in politics in several different ways, I am particularly interested in examining the political activities of organizations like the Police Benevolent Association and Fraternal Order of Police. In some cities, these organizations operate as labor unions, while in others with more restrictions on public sector unionization, they are more akin to politically active fraternal organizations. That said, I am leery of focusing too much on the rank-and-file at the expense of attention to the police hierarchy. I am currently trying to find a proper balance between a focus on the rank-and-file, who tend to be more public in their advocacy, and the police hierarchy, whose power is often wielded behind closed doors.

My current plan is to use a case study of the police in New York City to help build a theoretical framework for thinking about police political activity more generally. I then hope to apply this to other city cases (perhaps “testing” some theory, but possibly just mapping out a typology of police political behavior). This is motivated by my sense that there is likely a substantial amount of basic descriptive information about the politics of the police that remains generally under-studied, particularly by political scientists.

somewhat different account, see Hannah L. Walker, *Mobilized by Injustice: Criminal Justice Contact, Political Participation, and Race*, (New York: Oxford University Press, 2020). See also Vesla Weaver, Gwen Prowse, and Spencer Piston, “Too Much Knowledge, Too Little Power: An Assessment of Political Knowledge in Highly Policed Communities,” *Journal of Politics* 81(3), 1153-1166; Gwen Prowse, Vesla M. Weaver, and Tracey L. Meares, “The State from Below: Distorted Responsiveness in Policed Communities,” *Urban Affairs Review*, forthcoming; Vesla Weaver, Gwen Prowse, and Spencer Piston, “Withdrawing or Drawing In? Political Discourse in Policed Communities,” *Journal of Race, Ethnicity, and Politics*, forthcoming. The focus of such work marks an important shift from approaches in the pluralist era. As Wilson noted of his own book, the focus of research in that era was usually partial insomuch as it “examines only the police, not the citizen.” Wilson, *Varieties of Police Behavior*, 10. Today, by contrast, the opposite is more likely to be true


Descriptively and analytically, I am interested in questions like the following: What kinds of political activities do police engage in and what kinds do they avoid? Does this vary between police leadership and rank-and-file police unions? Has the partisan association of police political involvement changed over time? Are the preferences of the police more predictive of policy outcomes compared to the preferences of other interest groups or the median voter? Are there countervailing forces that effectively challenge the goals of the police and how does this vary across time and space? Overall, how does police political involvement shape and constrain the contours of what is possible across a range of policy issues related to criminal justice and beyond?

The study of the police and politics also raises difficult normative issues: To what extent, if any, is police political involvement consistent with democratic theory? Are police basically the same as teachers, where political advocacy is controversial, but not generally seen as a threat to democracy? Or are police more conceptually similar to the military, where explicit political involvement is widely deemed inappropriate? To the extent that police officers merely want higher wages and better benefits, perhaps the former is the better comparison. But to the extent that they advocate for what officers perceive as better workplace conditions – but what members of marginalized groups might instead perceive as greater discretion in use of force, lack of effective oversight, etc. – the police are qualitatively different than other local public sector employees.

Which of these questions I should try to answer – and which of them I should ignore – is something I am currently working through. The remainder of this paper is my first attempt at writing up my early research on the New York City case. Right now, this is drawn from historical New York Times articles, but I plan to complement this with other archival sources in the future. The current draft stops in the late 1960s simply because that’s where I am at the moment.

The Politics of the Police in New York City, 1950-1967

Between 1950 and 1967, police political involvement in New York City moved from an initial focus on issues like pensions and wages towards a growing focus on more socially contentious issues related to race and civil rights. Along the way, the extent to which the Police Benevolent Association (PBA), an organization that the vast majority of NYPD officers belonged to, was merely
a fraternal organization that occasionally lobbied on its members behalf or a full-fledged labor union would evolve and eventually move towards the latter end of the spectrum. This was also a period where the PBA’s protest activities moved from initially quite subtle measures (like signing paychecks with the phrase “under protest”) to more combative ones like pickets, petitions, and the threat of strikes, as well as a controversial move into endorsements of political candidates and an intense public campaign, eventually culminating in a contentious referendum, to stop civilian oversight of police misconduct in 1966.

Pensions, Corruption, and the Union Debate in the Early 1950s

In the 1950s, the PBA was primarily focused on pension costs, wages, and related issues. For example, the city council voted 31 to 1 to decrease the required contribution for pensions in October 1950, but the Board of Estimate unanimously decided to shelf it. Such setbacks were the focus of much of the organization’s attention.

Another dominant issue of the first few years of the decade, though, had to do with remnants of the NYPD’s past corruption problems. Brooklyn District Attorney Miles McDonald launched an investigation of Brooklyn bookies who were paying off police officers to ignore their gambling establishments. Rather than testify, many eligible police officers decided they would retire. In response, the city council voted 18 to 6 to pass a bill mandating a 30-day waiting period before retirements could become effective in February 1951, which the Board of Estimate affirmed the following month. In response to this crackdown, the PBA urged officers to engage in an early protect action, albeit one that was rather tame by later standards: officers were to sign their payroll checks with the phrase “under protest.”

Around this time, Michael J. Quill, the radical president of the Transport Workers Union (TWU), announced his plan to unionize the city’s police officers. On the same day the Board

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12“Police Protest Urged,” NYT, March 4, 1951. In April 1955, the PBA again encouraged officers to sign their paychecks “under protest” in response to what the PBA called “inadequate pay.” NYT, April 1, 1955.

13“Says Police Want Union,” NYT, February 17, 1951. As early as August 1, 1950, AFL and CIO representatives met
of Estimate approved the waiting period, Quill announced he had received approval from his
union’s executive board to proceed with his plans. The PBA, he said, was “under the thumb”
of police department officials. The PBA responded that while their organization maintained
“friendly relations with labor,” it was opposed to Quill’s plan: “If unionization is necessary to
gain our objectives, there is only one effective way to do it – through the P. B. A., not through the
individual, isolated, ineffective action of political opportunists who have repeatedly been discred-
ited by policemen in the P. B. A.”

About a week later, the PBA announced it was asking its board to study whether it would be
desirable for police officers to unionize. By early April, the mayor intervened, giving support
to Police Commissioner George Monaghan, who had told officers that unionization would be
inappropriate. By August of that year, the PBA would effectively use Quill’s efforts as a threat,
telling the Board of Estimate that if it “fails to act on our pension and salary program, we might
find Quill to be entirely too conservative for our purposes.” The Board of Estimate ultimately
approved reductions in what police were required to contribute to their pensions, although they
claimed the decision had been made in July.

Around the same time, Quill claimed he was officially ready to charter the police union.
Monaghan, mostly in response to Quill’s moves, issued a strong public statement against union-
ization, which he tied to its military character:

In my judgment the Police Department is very much akin to the Armed Forces of this
nation. No one should be in a position to have his loyalty divided. It would be just as
sensible to unionize the Army, Navy, Air Force and Marine Corps of our great country
as it would be to organize the membership of the Police Department of this great city.
I am in favor of labor unions in industry. I have always been in favor of labor unions
in industry. It is a very fine thing, but I feel equally strong that the best interests of all
the people of this city will unquestionably be better served by the action I have taken

with police and firemen to talk. See NYT, August 1, 1950.
6, 1951.
15“Police Benevolent Association Asks Board to Study the Desirability of Having a Union,” NYT, March 14, 1951.
16“Mayor Asks Police Not to Join Union,” NYT, April 3, 1951.
17“Police Group Weighs a Union But is Doubtful About Quill,” NYT, August 5, 1951.
18“Savings for Police, Firemen in Pension Funds Approved,” NYT, August 8, 1951.
19“A.F.L. Union Offers Charter to Police,” NYT, August 7, 1951. AFSCME, an AFL union representing state, county,
and municipal workers, also reached out to the PBA. Jerry Wurf, then head of AFSCME’s New York City council, called
Quill’s campaign “the epitome of irresponsibility.”
today.\footnote{Monaghan Forbids City’s Policemen to Join Any Union,} \textit{NYT}, August 8, 1951.

Notably, though, Monaghan said he favored the existing line organizations like the PBA.\footnote{Ibid. He later stated that he felt it was acceptable for firefighters to be unionized. “The Police Department deals with and directs human beings and the Fire Department deals with a physical fact. There is no comparison.” “Monaghan’s and Quill’s Views on Union,” \textit{NYT}, August 9, 1951.}

The police unionization debate led reporters at the \textit{New York Times} to investigate the exact legal issues involved, which led them to a surprising discovery:

The City Charter does not expressly forbid policemen to join unions. It does, however, forbid them to join organizations that have as their objective the influencing of legislation. A strict interpretation of this provision would mean, it appeared, that it is illegal, for example, for policemen to belong to the Patrolmen’s Benevolent Association, dominant department line organization, which has been in existence for more than fifty years and which has openly campaigned for improved conditions for members of the force.\footnote{“Quill Challenges Police Union Ban; Plots Secret Drive,” \textit{NYT}, August 9, 1951.}

The fact that the activities the PBA engaged in to influence politics were themselves likely against the law presents a curious tension. In an editorial, the paper similarly noted that “[l]ittle if any real distinction can be drawn between the Patrolmen’s Benevolent Association, which apparently has the Commissioner’s blessing, and a labor union.”\footnote{“The City’s Police,” \textit{NYT}, August 9, 1951. The TWU’s legal counsel would make a similar argument later: “It is surely a questionable expedient for the Mayor and the Police Commissioner to encourage policemen to join an organization whose existence depends wholly on the failure of the Commissioner to enforce the law – and in the very department to which is entrusted the honest, impartial enforcement of all laws.” “Letters to The Times,” \textit{NYT}, August 24, 1951.}

\section*{The Early Wagner Years and the Revolt Against Police Commissioner Kennedy}

One of Mayor Wagner’s most important actions was the “little Wagner Act” of 1958. A reference to his father, Senator Robert Wagner, whose name was widely associated with the 1935 National Labor Relations Act that provided a legal framework for unionization in the private sector, New York City’s “little Wagner Act” offered similar structure for public sector unionization in the city.\footnote{Alexis N. Walker, “Labor’s Enduring Divide: The Distinct Path of Public Sector Unions in the United States,” \textit{Studies in American Political Development} 28, 2014, 190.}

The police, though, were not included in Wagner’s order, but the years that followed would see a gradual effort to turn the PBA into something that increasingly came to resemble a union.
By late May and early June of 1958, the seeds of a more radical PBA were afoot. On May 27, Wagner backed his Police Commissioner, Stephen P. Kennedy, in opposing giving unionization rights to the police. Kennedy, the New York Times reported, “said it was as improper for members of the force to join a union as it would be for them to join a political club.”

On June 8, PBA president John Carton lost his reelection bid to John Cassese, who had attacked him for “lack of leadership.” Cassese’s leadership would be the impetus for a more militant style. About a month later, on August 6, the PBA told the mayor they wanted to be given collective bargaining rights for policemen in the city. While asking for bargaining rights, the PBA claimed it would refrain from striking. They also argued that the Police Commissioner’s opposition to unions was about “outside unions” with which the PBA would not seek affiliation.

Kennedy, though, made clear the following day that he was just as opposed to turning the PBA into a union as he was the police affiliating with a national union organization. On September 20, with the debate ongoing, Kennedy gave a speech marking the completion of an officer training course where he went off his prepared remarks and addressed the controversy. The PBA, Kennedy said, “can’t have special privileges on the one hand and act like a union on the other. It just won’t work.” He went on to say that the “police represent the sovereign power of the state, namely the enforcement of the laws. They must be impartial in the performance of their duties; their attitude must be that of the person who is impervious to any pressures.”

On October 10, the PBA bought an ad in the New York Times framed as an open letter to Wagner. In it, they asked for a “neutral arbitrator” and criticized Kennedy in direct terms: “The Police Commissioner argues that any restriction whatever on his absolute power over policemen will ‘subvert the discipline of the Police Department.’ WHY?” They gave examples from elsewhere (e.g., the Inspector General in the Army and Philadelphia police having the ability to appeal commissioner rulings to the mayor and civil service commission). “We are proud to be policemen and vow to uphold our oath of office, but we need a grievance procedure!,” the text declared. “WE DEMAND A GRIEVANCE PRO-

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25“Mayor Backs Ban on Police Unions,” NYT, May 27, 1958
26“Carton is Defeated in Police Elections,” NYT, June 8, 1958.
CEDURE. IS THE DICTATORIAL AND SELF-ADMITTED ‘EMOTIONAL’ VIEW OF ONE MAN SUFFICIENT CAUSE FOR DENYING US THE RIGHT ALREADY GRANTED TO THOUSANDS OF OTHER POLICE OFFICERS?”

In January 1959, the PBA said that Kennedy had a “totalitarian and uninformed opposition to a grievance procedure.” Wagner said that Kennedy had a “blank check” on issues related to police discipline. Labor Commissioner Felix rejected the police’s petition for a grievance system. Cassese said that the PBA would file a court action. In July, they planned to appeal to the State Court of Appeals after their argument was rejected by the Appellate Division. Later that month, the PBA planned legal action against Kennedy to obtain a dues check off system. Wagner backed the PBA, telling Kennedy allowing the check off is city policy. On September 22, the court ruled in favor of the PBA’s petition for a dues check off, calling Kennedy’s actions “arbitrary, capricious and unreasonable.”

In October 1960, Cassese said that a majority of policemen held outside jobs, contrary to rules prohibiting “moonlighting,” because of low police pay. On October 25, the police staged a “ticket holiday” work action, which Kennedy said was effectively a strike. Investigating the historical context, the New York Times reported that “[a]s far as could be learned this was the first time in the history of the Police Department that there had been concerted action that resulted in mass failure to carry out prescribed duties.” Cassese, somewhat curiously, claimed it was a spontaneous rather organized effort. Cassese called Kennedy “arrogant, egotistical and a vindictive disciplinarian” who “has sadistic tendencies” and “is happiest when he is hurting cops.”

In response to the ticket holiday – which Kennedy called “the blackest day in the history of the department” – Cassese was transferred from his desk job to traffic duty. This move is interesting in part because it reveals how the PBA was able to operate via an internal norm that the PBA
leader would receive a favorable assignment from which he could conduct PBA business while on duty. After being elected president, Cassese was assigned to the pension bureau in the chief clerk’s office at police headquarters. “By tacit understanding,” the New York Times reported, “the president of the P.B.A. was at liberty to carry on organization affairs, a situation that has been traditional in the department.”39

In response to his transfer, Cassese claimed to have injured his foot.40 Following departmental protocol, he was prohibited from leaving his apartment while he was unable to report for duty, including attending PBA business meetings. Kennedy, learning that PBA delegates were regularly given paid time off to attend PBA business meetings, limited this, leading to backlash from the officers affected. The PBA responded by scheduling its meeting for later in the day so that these officers could still attend.41 Because Cassese was not allowed to attend, the PBA actually moved its meeting to the basement of his apartment building. In a symbolic move, the PBA removed Kennedy as a member of the organization.42 In response, Kennedy ripped up his PBA card in front of TV reporters the following day (he later taped it back together so that he could rip it up a second time for cameramen and photographers who were late to arrive).43 By February of 1961, Kennedy had resigned, much to the joy of the PBA and many police officers.44

Political Endorsements and Bargaining Rights

Just prior to this, a letter from the “Committee for a Square Deal for Policemen and Firemen” was distributed to officers encouraging them to vote for Republican candidates for office, an action very much against departmental rules. The letter read in part:

Consider the fact that the Republican State Legislature at Albany is the only governmental agency which over the years has shown any concern at all with dignifying our jobs and making it possible for us to prepare for retirement. We’re absolutely convinced that the only way that Bob Wagner, Steve Kennedy, and Ed Cavanagh will see

40Ibid.
the light is to realize that we policemen and firemen are intent on political action – this year and next year, if necessary. Here is what we ask. When you go into the voting booth on Election Day, vote the straight Republican ticket – Nixon and Lodge and particularly our proven friends, the Republican candidates for State Senate and Assembly.\textsuperscript{45}

Although Cassese denied PBA involvement, it was an early signal of the PBA’s move towards candidate “endorsements” that would soon follow.

In October 1961, the PBA declared that it found Attorney General Louis J. Lefkowitz, the Republican candidate running against Wagner in the mayoral election, to be the “best-qualified candidate,” the first time in PBA history that the organization expressed a preference for a political candidate. “The wording of the resolution avoided any reference to ‘support,’” the \textit{New York Times} noted, “as support for a political candidate would violate police regulations.” The implication, though, was rather clear. The PBA said it did not plan any other action on the Republican candidate’s behalf, however.\textsuperscript{46} New Police Commissioner Michael Murphy, who had won initial praise from the PBA after he took over from Kennedy, said that the “carefully calculated evasion of the law and the regulations of the Police Department” was “a betrayal of law-enforcement officers throughout the nation who have been striving to make the police profession nonpolitical.”\textsuperscript{47}

A \textit{New York Times} editorial called the PBA’s actions “outrageously improper”:

\begin{quote}
It goes without saying that the police force as such ought to stay out of politics, except in the exercise by its members of their individual right and duty as citizens to vote for anyone they choose. The Police in their organizational capacity have no more business expressing a political preference than have the Army, Navy or Air Force.\textsuperscript{48}
\end{quote}

The Superior Officers Council, including the Sergeant’s Benevolent Association and other similar groups, also criticized the PBA’s actions. “We pledge our continued support for a Police Depart-

\textsuperscript{45}“Letters Ask Police to Vote Republican,” \textit{NYT}, November 6, 1960.
\textsuperscript{46}“P.B.A. Breaks Tradition to Hail Lefkowitz as ‘Best Qualified,’” \textit{NYT}, October 11, 1961. Wagner said that the “association had a right to take any action it wanted. He added that he was confident that the average policeman, on reflection, would vote for him as the ‘Mayor who has done more for the police than any Mayor in history.’” “Explaining why the association had taken a stand, Mr. Cassese said he had been dealing with the Mayor for three and a half years as president of the association. He said that after meetings with Mr. Wagner he had reported ‘faithfully’ to the membership, and that partly as a result of these reports the membership had decided on last night’s action. ‘We think we’ll get a better shake from Lefkowitz,’ he said.” Ibid.
\textsuperscript{47}“Murphy Assails P.B.A.’s ‘Politics,’” \textit{NYT}, October 12, 1961.
ment free of politics or political favor,” said Lieutenant William V. Cosgrove.49

Pressure grew over persistent wage demands and, increasingly, the demand for bargaining rights. About a year later, on October 9, 1962, the PBA and the Uniformed Firemen’s Association (UFA) agreed to a mutual assistance policy for future negotiations and the PBA asked policemen to join a picket line (in civilian clothes) for the first time.50 The New York Times editorial board was not thrilled by the idea. “The spectacle of policemen and firemen picketing City Hall and booing Mayor Wagner in a demand for higher pay,” it declared. “is not calculated to inspire respect for law and order.”51

On October 16, somewhere between one and two thousand picketers showed up, mostly firemen but including some police officers.52 Later that night, the city announced that it would be extending collective bargaining rights to the PBA.53 Notably, the plan did not involve including police in the little Wagner Act that applied to most other city employees, and Murphy said it was important not to confuse these actions with unionization of the police or something that would interfere with his “control, administration, disposition and discipline of the department.” Bargaining was to be limited to matters like wages, the length of the work week, pensions, and allowances for uniforms. Notably, Murphy again related his discomfort with police unionization to the military. “The Police Department,” he said, “is a quasi-military organization dedicated to the protection of all the people, and it will continue to be administered as such.” A union, he said, was “as unthinkable as it would be in the armed forces.” He noted while the policemen who had joined the firefighters in their picket had a legal right to do so, he did not “like it.”54

On November 2 1962, just a few days before the election, the PBA made another “endorsement,” this time declaring that Nelson Rockefeller, the incumbent Republican governor, was the best-qualified candidate.55 Two years later, on May 3, 1964, the neighboring Nassau County PBA endorsed several Republicans candidates, also using the “best qualified” language.56 Although

50“City Police to Join Picket Lines Today to Assist Firemen,” NYT, October 9, 1962
54“Bargaining Right of Police Limited by Murphy to Pay,” NYT, October 18, 1962.
56“P.B.A. in Nassau Backs 3 in Race,” NYT, May 3, 1964. The paper noted that rules “forbid political activity and
the PBA seemed to be exhibiting a bias towards Republican candidates, the impending mayoral administration of liberal Republican John Lindsay would complicate matters significantly.

Race and the Emergence of the Civilian Review Board Issue

Although issues like police brutality surfaced on rare occasions in the 1950s, the early 1960s seemed to mark a real turning point in the issue agenda related to policing in New York City. A critical moment came on June 16, 1964, when the PBA rallied 1,200 off-duty officers to show up at City Hall to protest a plan to set up a civilian review board that would investigate claims of police misconduct. Inside, Murphy called the idea “a tragedy of errors compounded by half-truths, innuendos, myths and misperception,” arguing that the already-existing internal review board was sufficient. Outside, police officers unable to make it inside gathered to show support, and some were reported to have stopped people from entering the building and asked their reasons for wanting to enter, a move that several councilmen strongly criticized. “Well-organized pressure groups are regularly demonstrating in support of the bill and it is now vital that these demonstrations be countered by a large turnout of P.B.A. members,” declared a PBA memorandum in anticipation of the hearing. “Therefore, all off-duty members, especially those coming off the late tour, are urged to report to City Hall Plaza in uniform at 9:30 A.M. on Tuesday, June 16.” Cassese added that the review board was “a threat to every policeman! Now is the time to do your share in preventing a breakdown of law and order.” The review board issue would increasingly come to define city politics for the next two years, ultimately culminating in an immensely contentious referendum vote that would draw the police into political advocacy in novel – and to some, disconcerting – ways.

57 I plan to supplement my use of the New York Times with an investigation of the Amsterdam News, a Harlem-based paper that would likely provide fuller coverage of police brutality accusations, especially in the years before the issue attracted the attention of national white reporters and editors.


59 “Midnight-to-8 Shift Does Second Tour at City Hall,” NYT, June 17, 1964.
The fight against the review board marked an abrupt turning point in how the PBA, especially Cassese, talked about race and civil rights. While generally ignoring the topic in the past, Cassese came to speak increasingly bluntly about his distaste for civil rights activists and, sometimes, “minorities” writ large. In an August 1964 radio interview, Cassese said that the review board issue was “all an organized effort on the part of civil rights leaders to discredit the police” (the previous week, Wagner had declined to appoint such a board and Murphy had threatened to resign as police commissioner in the event that he did appoint one). In the event of a review board, Cassese said, “I don’t think that in a race riot that the police would be as effective. Now I know that the public officer is the first line of defense and if you want protection, you certainly don’t discredit your own army.” Cassese also brought up the case of Lieutenant Thomas Gilligan, who had shot James Powell, a 15 year old black student, the previous month. "If the facts show he should be acquitted, then I mean, why penalize a man?,” Cassese asked. “Where is his rights, the white man’s rights, if you want to put it that way?”

Not all police officers opposed the review board. Of the approximately 26,000 officers, probably somewhere between 1,300 and 1,700 were black. Many belonged to a fraternal organization called the Guardians Society. Unlike the PBA, the Guardians came out in favor of a civilian review board. Cassese was not happy with them, saying that it was “unfortunate they put their color before their duties as policemen.”

The PBA used picketing and petitions to try and get their message out. In June 1965, Cassese said police would collect signatures opposing the review board on their way to and from work and other off duty time, although the department made clear they would not be allowed to collect during their lunch breaks. Cassese said it was "first time that the police officers have undertaken such an operation as collecting signatures on a project that concerns them.” The New York Times reported that it was “another indication of a growing feeling in police ranks that the P.B.A. should try more actively to mold public opinion.” PBA community relations counsel Norman Frank said

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60“P.B.A. Head Scores a Civilian Review Board,” NYT, August 3, 1964
61This is about 5-6 percent of the police force in the middle of the decade. By contrast, 14 percent of city residents were black in 1960 and that number had grown to 21 percent by 1970.
policemen "can't be passive any longer, waiting for decisions that affect their lives and are made by other people."\textsuperscript{64}

Near the end of June, police again picketed City Hall, with 5,000 showing up this time (two years earlier, the number was closer to 1,200). Cassese brought what he claimed to be 400,000 signatures opposing the review board. He again criticized the Guardians, saying that it was “unfortunate they put color before their oath of office.” The \textit{New York Times} noted that it found only three black officers in the PBA picket.\textsuperscript{65} In their editorial anticipating the planned protest, the \textit{New York Times} expressed disapproval, but in notably more restrained terms than earlier, smaller actions:

Peaceful participation in such demonstrations is an undoubted right of all citizens interested in making known their views on municipal legislation. But the plan of the Patrolmen’s Benevolent Association to mass 10,000 off-duty policemen against any change in the existing departmental machinery is an ill-advised exercise of that right. It is, of course, entirely appropriate for the association to send a delegation to the City Council hearing to make known the position of its members and to present the petitions they have signed. But when a disciplined, semi-military organization like the police force engages, en masse, in a show of strength outside a building where legislation unwelcome to it is under consideration, the action smacks of intimidation.\textsuperscript{66}

\section*{The Lindsay Administration and the Civilian Review Board Referendum}

When Lindsay became mayor in 1966, he had to decide whether to reappoint the existing Police Commissioner or not. He instead decided to look outside the city and bring in the head of the Philadelphia police, Howard Leary. Although not particularly supportive of civilian review boards, Leary had operated under one in Philadelphia and was willing to work with one in New York City if the mayor so desired.\textsuperscript{67} Civil rights groups were generally supportive of the pick and the PBA was tentatively open to it as well. What they were not open to, however, was any hint of civilian oversight, something that Lindsay, unlike his predecessor, strongly supported.

Cassese’s anti-review board rhetoric expanded to extensive red-baiting, declaring in February

\begin{itemize}
\item \textsuperscript{64}Ibid.
\item \textsuperscript{65}“5,000 Policemen Picket City Hall,” \textit{NYT}, June 30, 1965.
\item \textsuperscript{66}“Police at City Hall,” \textit{NYT}, June 29, 1965.
\item \textsuperscript{67}“Lindsay Appoints a Philadelphian as Head of Police,” \textit{NYT}, February 16, 1966
\end{itemize}
1966 that a civilian review board would “spread like wildfire” around the country. If “that should happen,” he continued, “then Russia should send a medal to the City of New York and say, ‘Thank you for accomplishing what I haven’t been able to do these many years.’ Russia, if they want to take over any country, they have to immobilize the Police Department and knock out the religion of the country. You put in a police review board throughout the country, you immobilize the police force.” Cassese later continued: “All this tends to do is placate and play up to a little minority group within the minority group who are doing all the clamoring. And these people will never be satisfied should you put in a civilian review board unless there were nine Negroes and Puerto Ricans browbeating and finding every policeman who goes before them guilty.”

By April of that year, Lindsay was floating a plan that would expand the existing internal police review board to include a slight majority of civilian members. Particularly given the extreme opposition by the PBA, it is worth noting that civil rights groups generally viewed the proposal as being insufficiently strong to have much impact (CORE’s Harlem chapter called it “a cruel hoax” and “an affront to the intelligence of the black community”). In May, Lindsay created an 11-man panel (including three black and one Puerto Rican members) to recommend who the four civilians should be that would join the three current police members of the board. The PBA said it would challenge the addition of civilian members in court and the Superior Officers Council, which had distanced itself from the PBA’s candidate “endorsements,” offered its support to its review board opposition.

“I’m sick and tired of giving in to minority groups with their whims and their gripes and shouting,” Cassese declared in a particularly blunt May 9 statement. “I don’t think we need a review board at all.” In response to William H. Booth, chairman of the City Commission on Human Rights, who said that many white officers would support a review board, Cassese said: “If by ‘many,’ he means 10 or 15, I’d go along with him. If he means more, I’d say the statement

69“Civilian to Head Police Inquiries Under New Board,” NYT, April 12, 1966
71“Civilian Control of Police Review is Set Up By City,” NYT, May 3, 1966
was incorrect.” Of the Guardians, Cassese again said “[t]hey put their color ahead of their duty as police officers,” adding that “they don’t speak for the 1,300 Negro policemen in the department.” Cassese also denied that there was any pattern of police brutality that would merit outside review.\(^{73}\)

A week later, Dr. Eugene T. Reed, president of the New York chapter of the NAACP, asked the State Conference of Police Associations to censure the PBA for its “subtle appeals to bigotry” and “apparent alignment with extreme right-wing political forces.” Cassese noted that Reed was among those who thought the review board idea did not go far enough. “You won’t satisfy these people until you get all Negroes and Puerto Ricans on the board,” he said.\(^{74}\) Booth also criticized Cassese’s statements, accusing him of exploiting “basic prejudice and bigotry.” He singled out Cassese’s “won’t satisfy these people” remark. “This kind of remark does indeed appeal to basic prejudice and bigotry. As chairman of the City Commission on Human Rights, I deplore these ill-advised statements and sincerely trust they do not express the true sentiments of the 20,000-man Patrolmen’s Benevolent Association, many of whom serve Negro and Puerto Rican communities on a daily basis.” Cassese replied that his statement was “just the truth from where we stand.”\(^{75}\)

In June, the PBA announced that it would be starting a petition campaign to put the review board issue on the ballot in November. “There’s no need for civilians,” Cassese said. “Notwithstanding the cries of various minority groups, there is no set pattern of police brutality, plus the fact that the morale of the men would be lowered, the power of the Police Commissioner would be diluted, and it would have an effect on the efficiency of all city policemen.” To generate a referendum, the PBA needed to gather 30,000 verified signatures. At that point, the city legislature would have the option of passing the measure itself. If they chose not to, an additional 15,000 verified signatures would put it to a public vote.\(^{76}\)

Lindsay found himself in a difficult political spot. He publicly stated that he did not think the issue was appropriate for a referendum and that he found the PBA’s actions improper.\(^{77}\)

\(^{73}\)Ibid.

\(^{74}\)“Rights Aide Charges P.B.A. Appeals to Bigotry,” \textit{NYT}, May 16, 1966.

\(^{75}\)“Booth Condemns Cassese Remark,” \textit{NYT}, May 19, 1966.

\(^{76}\)“P.B.A. Asks Public to Oppose Board,” \textit{NYT}, June 3, 1966.

\(^{77}\)Ibid.
He seemed to feel constrained, though, in how to criticize their actions. After the PBA and the Conservative Party delivered 51,852 and 40,383 petition signatures, respectively, Lindsay said that “highly organized, militant, right-wing groups” were working to overturn his review board. When pressed, though, he said that neither the PBA nor the Conservative Party fell into this category. “I don’t think all the people who signed the petitions like to be called members of militant right-wing groups,” the PBA’s Norman Frank replied nonetheless.78

Support and opposition to the civilian review board did not break down evenly along party lines. Most of the prominent city- and state-wide politicians of both parties supported the review board. Republican Senator Jacob Javits was first to offer his support. “As a citizen I would certainly urge the people not to support a reversal of this plan,” he said, adding that it “will only improve public support of the Police Department. It’s a very desirable development.”79 Democratic Senator Robert F. Kennedy later joined Javits, and both campaigned with Lindsay in favor of the board.80 Republican Governor Nelson Rockefeller also offered support, but refused to campaign for it, viewing it as a question for the city to decide on its own.

The review board was also supported by a range of civic organizations, including the Protestant Council of the City of New York, New York Civil Liberties Union, the Union of American Hebrew Congregations, the Anti-Defamation League of B’nai Brith, the Urban League, the Catholic Interracial Council, the Liberal Party, the Congress of Racial Equality, the Committee for Democratic Voters, the Commonwealth of Puerto Rico Migration Division, and others.81 Ultimately a new organization, Federal Associations for Impartial Review (FAIR), was formed. The Guardians maintained their support of the review board. In October, the head of the organization said that the debate had made the average black policeman into “a bit of a schizoid”: grateful to the PBA for its work on salary and pension issues, but opposed to their anti-review board advocacy.82 They

78 “Lindsay to Fight Police Issue Vote,” NYT, July 9, 1966.
80 See NYT, November 3, 1966, for an article demonstrating their camaraderie and support for the issue across party lines.
82 “Negro Policemen Split with P.B.A. Over Review,” NYT, October 4, 1966. He noted that he thought every member of the Guardians was likely also a member of the PBA. PBA delegate turnover “has not been sufficient to keep up with the changing ethnic composition of the Police Department. There is one Negro delegate and one Puerto Rican delegate; neither minority is represented among the officers. Most Negro and Puerto Rican patrolmen, nonetheless, belong to the
later accused the PBA of illegally spending their duties on political activities. “They have taken the money of Negro and Puerto Rican policemen and engaged themselves in a racist and divisive campaign,” the Guardians president said.83

A new group, the Independent Citizens Committee Against Civilian Review Boards, was formed to help the PBA coordinate the effort to overturn the review board. Reflecting on differences between supporters and opponents of the review board, Frank said, “They’ve got the luminaries, we’ve got the people.”84 In contrast to its support among city- and state-wide political leaders, the board was often opposed by politicians with a more localized electorate. In Queens, the New York Times reported, “bumper stickers saying ‘Stop the Civilian Review Board’ turn up on every fourth or fifth car parked on the busy business boulevards or tree-lined residential streets.” Several Democratic Assembly candidates in the borough told the paper that they felt that had to oppose the review board to win. One said he had studied the issue “from every angle to find reasons I could give to be against it,” but “[t]he more I studied, the more I liked the board, but still I had to come out against it. There’s no sense in being in this to lose.”85

In being so forthrightly involved in a contentious political issue, though, the PBA had to navigate the line between pressing for its interests and crossing the line into behavior that might be seen as illegitimate coming from police officers. The adamant support of the Conservative Party posed one such dilemma for the PBA. When the Conservative Party dropped off its petition signatures in July, William F. Buckley, the party’s mayoral nominee that year, said it “makes senes that a group not formally identified with the police should also do this.” The New York Times reported, though, that it was clear “Mr. Cassese and his aides were displeased with the Conservative party’s

P.B.A.” To run for PBA office, must already be a delegate. NYT, October 16, 1966.
85 “Congressional and Legislative Candidates Tip-Toe on Issue of Police Review Board,” NYT, October 23, 1966. Another said the issue “has turned me from a decent, honorable man into another political hack.” The New York Times also explored the PBA’s campaigning in neighborhoods they felt would be supportive, like Coney Island and Brighton Beach in Brooklyn where they went “with go-go girls, Jewish songs and sharp criticism of Mayor Lindsay.” One scene: “In front of Dubrow’s Cafeteria on King’s Highway at 16th Street, a campaign worker spoke in a mixture of Yiddish and English in an effort to clarify things for an elderly man. ‘Listen,’ the worker said, ‘Yes means: No, you don’t want it.’ ‘No means yes?’ the old man asked. ‘No – yes means no. Vote yes if you want no.’ ‘Oy, I’m all confused,’ the old man said, ‘it’s that Lindsay,’ the worker said. ‘Oh,’ said the old man, and he walked off, beaming.” When a young woman challenged one of Cassese’s arguments, she was “shouted down with cries of ‘Communist’ and ‘Comrade, where’s your hammer and sickle?’ ” Of note for contemporary readers, Cassese and Frank also spoke at the Trump Village shopping center in Brighton Beach. “Brooklyn Areas Toured by P.B.A.,” NYT, October 24, 1966.

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petitions,” with Cassese quoted as saying he was “not enthusiastic” about it.\(^8^6\)

Other issues also arose. About two weeks before the election, police arrested the driver of a sound truck driven by a member of the National Maritime Union that was pressing for keeping the review board. Police claimed the driver did not have a permit, while the union said it had acquired one.\(^8^7\) Although the dispute was never properly settled, it was one example of a growing concern about police tactics. In their editorial after the referendum, the *New York Times* wrote: “During the campaign there were a number of unfortunate instances of arrogance by police, actions against citizens who were opposed to the P.B.A. referendum. It seems unlikely that most citizens would condone or even accept further activity that might indicate that the police force thought it was immune to reasonable review.”\(^8^8\) In the weeks leading up to the referendum, Commissioner Leary also warned officers to “remain impartial and objective,” promising that “[p]rompt action will be taken against anyone who attempts to intimidate voters or otherwise interfere with the elective process.” Although Leary did not specifically mention it, the *New York Times* noted that there were reports of complaints that some members of the force were campaigning against the board in uniform.\(^8^9\)

On election day, voters overwhelmingly defeated the review board. “It’s deplorable,” Senator Javits said. “It places a very heavy responsibility on the police, who campaigned for its defeat, to see that individual civilians are treated decently and fairly.” Lindsay blamed “emotion, misunderstanding and fear” for the outcome. The reaction was different at the PBA’s victory party. “Thank God we saved this city,” Cassese told those in attendance.\(^9^0\) A *New York Times* article about supporters and opponents of the referendum used the telling title, “Board’s Defeat Elates Police, Saddens Negroes.”\(^9^1\) The police had stepped forthrightly into explicit political advocacy, campaigning strongly against demands for oversight from civil rights activists. And, in this instance,

\(^8^6\)“92,235 Ask a Vote on Review Board,” *NYT*, July 8, 1966.
\(^8^7\)“Police Halt Sound Truck Backing Review,” *NYT*, October 23, 1966.
\(^8^8\)“The Fight Goes On,” *NYT*, November 9, 1966.
\(^9^0\)“Police Review Panel Killed By Large Majority in City,” *NYT*, November 9, 1966.
\(^9^1\)“Board’s Defeat Elates Police, Saddens Negroes,” *NYT*, November 9, 1966. At Frank’s restaurant in Harlem, the paper reported this scene: “When the first reports indicating that the review board would be defeated were flashed on the screen, George Cummings, a liquor salesman, said: ‘I thought for once a bill backed by Negroes would pass.’ A woman down the bar chuckled and said, ‘You should have known better.’ Mr. Cummings joined in her laughter. ‘Yeah, baby,’ he said. ‘I should have known better.’ ”
the police won.

**Increasing PBA Militancy**

By December 1966, the PBA turned its attention to a joint effort with the UFA to get raises for policemen and firemen. Although the police initially agreed to a $1,350 raise, the firemen rejected it, which sent things back to the negotiating table. In February 1967, both groups said they needed a better contract or what the *New York Times* called “unspecified protest actions” would result. “We have things in mind,” Cassese said. When asked if a strike – which the PBA had explicitly agreed not to use – was a possibility, he replied, “I won’t say yes, and I won’t say no.”

About a month later, the UFA rejected the new offer and called for a mail ballot asking their members if they would approve a strike. The *New York Times* editorial board was outraged. “Mayor Lindsay was right to assert that New York City will stand firm against the strike threatened by its uniformed firemen,” they wrote. “Such a strike would not only be illegal; it would also be as outrageous a threat to public safety as the celebrated Boston police strike of almost half a century ago.” They noted, though, that the PBA was staying committed to its no-strike pledge for the moment.

The next day, while still not talking about striking, the PBA threatened to picket municipal buildings in civilian clothes. About a week later, the mayor got directly involved in negotiations, and the PBA called off its picket. The UFA also postponed a threatened work slowdown, but strike ballots were still in the process of being mailed off. By April 6-7, with negotiations not going well, firemen began a work slowdown, only responding to emergencies and not doing more routine services. The PBA again said it was planning a picket of City Hall. On April 8, the city finally reached an agreement with both the firemen and policemen, bringing the drama to a close at least

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96“Unions Here Doubt If They Will Honor Police Picket Lines,” *NYT*, March 23, 1967. Interestingly, the UFA is affiliated with the New York City Central Labor Council, while the PBA is not. The council was thus likely to support any action by the UFA but there was some uncertainty about their support of action by the PBA.
temporarily. The threat of increasingly disruptive police behavior, though, was foreshadowing of the more radical actions that would happen in the years to come.

Conclusion and Next Steps

As I work my way through the historical record, I am struck by a few themes:

- Critics of police political activity in the 1950s and 1960s often echoed pluralist concerns about the police’s semi-military nature. Over time, though, the initial shock at police political involvement by establishment figures (politicians but also the New York Times editorial board) begins to diminish a bit. This also seems to relate to the strategic (and legal) question of whether police engaged in political behavior in uniform or wearing civilian clothes. In most of their more formal political work, officers were encouraged to wear civilian clothes. In at least one picket, though, officers coming off their shift remained in their uniforms.

- Between 1961 and 1964, the mayoral and gubernatorial endorsements of the PBA, in conjunction with the endorsements of the neighboring Nassau County PBA, seem to suggest an early tendency towards support for the Republican Party. Certainly in 2019, the PBA and other police organizations are more associated with Republicans than Democrats, especially at the national level where the Fraternal Organization of Police have only endorsed the Democratic presidential candidate one time since it began giving endorsements in 1988. The Lindsay administration, though, marked an important break in this trend, and by 1969 the police would support Lindsay’s Democratic opponent, who ran on more of a “law-and-order” platform. This fluctuation is reflective of the relatively non-polarized party politics of the era.

98“Firemen, Police Ratify Pay Pact; Strike is Avoided,” NYT, April 8, 1967.
99The organization started presidential endorsements in 1988 and Bill Clinton’s re-election bid is the only time it endorsed a Democrat. “Fraternal Order of Police to Endorse Clinton,” NYT, September 16, 1996. In 2012, the FOP refused to endorse Mitt Romney, but refrained from making an endorsement rather than endorsing Barack Obama. For a more recent analysis of the FOP’s endorsement behavior and its consequences, see Michael Zoorob, “Blue Endorsements Matter: How the Fraternal Order of Police Contributed to Donald Trump’s Victory,” PS: Political Science & Politics, 2019.
100Wilson noted in passing in his study of the police in smaller New York cities: “The cleavages between and within the political parties have also made it possible for the organized police officers, and the firemen, to play an important role.” Wilson, Varieties of Police Behavior, 244.
tives out of the Democratic Party), the partisanship of police political behavior had more of a chance to emerge. The New York City case, though, suggests the path was at the very least uneven (and tentative looks at other cases like Chicago and Philadelphia, where Democratic law-and-order mayors supported the police against civil rights activists, further suggest it likely varied geographically as well as temporally). Even in New York City, though, the PBA has been critical of modern law-and-order Republicans, notably Rudy Giuliani.

- The ratcheting up of political tactics is also something that likely happened in other cities, although it would be interesting to think further about what sorts of political opportunities and constraints exist that make certain approaches more or less likely.

- This examination of the 1950s and 1960s also suggests the importance of police demographics, which in this era lagged dramatically behind changing city demographics in places like New York City. This, though, would change in the decades that followed, with a majority of new police academy graduates being members of racial minority groups by 2005. Some legal scholars have argued that the growing diversity of police departments has had important and normatively positive consequences for a range of outcomes. As late as 2019, though, New York City’s PBA leadership remains disproportionately white and male, which might be an important part of explaining its continued conservatism even as the broader police force looks much different today than it did in the 1950s and 1960s.

Beyond (but perhaps after) distilling this into a more coherent framework, I also need to decide on a case selection strategy for the rest of the project. Any thoughts on how to choose which other cities to study (in addition to any other ideas, criticisms, etc.) would be greatly appreciated.

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102 Sklansky, *Democracy and the Police*, 142-143.
103 Ibid., 143-154.
104 “Is the N.Y.P.D. at War With Itself?,” *NYT*, September 6, 2019.