

*The Invisible Hand of Baltimore Policing: The
Power and Influence of the Fraternal Order of
Police*

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Introduction

At 8:39 a.m. on Sunday, April 12, 2015, a group of Baltimore police officers detained 25-year-old Freddie Gray near the Gilmore Homes Project. During the detainment, Gray begged for his inhaler and complained that he was suffering from an asthma attack. While a handcuffed Gray screamed for help, the officers dragged him to a police van where he was laid on his chest without restraints or safety belts, a violation of department policy. In route to the police station to meet paramedics, the police van made four confirmed stops, which included a stop at a grocery store to pick up another inmate. Finally, Gray was met by paramedics at the police station at 9:24 a.m. He was then transported to the University of Maryland R Adams Cowley Shock Trauma Center, where he arrived in a coma with several broken vertebrae. Gray died the following weekend.¹

In July 2016, a Baltimore judge acquitted the police officers involved in Gray's death of all charges. The six officers charged with Gray's death were represented by Fraternal Order of Police (FOP) attorneys. Following their acquittal, Gene Ryan, the president of the FOP Baltimore Lodge, praised the judge's decision: "On behalf of the members of Baltimore City Lodge Number 3, we are pleased that criminal charges against officer Miller, Porter, and Sgt. White have been dismissed. Justice has been done."² Despite the fact that Freddie Gray became a

¹ "Freddie Gray's death in police custody - what we know," *BBC* online, last modified May 23, 2016. <http://www.bbc.com/news/world-us-canada-32400497>.

² "Even after the remaining charges were dropped in Freddie Gray's death, Mosby received a hero's welcome in Sandtown while the FOP countered SAO's arguments," *Paper, Baltimore City*, last modified August 2, 2009, <http://www.citypaper.com/news/mobtownbeat/bcp-080316-mobs-freddie-gray-charges-dropped-20160802-story.html>.

household name in communities across the nation, the Fraternal Order of Police, for many, remained a nameless, secretive and silent force — traits that have epitomized their brand since their founding in 1915.

Far from powerless, the FOP has played a critical role in the expansion of the carceral state. The Order's multi-decade fight against citizen review, its legal support of violent officers, its call for stricter sentencing laws, and its alliance with conservatives ranging from Secretary of Labor James Davis in the 1920s to President Donald J. Trump in 2016 has not only informed the Baltimore Police Department's relationships with the local community, but has also shaped national discourse on race and crime policy. By aligning its agenda with political conservatives at the local, state, and federal level, the Fraternal Order of Police became a critical player in the expansion the modern carceral state. The FOP is exempted from the checks and balances that hold police departments and local governments accountable despite its operation as a vital branch of the police state. The Baltimore Order's history provides a valuable example of this phenomenon.

Currently, there are more than 20,000 FOP members throughout the sixty lodges in the state of Maryland.³ Today, as in most large cities, the FOP has strong representation in Baltimore. Founded in 1966, lodge Number 3 has helped shape Baltimore's police regime. Over the years, the local chapter won the praises and support of important city leaders because of its anti-strike rhetoric and relatively lax approach to contract negotiations compared to unions affiliated with the American Federation of Labor and Congress of Industrial Organizations. Since their inception, the FOP has painstakingly avoided the union label. Instead of allying with

³ "Final Roll Call - BALTIMORE CITY POLICE," Baltimorecity.com, last modified January 1, 2017, <https://baltimorecitypolicehistory.com/index.php/insight/final-roll-call.html&p=DevEx,5047.1>.

organized labor, the Order has drawn support from key political leaders and taken a significant role in the nation's loosely connected city and municipal police forces.

By undercutting the labor movement and securing key relationships within the political arena, the FOP has safeguarded a position of unique power. Over the past 50 years, Lodge Number 3 has grown into an unchecked arm of Baltimore's police regime and played a key role in Baltimore's contemporary carceral regime. The order's growth coincides with national trends that fueled the expansion of the carceral state during the late 20th century. In the 1960s, several important federal bills undergirded the foundation for the massive growth of prisons, prison populations and police forces. Following the Watts Rebellion in 1965, the Law Enforcement Assistance Act of 1965 was passed. It authorized the Attorney General to organize a committee that could dole out federal grants to state and city police departments. In 1968, the Omni-Bus Crime Bill, otherwise known as the "Safe Streets Act" passed after being proposed by President Lyndon Baines Johnson. The bill created the Law Enforcement Assistance Administration and appropriated more federal resources and funds to local and state police. At this point, police training, funding and resources became inextricably linked to the federal government. In Baltimore, poor neighborhoods like Fairfield, Monument Street, Orangeville and Greenmount East were adversely affected by the expansion of the carceral state. In her book, *From the War on Poverty to the War on Crime*, historian Elizabeth Hinton analyzed projects like Baltimore's Lafayette Court as examples of how funds were mismanaged in urban areas and how the War on Crime carried much more bite than the War on Poverty. By the 1960s and 1970s, Lafayette Court was in constant disrepair, yet the federal government spent tens of thousands of dollars on surveillance in the housing project — funding that stemmed from the Omni-Bus Crime Bill of 1967. That same funding increased police patrols in these urban neighborhoods and created

community offices masked as community outreach but served to document black youth “on paper” as “delinquents.” Lodge 3 actively supported this approach. As Hinton notes, large urban areas like Baltimore and Washington DC served as testing grounds for increasingly racialized and militarized police tactics. Commissioner Pomerleau’s Inspectional Services Division, which conducted surveillance on groups like the Black Panthers, dedicated a vast majority of their resources and manpower to Baltimore’s predominantly African American urban neighborhoods. In later years, Baltimore’s Special Violent Crimes Division and Youth Violence Strike Force gained notoriety for the use of violent force. Similar programs surfaced in large cities across the nation and the FOP offered integral support and training.

Police and prison expansion, as the works of Elizabeth Hinton and Naomi Murakawa have demonstrated, was co-signed by both Democrats and Republicans. Under both parties, the federal government has worked relentlessly to link race, class and criminality, while pushing a “colorblind” agenda. The condemnation and criminalization of African Americans became a key feature of the modern carceral state — a feature the FOP has diligently supported in the post-Civil Rights era.

As I argue, Baltimore functioned as a microcosm and even a catalyst for much larger national issues including police expansion and systematic oppression. With its close proximity to Washington D.C. and support from leaders like Spiro Agnew and former Police Commissioner Donald Pomerleau, the Baltimore Police Department (BPD) was one of the nation’s first departments to utilize federal funding and training. Pinpointing this multi-faceted model of carceral expansion in Baltimore reveals how similar processes have been replicated in urban spaces including Washington D.C., Detroit, Chicago, Orlando and New Orleans. By the 1970s,

Baltimore had a black majority — making it an ideal space for groups like the FOP to perpetuate the urban tropes of black criminality and white flight in conjunction with political efforts.

This thesis argues that the Fraternal Order of Police in Baltimore plays a key role in limiting police accountability, advancing the economic and political interests of the law enforcement profession, and shaping the discourse and politics of crime in urban America. The Order's massive growth and expanding agenda from 1966 to 1988 proved to be crucial years in the growth of the U.S. carceral state. Organized chronologically, this thesis is divided into four parts. The first section provides an overview of the origins of the FOP across the nation. The second section of the thesis recounts the formation of Lodge 3, exploring its political alliances in the years from 1966 to 1977. It details how the FOP benefitted from the federal government's growing funding of urban policing, its fight against affirmative action, and its push for stricter crime laws and sentencing. The thesis' third section documents Lodge 3's extensive growth from 1978 to 1988 and the Order's increasingly instrumental role in Baltimore's police state. The conclusion provides a brief snapshot of the Order's current role and influence in Baltimore. In the pages that follow, I hope to answer four principal questions: What role does the Fraternal Order of Police play in Baltimore's police regime? How did the Order grow from a struggling fringe group to the largest police organization in the world with avid supporters, including the current U.S. President? Has the Order become a conduit for conservative nationalist leaders? How has Lodge 3 simultaneously shaped the discourse on crime in Baltimore and insulated violent officers from reprisals? To answer these questions, this research relies on a variety of primary sources. Many of the Order's interviews, legal actions and internal reports are well-documented and accessible. Public archives across the country hold a range of FOP internal documentation, including annual reports, articles on civil and political actions, and an assortment

of newsletters. The Baltimore City Archives and Maryland State Archives house a wide assortment of papers documenting communication between the FOP, the BPD and politicians.

Historical Literature

This thesis draws insight from scholarship on the carceral state in general and the FOP in particular. A handful of scholars, including Stephen Halpern, Charles Salerno, Donald Schultz, Peter Feuille and Hervey Juris have produced important research on police unions, including the FOP. In his 1971 book, *Special Problems in Law Enforcement*, Donald Schultz offered a brief glimpse into the FOP's involvement in large cities and outlined the organization's history. In 1973, Hervey Juris and Peter Feuille published *Police Unionism*, one of the most in-depth studies of police union functions and politics. In that work, Juris and Feuille detailed the FOP's role in negotiating precinct policies and pay. In the early 1970s, Johns Hopkins historian Stephen Halpern began his study of police unions and the modern police state. His book *Police-Association and Department Leaders* (1974) focuses on the emerging impetus for police review boards. Halpern analyzed the FOP's ongoing battle against civilian review in several large U.S. cities, including Baltimore. Halpern's scholarship helped to lay the foundation for the study of citizen review boards, but it lacked data and an assessment of long-term trends. Nonetheless, Halpern produced some of the most in-depth scholarship on the FOP, particularly Lodge 3 in Baltimore, outside of what the organization itself had created.

Another important work is Justin Walsh's 1976 study, *The Fraternal Order of Police*. Organized along the lines of a collective biography, the book offers a broad cross-section of the Order's history, providing personal sketches of various FOP leaders. With the hopes of that the book would provide a corrective to what deemed "liberal-leaning scholarship," FOP threw their support behind Walsh's study. In fact, FOP member and investor Joseph Munson wrote the

book's foreward.⁴ The book, Munson argued, aimed to "provide a balance to the anti-police propaganda in much that passes today as scholarship in the study of law enforcement... More importantly, it would also avoid using a historian with an anti-police, pro-socialist bias."⁵

Though not focused exclusively on the FOP, Charles Solerno's *Police at the Bargaining Table* (1981) details the Order's massive growth after the 1960s and its crucial role in contract negotiations. Solerno's investigation is particularly illuminating regarding the Order's stance on strikes. In William Gellar's book *Police Leadership in America* (1985), Gellar dedicated a portion of his scholarship to the origins of police unions and paid close attention to the FOP's involvement in New Orleans during contract renegotiations in the 1970s. Gellar's work also investigated the FOP's role in the selection of police chiefs, which provides a crucial example of the Order's growing power.

This thesis builds on and challenges not just the existing literature of the FOP but also expanding scholarship on the long history of police brutality. Of particular importance for my research are recent works of Leonard Moore and James Forman. In his 2010 book, *Black Rage in New Orleans*, scholar Leonard Moore explored police brutality and African American activism in New Orleans throughout the second half of the 20th century and into the new millennium. Moore outlined a police regime in New Orleans that promoted racism from post-war to the present, "white mob activity was replaced by police violence as a means of restricting black social mobility."⁶ Even as African American's entered the ranks of police precincts, they too were encouraged to embrace a culture of racialization and classism if they hoped to remain within the profession. Moore wrote, "They ushered in new era of police violence toward fellow

⁴ Justin E. Walsh, *The Fraternal Order of Police, 1915-1976: A History* (Paducah, KY: Turner Pub., 2001), 7.

⁵ Walsh, *Fraternal Order*, 8.

⁶ Moore, Leonard. *Black Rage in New Orleans*. (Baton Rouge: Louisiana State Press, 2010,) 2.

African Americans.”⁷ The black poor was the primary target, while the black middle class was reluctant to challenge the police. Although Moore’s analysis is centered in New Orleans, Baltimore experienced remarkably similar trends in the second half of the 20th century. Baltimore’s overwhelmingly white police force would slowly integrate, as would the FOP, but new recruits were encouraged by their precincts and groups like the FOP to maintain the color line in how they policed. Scholar James Forman Jr. dives much deeper into this process in his book *Locking Up Our Own* (2017). Forman analyzes African American involvement in the carceral state in Washington DC, complicating conventional ideas about race and punishment. As the war on crime in the 1970s kicked into overdrive, many black leaders, including those in the city of Baltimore, supported tough-on crime measures.

As my thesis argues, Baltimore is representative of large cities across the nation, both in regard to the FOP’s influential presence and an ever-increasing police and prison state. The FOP’s emergence and development has shadowed Jim Crow, the punitive turn and mass incarceration, and played a key role in each.

Origins of the Order

In May 1915, Veteran police officers Delbert Nagle and Marty Toole founded the FOP in Pittsburgh, Pennsylvania as a social and fraternal organization to better the lives of police officers and their families. In November of 1915, the state of Pennsylvania granted the FOP a charter giving them legal recognition as a nonprofit organization.⁸ Pittsburgh Mayor Joe Armstrong was impressed with the FOP’s organization and gusto, emphasizing their “strong influence ... their considerate and charitable efforts on behalf of the officers in need and for the

⁷ Moore, *Black Rage*, 3.

⁸ *Constitution and By-Laws of the Fraternal Order of Police* (pp. 1-33, Rep.), (1915), Pittsburgh, PA: Fraternal Order of Police, Michigan State, University Archives & Historical Collections.

FOP's efforts at increasing the public confidence toward the police to the benefit of the peace, as well as the public."⁹

Both Delbert and Nagle worked as policemen on an understaffed force in Pittsburgh, logging stressful shifts ranging from 12-to-18 hours long. Nagle and Toole hoped to organize police officers to demand pay increases and safer working conditions. Though the FOP pushed forward “bread and butter issues,” the Order’s constitution had a no-strike clause and its founders consciously rejected the union label. The FOP’s strict and public stance against police unions definitely reaped benefits for the organization. “The Order’s forceful denunciation of all things radical and its continued opposition to police unionism and strikes,” according to historian Joseph Lipari, “convinced most of its critics that it was sufficiently antiracial.”¹⁰

To advance its cause and fund its operations, the FOP relied on donations, monthly dues, in-house publications, fundraising and merchandise sales. The order set its dues structure at 25 cents per month.¹¹ The FOP raised dues to 50 cents per month in 1931 and then to a \$1 in 1941. Dues rose and membership options increased with the Order’s expanding base.

During his tenure, Nagle encouraged the Order to embrace anti-radicalism, nativism and racism, which solidified the Order’s relationship with leading conservatives, most notably, President Calvin Coolidge and Secretary of Labor, James Davis. As the governor of Massachusetts, Coolidge had gained widespread condemnation among trade unionists for his ruthless handling of activists involved in the Boston strike. Equally troubling for many on the left was Coolidge’s racism, which continued after he assumed the presidency following Warren G. Harding’s death. Noting that “America must be kept American,” Coolidge signed the

⁹ "History of The Fraternal Order of Police" Fraternal Order of Police, last modified February 15, 2018, <http://www.medinafop204.com/history/history.htm>.

¹⁰ 482.

¹¹ Ibid., 49.

Immigration Act of 1924, which was widely considered one of the most racist immigration acts in U.S history.¹² The Act had the full support of the Ku Klux Klan, prominent eugenicists and the FOP, which centered itself as a willing enforcer for an anti-radical government.¹³

The FOP also aligned with conservative James Davis, who served as the Secretary of Labor under the Harding, Coolidge and Hoover administrations. A powerful ally of the Order, Davis was a long-time supporter of selective immigration and detaining unwanted immigrants. The FOP was a vocal supporter of Davis' stance on racial purity and maintaining white supremacy. In 1921, Davis delivered an address at the FOP's Fifth National Convention. In his address, Davis condemned the press for sympathizing more with criminals than law enforcement officials. "There would always be criminal misfits in society," he argued, " but their numbers were encouraged and increased by a press which glorified crime while making police look powerless or slack."¹⁴ By speaking at the FOP's convention and lending support to the organization, Davis legitimized the Order and further distanced them from the stigma of union radicalism.

Developing political capital through alliances with Davis and other conservatives proved advantageous for the Order. In a political milieu in which the power structure was hostile to organized labor, the FOP was able to function as a quasi-union and address work-related issues of importance to its members. One of these issues was improving police officer safety. By the 1920s, police officer deaths rose with technological advancements in weaponry.¹⁵ In 1923, the

¹² "We're All in the Same Boat Now: Coolidge on Immigration," Calvin Coolidge Presidential Foundation, last modified February 19, 2016, <https://www.coolidgefoundation.org/blog/were-all-in-the-same-boat-now-coolidge-on-immigration/>

¹³ Walsh, *Fraternal Order*, 79.

¹⁴ Walsh, *Fraternal Order*, 233.

¹⁵ Matthew, Moss. "The Tale of the Tommy Gun." last modified February 27, 2017. <https://www.popularmechanics.com/military/weapons/a25414/tommy-gun-thompson-submachine/>.

FOP compiled statistics about the number of police officers killed in the line of duty, which totaled 279 for the year.¹⁶ The FOP attributed the deaths to the increased availability of firearms, minimal staff and manpower, and the incredibly taxing schedules and duties of police officers. The FOP lobbied heavily for the “8 hour-bill,” which went into law in Pennsylvania in 1927. The bill called for shortened hours during police beats, which were notoriously long.¹⁷

The FOP’s success in labor negotiations fueled its rising membership. In the 1930s, the FOP added lodges in West Virginia, Michigan and Kentucky. By its 25th anniversary in 1940, there were more than 200 lodges nationally. In the 1940s and 1950s, the Order spread to 15 more states. Although local lodges participated in regionally-unique projects, all major communications and initiatives centralized in the FOP’s national headquarters. The Order demanded conformity from all lodges, particularly in regard to contentious social issues. Although local lodges held a certain level of autonomy, the national lodge defined the Order’s stance on national political issues.

As the FOP expanded, its organizational structure adapted to the growth. According to Charles Solerno, the FOP implemented a three-level power structure, which includes national, state and local assemblies. The national lodge approves the formation of local lodges, provides a variety of services to local lodges, and represents all lodges in national lobbying efforts. Police

¹⁶ Increasing Violence Against Patrolmen, Report, Committee on Officer Safety, FOP. Pittsburgh, PA: FOP, 1923. 1-37.

Marshall University, Special Collections and Archives

¹⁷ Despite promoting officer safety, the FOP’s position on firearm regulations would be influenced by their affiliation with ideologically conservative groups like the National Rifle Association. As the Order gained more political support throughout the 20th century, it became more conscious, purposeful and strategic about the special interest groups it chose to support or oppose. Although the NRA’s agenda arguably makes police officers lives more dangerous, the NRA’s conservative symbolism outweighs the contradiction for the Order.

departments and local chapters most common critique was that local lodges agendas were dictated by the national headquarters.¹⁸

Unlike other police organizations that only offered membership to sergeants and patrolmen, the FOP did not discriminate based on rank. The larger recruiting pool allowed the FOP to grow much more effectively than typical unions and labor groups. The FOP's conservative leanings drew an overwhelmingly white membership base. Limited operating budgets, bargaining power and few protections left officers isolated by their risks. Long discouraged to unionize, the Order gave officers social outlets, comradery and a voice at the bargaining table. It gave them power. But, in turn, they conceded some autonomy and political self-determination.

For most of the 20th century, police forces across the country were disproportionately white — and the Order was no different. African American members of the FOP came in the very small numbers, similar to the slow process of integrating police forces. White officers and FOP leaders actively opposed integrating police forces. When integration came to fruition, racism remained engrained into police training. As Leonard Moore captured in his book *Black Rage in New Orleans*, pioneering black officers were forced to embrace violence toward African Americans in their communities or risk being pushed out of the force. The persistence of the mythical racial order could be seen throughout the Order, including racialized language within their literature, and their annual galas, which almost always included black face skits. The FOP worked tirelessly to shape the discourse and politics of crime in urban America, along with the federal government.

¹⁸ William A. Geller, *Police Leadership in America: Crisis and Opportunity* (Chicago: American Bar Foundation, 1985), 26.

In terms of its membership, the FOP not only welcomed officers, but their spouses as well. Police officers' families understood the taxing hours and dangerous conditions their fathers and husbands faced and these difficult circumstances motivated them to create informal support groups. Women in Pittsburgh formed the Ladies Auxiliary to the FOP soon after the Order was founded. The auxiliary membership base grew rapidly, much like the FOP itself, expanding membership privileges to community members, businesses, politicians and other family members. The auxiliary's loose membership restrictions allowed for participant diversification. Today, auxiliary members contribute by "doing presentations on body armor wear, visiting newly-bereaved families and properly meeting their support needs, speaking out on issues of substance abuse, presenting spouse orientation sessions in police academies, assisting with legislative matters, and many, many vitally important jobs in support of their law enforcement officers."¹⁹ Auxiliary members have a great deal of community involvement, including FOP legal and political action. They have been instrumental in supporting the Blue Lives Matter Movement and fiercely opposed the Black Lives Matter Movement. They are a powerful underbelly to a commanding organization. But initially the auxiliary membership drew harsh criticism from police unions and police departments for allowing non-police personnel into the inner circle. "The FOP practices of bestowing membership to civilians and of soliciting advertising from local merchants," according to John H. Burpo, "have raised the issue of whether or not a policeman can impartially take and give favors to citizens who are potential law violators."²⁰ The complaint was, and remains, understandable. This could create a conflict of interest for auxiliary FOP members and officers.²¹ This problematic relationship with the public

¹⁹ Walsh, *Fraternal Order*, 27.

²⁰ John H. Burpo, *The Police Labor Movement; Problems and Perspectives* (Springfield, IL: Thomas, 1971), 7.

²¹ Geller, *Police Leadership in America*, 28.

is not limited to unethical sponsorships. As the public call for civilian review boards rose in the mid-20th century, a multi-decade fight against any form of police oversight became one of the Order's central aims.

In the 1960s, the FOP gained notoriety when politicians like Robert Kennedy called for citizen review boards to combat police abuse and corruption. The FOP considered this an insult to all police officers. Civilian review boards became one of the only ways to check the unbridled power of police departments in setting the disciplinary process of officers. The process of civilian review had overwhelming support in African American communities. Officer violence and racial targeting in urban areas had cemented a large rift between the black community and police forces. Normal local citizens filled seats on review boards. This countered the typical officer discipline panel, which consisted of only police officers and was unlikely to dole out punishments to fellow patrolmen. In fact, department discipline boards often protected fellow officers and the precinct's public image by avoiding punishments at all costs. The public demand for police oversight and limits to power caused an equal reaction from the FOP, which worked tirelessly to defend both innocent and guilty police officers.²² FOP critics argued that the Order's unwavering protection of police officers, at times, cast citizen's rights aside and left entire police departments with no oversight.²³ In 1962, The FOP released a 72-page report opposing the formation of review boards. The report's introduction states:

It is the same persons and organizations pressing for Police Review Boards who are violently opposed to Congressional investigations of subversion and communist propaganda techniques in the United States. They are, to a great extent, the same group of persons who over the years have consistently attacked the policemen but never chased the criminal.²⁴

²² Halpern, S. C. (1974), *Power and Policy-making in Police Labor Relations: The Case of Baltimore*, Baltimore: Johns Hopkins University Center for Metropolitan Planning and Research.

²³ Halpern, Ibid.

²⁴ *Articles — Opinions — Statistics Opposing the Formation of Police Review Boards* (pp. 1-72, Rep.), (1962), Philadelphia, PA: Grand Lodge, West Virginia Regional History Center and Archives.

By 1963, the FOP represented 20 percent of the national force. It had grown into the largest police organization in the country.²⁵ The FOP's growth was directly tied to the organization's key political relationships and their emergence as one of the few options for police to effectively organize. Groups like the FOP gained even more political power as local police departments became intertwined with the federal government through funding and training. FOP National Counsel John C. Ruckelshaus spoke about the increasing pressure put on police departments at the FOP national convention in 1967:

The FOP stood at the forefront defending policemen against false charges of brutality and violations of civil rights. The situation worsened in the 1960s and 1970s. Campus violence, anti-war demonstrations, and riots became commonplace. Legal defense was needed as never before and attorneys for the state and local lodges replaced the National Counsel in prime importance ... The punk, the pusher, the rapist, the hustler— i.e the criminal element — was discovered to have rights undreamed of earlier.²⁶

FOP members described Civil Rights protests and race riots as the work of a small minority of radical activists attempting to conjure racial strife. Walsh called the early 1960s Freedom Riders “southern invaders”²⁷ and throughout the decade the FOP made headlines for refusing membership to African American police officers. The Order has also been critiqued by the NAACP and ACLU for their lack of African American members in leadership positions. The FOP's stance on race mimicked the federal government's systematic exploitation and commodification of people of color. In fact, the Order worked to encourage officers in legally and spatially reinforcing the racial order.

The relationship between police and citizenry would grow increasingly volatile. By 1965, police brutality and corruption became hot-button issues. The Civil Rights Movement and Vietnam anti-war protests gained support and racism polarized communities across the U.S.

²⁵ *Articles — Opinions — Statistics*, Ibid.

²⁶ Walsh, *Fraternal Order*, 12.

²⁷ Walsh, *Fraternal Order*, 71.

Media heavily documented police violence against black protestors, including the multiple rebellions in large cities across the country in the summer of 1964 following the Civil Rights Act, the Watts Rebellion of 1965, and the clash between police and activists at the Democratic National Convention in 1968.

The 1960s also ushered in a fundamental shift in the federal government's involvement both financially and in regards to training local police departments. The Law Enforcement Assistance Act of 1965 and the Safe Streets Act of 1968 gave local police more power, funding and training than ever before. Unlike many civil rights bills of the era, these initiatives were immediately put into action. Departments like Baltimore could now pull from a federal budget to receive militarized gear and specialized training from the FBI. The FOP were fierce supporters of both acts, and later became instrumental advocates for the "War on Crime" — advancing the economic and political interests of the law enforcement profession and shaping the political discourse of crime in Baltimore.

With a growing membership base and ever-expanding political support came additional resources. With a conservative political stance and an overwhelmingly white male membership base, the Order's founders and early members quickly initiated strong ties with conservative political leadership. Throughout the Order's first 48 years in operation, their rhetoric matched that of men like Calvin Coolidge and J Edgar Hoover. The Order successfully lobbied at local and federal levels, which added to their political influence and power within police departments. In many precincts, the FOP earned a say in police disciplinary procedures, federal funding requests, the selection of police chiefs, the creation of department policy and a significant role in pay and benefit negotiations. As U.S. policing evolved to its modern form, so did the FOP. By the 1960s, public scrutiny of the FOP had increased, but despite the Order's immense influence,

the organization had been largely left out of the national discourse. The FOP's strong anti-union stance had positioned the Order outside of the targets of America's anti-radical propagandists. In fact, the Order disseminated an anti-radical pitch of their own through conservative political allegiances and policy support. Recognizing this advantage, the Order would become a mouthpiece of the nation's right-leaning politicians. By 1966, the national Order exceeded 70,000 members. Their power and scale made them a significant arm of the national policing apparatus.²⁸

The Early Years: Lodge 3, 1966-1976

The 1960s and 1970s were pivotal years in the growth of the carceral state, and Baltimore's history is emblematic of these national shifts. Baltimore was an essential city in shaping the discourse and politics of crime in urban America and Lodge 3 played an important role in the process. Neighboring Washington DC, holding a variety of national political connections and having a majority African American population, Baltimore became a testing ground for urban policing. The Law Enforcement Assistance Act of 1965 and the Safe Streets Act of 1968 would directly benefit the Baltimore Police Department and garnered crucial support from police leaders and labor organizations like the FOP.

This section will track the rapid growth and influence of Lodge 3 during its founding years. Despite facing scrutiny from police administrators, the American Federation of Labor and Congress of Industrial Organizations had moderate success working with policemen in Baltimore in the early 1960s. By 1966, the Baltimore Police Department had a long history of corruption, budgetary restraints, and unrest with the community. It also frowned upon police unions. Aware

²⁸ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995), 272.

of the department's animosity toward unions, the FOP approached the establishment of Lodge 3 carefully. Within its first decade, Lodge 3 grew to represent 2,500 Baltimore officers and played an increasingly influential role in Baltimore policing.

In 1966, the Order's total membership reached 68,000 members throughout 623 lodges in 40 states. On April 14, 1966, FOP president John Harrington installed a lodge in Baltimore, Maryland, in response to ten Baltimore police officers who approached an FOP attorney and asked to be incorporated.²⁹ In 1966, a *Baltimore Sun* article stated that former police Commissioner Bernard J. Schmidt said, "I'll call for dismissals" if officers speak of unionization.³⁰ Interim Baltimore police Commissioner Major General George M. Gelston, on the other hand, warmly welcomed Harrington and the FOP.³¹ The Order's strong stance against unionism and radicalism undoubtedly built trust with Gelston. In the summer of 1966, Harrington retired from the Philadelphia force and remained with the FOP. Upon retirement, Harrington said, "You can't do police work anymore. Today too many people with no police experience want to judge the police department and run it...Everybody is crying for the rights of the criminal ... the most honest thing for me to do is retire."³² Harrington's sentiments embody the "us against them" mentality that many police officers embraced. Harrington's statement carried clear undertones of "color blind" racism — a less overt but equally crippling tactic in the struggle for white supremacy — embraced by political leaders on both sides of the aisle by the late 1960s.

²⁹ Stephen C. Halpern, *Police-Association and Department Leaders the Politics of Co-optation* (Lexington, MA: Lexington Books, 1974), 26.

³⁰ "Visit is Due by Head of the Police Order," *The Baltimore Sun*, last modified Feb 26, 1966, [https://www.newspapers.com/image/219177653/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/219177653/?terms=baltimore+fraternal+order+of+police).

³¹ "Gelston Asks Police group to Present Organizing Plan," *The Baltimore Sun*, last modified March 1, 1966, [https://www.newspapers.com/image/219179007/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/219179007/?terms=baltimore+fraternal+order+of+police).

³² "Policeman Quits, Disgusted with Court Rulings," *The Baltimore Sun*, last modified July 2, 1966, [https://www.newspapers.com/image/65963400/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/65963400/?terms=baltimore+fraternal+order+of+police).

By July 1966, Lodge 3's membership base increased from ten to 300 members. Despite the FOP's steady growth in its first year, the AFL-CIO initiated a media campaign attacking the Order. Both groups fought for the allegiance of Baltimore police officers. Even with the Order's early recruitment success, the AFL-CIO still represented the majority of Baltimore officers and had since the 1950s. P.J. Ciampa, an AFL-CIO representative, accused the FOP of "shaking-down" local businessmen for financial support and offering special protections to those who would support them.³³ Questioning the group's union tactics, the FOP took legal action to block the AFL-CIO from being allowed to represent Baltimore police officers.³⁴ Interim Baltimore police Commissioner Major General George M. Gelston reminded both the FOP and the AFL-CIO that neither group officially represented the Baltimore Police Department — a fact that changed with the appointment of a new police commissioner.

In the fall of 1966, Donald Pomerleau was appointed Baltimore Police Commissioner.³⁵ Before being appointed commissioner, Pomerleau served as a consultant to the Baltimore Police Department for several years and once called the Baltimore P.D. one of the most corrupt police forces in the country. He cited several scandals, overt racism and the regular use of excessive force.³⁶ Although Pomerleau initially appeared to support progressive policies, by the late 1960s, his votes and policies mirrored conservative agenda makers.

Pomerleau created the Inspectional Services Division, a branch of the Baltimore police department dedicated to the surveillance of groups like the American Civil Liberties Union and

³³ "Shakedown Laid to Police Group," *The Baltimore Sun*, last modified July 19, 1966, <https://www.newspapers.com/image/376805771/>.

³⁴ "Union Opposed by Police Group," *The Baltimore Sun*, last modified February 10, 1967, [https://www.newspapers.com/image/219173076/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/219173076/?terms=baltimore+fraternal+order+of+police).

³⁵ Pomerleau had won the support of Mayor William Donald Schaefer and Maryland Governor Marvin Mandel, both of whom the Order had endorsed.³⁵

³⁶ Halpern, *Police-Association*, 29.

the Black Panther Party. Pomerleau embraced a racialized form of legal justice, had no tolerance for social protest, and often met African American protesters with violent reprisals from police. Pomerleau also astutely recognized the importance of FOP support and allegiance. In March of 1967, Pomerleau announced that he intended to recognize the FOP as the official organization representing Baltimore policemen.³⁷

Pomerleau ensured that Baltimore Police department would be one of the first precincts to benefit from the new federal initiatives creating federally funded financial support and training to local police through the Safe Streets Act (1968). Through this process, Baltimore would become a prototype for police departments around the country — setting the standard for urban policing. Pomerleau coordinated with the FBI for training purposes, increased the number officers, added patrol cars, introduced militarized riot control tactics and weaponry like tear gas and other chemical agents to patrol and special forces officers in Baltimore. The professionalization process of policing in the late 1960s helped to combat police corruption, but it also streamlined the arrest and conviction process. The professionalization of policing laid the foundation for mass incarceration and the systematic targeting of African Americans in urban areas across the country.³⁸

After Pomerleau announced his explicit endorsement of the FOP, Lodge 3 lost the support of many city officials. City government was not keen on the FOP's expanded power and involvement with the Baltimore precinct. The Order gained a say in the purchase of firearms, officer training curriculum, officer discipline procedures and department policies. As historian Stephen Halpern documents in *Police Associations and Department Leaders*, Lodge 3

³⁷ “Donald D. Pomerleau Airs His Stand to Back FOP as Agent,” Baltimore Police History, last modified August 10, 2002, <https://baltimorecitypolicehistory.com/insight/fop-lodge-3.html>

³⁸ Upon retirement in 1981, Pomerleu and Mayor Schaefer established a quasi-private police force that won a large city contract — keeping Baltimore's history of corruption alive and well.

immediately began brokering communication between sergeants and patrolmen, expediting requests for assignment transfers and representing officers facing disciplinary committees. Baltimore city leaders, civil rights groups and citizens were particularly bothered by the FOP's approach to investigations within the department. Their tactics insulated officers from any oversight, and further empowered a department that had established itself as racist and violent. Limiting police accountability became a central focus for the FOP by the late 1960s. The Order's leadership encouraged Baltimore officers to consult with FOP attorneys before complying with disciplinary requests from the department.³⁹ Lodge 3's expanding role concerned not only city and police department leaders, but also community members. Despite rising concerns, the FOP sought a larger role in pay negotiations by reconsidering a longstanding policy.

The FOP established Lodge 3 in a spirit of cooperation with city and police leadership, but it quickly became clear that the Order wanted more control of the Baltimore Police Department than city officials had initially anticipated. In 1967, Lodge 3 official Gary Woodcock stressed the importance of FOP involvement within local departments — in Baltimore and beyond. Woodcock called Lodge 3's relationship with the Baltimore precinct “a partnership oriented to the singular purpose of improving the department.”⁴⁰ Lodge 3's sentiments aligned with the national call for increased and militarized police forces. This political maneuvering advanced the economic and political interests of the law enforcement profession and aligned with city, state and federal interests.

During a visit to Baltimore in 1967, national FOP President Harrington praised Alabama Governor George Wallace, he identified the Alabama Governor as “the only man telling the

³⁹ Halpern, *Police-Association*, 36.

⁴⁰ Halpern, *Police-Association*, 27.

truth,” calling Wallace a “statesmen.”⁴¹ In his 1963 inauguration as Governor of Alabama Wallace infamously said, “Segregation now! Segregation tomorrow! Segregation forever!”⁴² Wallace fulfilled the wildest stereotypes projected upon racist Southern politicians, even standing in the doorway in an attempt to block African American’s from enrolling at the University of Alabama in 1963. The FOP’s endorsement of Wallace drew massive protest from within the Order, particularly from the few African American members. Harrington was unapologetic. Harrington invited Wallace to speak at the 1967 FOP national convention in Miami. After the conference, the *Miami Herald* referred to the FOP as a “racist reactionary organization.”⁴³ By 1968, racial tensions escalated across the country. Two events were particularly important: the assassination of Martin Luther King Jr. on April 4 and the riots at the Democratic National Convention in Chicago in August. At the DNC, Chicago police killed 11 people and injured 500 protesters, but Harrington defended their brutality: “You didn’t see any picture of injured policemen. You didn’t read about the most serious injury to anyone — a policeman who lost his sight.”⁴⁴ In a Gallup poll taken several weeks after the 1968 Democratic National Convention in Chicago, 56 percent of the country supported police violence to stop protesters and only 31 percent were opposed to it.⁴⁵ White leaders and voters increasingly supported the incarceration of African Americans in urban areas, attaching the idea of blackness to social upheaval and crime. Segregation became federally funded and enforced by predominantly white police forces.

⁴¹ John Harrington, "Wallace for President," *Philadelphia Fraternal Order of Police Lodge 5*, March 1, 1967, 1-11. Michigan History Center-Archives.

⁴² “The Rehabilitation of George Wallace,” *The Washington Post*, last modified September 5, 1991, <https://www.washingtonpost.com/wp-srv/politics/daily/sept98/wallace090591.htm>.

⁴³ Walsh, *Fraternal Order*, 285.

⁴⁴ Walsh, *Fraternal Order*, 286.

⁴⁵ Balko, *Rise of the Warrior Cop*, 175.

African American FOP members in Chicago, Philadelphia, Baltimore and other cities protested Harrington's support of Wallace and his comments on the Chicago riot, openly calling him a racist. Hundreds of members of the FOP dropped their memberships. Harrington replied publically, "You can't win them all."⁴⁶ Here and in other instances, Harrington effectively used the media to position FOP as a part of the conservative establishment. Toward this goal, he criticized law enforcement liberalism and espoused the ideologies of law and order.⁴⁷ He was not alone. Political leaders, police officers, and in turn, mainstream America embraced this sentiment. No single person embodied it more than Spiro Agnew.

Born and raised in Baltimore, Spiro Agnew played a vital role in the expansion of the carceral state. As a Baltimore's County Executive, Agnew developed a "tough on crime" platform to pitch to his Republican base before he gained a national audience as vice president to Richard Nixon in 1969. Before the vice presidency and the formation of the "silent majority," Agnew acted as Maryland's governor from 1967 to 1969 after his four-year stint as Baltimore County Executive. Agnew had a liberal stance on some issues, including education. But his position on civil rights was repressive in regard to protest. Agnew clearly supported law and order over free speech. His own political evolution during the late 1960s would gravitate toward the far right. After the rebellions in Baltimore following the assassination of Martin Luther King Jr., Agnew castigated 100 black leaders at a roundtable. His racialized diatribe drew fire from the African American community and the left, but earned enthusiastic support from white conservatives. During the riots, Agnew declared a state-of-emergency, called in the National Guard and encouraged mass arrests. More than 4,000 people were arrested over 3 days and a vast

⁴⁶ Walsh, *Fraternal Order*, 284.

⁴⁷ Lombardo, Timothy. *Blue Collar Conservatism*. (Philadelphia: University of Pennsylvania Press, 2018,) 33.

majority of the people arrested were African American. Agnew garnered support among white, working-class voters, police and the FOP. The racially-charged incident proved to be Agnew's entry-point onto the national political stage. Agnew exploited the racial line dividing Baltimore's white and black working class populations. Like Pomerleau, Agnew castigated black activist groups including the Black Panthers. In 1969, Agnew referred to the Black Panther Party as a "completely irresponsible anarchist group of criminals."⁴⁸ Agnew gained unwavering support from both Lodge 3 and the National Order. In 1973, Agnew would be accused of corruption during his tenure as Baltimore County Executive in the 1960s.

At the end of the 1960s, interactions between the African American community and Lodge 3 in Baltimore grew increasingly volatile. One source of tension was the underrepresentation of African Americans in the police force. Throughout most of the 20th century, the Baltimore Police Department was dominated by Irish American and Italian American officers. By the late 1950s, calls for more black officers increased. Most of Baltimore's predominantly white police force lived outside of city limits. Until 1966, African American officers in Baltimore could not receive promotions, patrol white neighborhoods or use squad cars. Lodge 3 has never been known to advocate for African American officer's rights. In fact, The Vanguard Justice Society has represented a majority of Baltimore's black officers since 1971 and advocated for the force to recruit more people of color.

Affirmative Action initiatives dramatically influenced hiring practices in a variety of public sector jobs throughout the U.S., including police departments. Police departments implemented new policies designed to combat decades of institutionalized racism and sexism and racially-biased hiring practices. Nationally and locally, the FOP filed lawsuits on behalf of

⁴⁸ Jones, Charles. "The Political Repression of the Black Panther Party." *Journal of Black Studies*. Vol. 18, No. 4 (Jun., 1988), pp. 415-434.

white applicants who were not hired for jobs in police departments. The FOP claimed that equal opportunity laws were “reverse racism and reverse discrimination.”⁴⁹ In nearly every case, state and federal judges upheld the equal opportunity laws. In a 1967 *Baltimore Afro-American* article, the FOP called equal opportunity changes “a racially motivated scheme” and “discriminatory against whites.”⁵⁰ This view was not confined to Baltimore. In his book, *Carl B. Stokes and the Rise of Black Political Power*, Leonard Moore confirmed that the FOP in Cleveland accused NAACP police recruits of being given “unfair advantages.” Moore wrote, “The white-dominated Fraternal Order of Police was outraged by Stokes’ actions, and many white officers accused Stokes of lowering the standards in order to get more blacks on the force.”⁵¹ The FOP’s racism garnered widespread criticism from African American officers, citizens and groups including the ACLU and NAACP. But many self-described “disenfranchised” white men within the Order and in leadership positions across the country continued to reinforce the FOP’s actions and push back against affirmative action.

Although the Civil Rights Movement elicited talk of change, police practices across the country remained violent, oppressive and overtly racist. The November 8, 1969 issue of the *Baltimore Afro-American* discussed the tensions between the African American community and police:

Policeman across much of the nation are taking on a new political militancy which threatens our traditional civilian control over such forces... Millions of Americans have died to protect this country from police state government. We do not want rule in this country dependent upon who carries the gun... Today, black people are targets of the repressive measures backed by many police organizations.⁵²

⁴⁹ “Whites Fail to upset Police Hiring Quota,” Ibid.

⁵⁰ “Whites Fail to upset Police Hiring Quota,” Ibid.

⁵¹ Leonard N. Moore, *Carl B. Stokes and the Rise of Black Political Power*, (Urbana: University of Illinois Press, 2003), 95.

⁵² “Politically Militant Police,” *The Baltimore Afro-American*, last modified November 8, 1969, <https://search-proquest.com.proxy01.its.virginia.edu/hnpbaltimoreafricanamerican/docview/532422947/688F0256A9E240B4PQ/2?accountid=14678>

The article discussed the FOP's unwavering support of Governor Wallace, statistics showing that police disproportionately targeted citizens of color and the Order's racist agenda. Governor Wallace's tactics were too extreme to win the approval of the majority, but Nixon's "Southern Strategy" garnered the Order's allegiance.

Though the FOP overwhelmingly endorsed Governor George Wallace for the presidential nomination with only one dissenting vote of 1,000 voting officers, the Order "warmly" approved of President Richard Nixon, particularly his call for "Law and Order", when Republican leaders regained control of the White House in November 1969. During his 1968 campaign for the presidency, Nixon continually called for larger police forces and criminalized activists of any form. He adopted the color-blind pitch of racist criminology. "We shall reestablish freedom from fear in America so that America can take the lead of reestablishing freedom from fear in the world."⁵³ When he stumped for Barry Goldwater in 1964, Nixon tapped into what he deemed "the silent majority" — an increasingly frustrated white constituency. Historian Rick Perlstein argues that Nixon was acutely aware that voters, "were angry at liberalism, angry at race riots in the city, and angry at violence on campuses."⁵⁴ Nixon spoke directly to the Silent Majority's desire for the prevailing social order to remain intact. His subtly racist descriptions of African American's fight for equality resonated with his target audience. In a special report of the white majority in a 1969 *Newsweek* poll, 85 percent of whites thought that black activists were not being punished severely enough. 65 percent felt that unemployed African Americans were more likely to receive government aid than white citizenry and 66 percent believed the police needed

⁵³ "Campaign '68," American Public Media, last modified February 11, 2015, <http://americanradioworks.publicradio.org/features/campaign68/b1.html>.

⁵⁴ Rick Perlstein, *Nixonland the Rise of a President and the Fracturing of America* (New York: Scribner, 2009,) 178.

more unchecked power.⁵⁵ Nixon's broad support of large police forces and his criminalization of activists and African Americans matched the FOP's stance. Subsequently, Lodge 3 felt empowered by Nixon's conservative position. Nixon's running-mate, Agnew, also proved to be influential in regard to the police state. In many ways, Lodge 3's membership base embodied Nixon and Agnew's supporters and helped to enforce the mythical racial caste system through policing and politics — one of the central aims of the silent majority.

Throughout Nixon's presidency, the FOP adamantly supported many of his conservative judiciary appointments and his strong support for longer prison time for criminals. Nixon's appeal for larger police forces and stiffer punishment of crime marked an important moment in the state-sponsored support of the growth of the prison and policing regimes. In a 1994 interview with Harper's Magazine, former Nixon domestic policy chief John Ehrlichman noted:

We knew we couldn't make it illegal to be either against the war or black[s], but by getting the public to associate the hippies with marijuana and blacks with heroin. And then criminalizing both heavily, we could disrupt those communities, we could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did.⁵⁶

Though often excluded in the scholarly literature on the expanding carceral state, The FOP had been lobbying for larger police forces, advanced weaponry and stiffer penalties for criminals for decades. The public perception of police officers began to transition from a "friend of citizens" to a "militarized enemy." This change had been conditioned by officer's increasingly abusive interactions with citizens and predominant focus on impoverished areas of cities. Many communities with the highest arrest rates became institutionally conditioned to fulfill the role of

⁵⁵ Balko, *Rise of the Warrior Cop*, 191.

⁵⁶ Dan Baum, "Legalize It All," Harper's Magazine, last modified April, 2016. <https://harpers.org/archive/2016/04/legalize-it-all/>.

criminal and inmate.⁵⁷ These trends were starkly apparent in cities like Baltimore. As documented by the Department of Legislative Services in Maryland, “Persistently poor communities like Baltimore have lower employment and exceedingly higher crime rates.”⁵⁸ Between 1970 and 1980, Baltimore’s poverty rate rose from 18 percent to 23 percent. Baltimore only represented 11 percent of the state’s population, yet 25 percent of the state’s poor live in the city and 63 percent of those living in poverty were African American.⁵⁹

In documenting the role of the FOP in the expansion of the carceral state, it is important to identify their involvement in and opposition to specific policy initiatives. One important policy initiative was the age-limit for adult offenders. After years of advocacy from groups including the NAACP and ACLU, the city of Baltimore considered raising the age limit for adult offenders from 16 to 18. In January 1969, Lodge 3 successfully lobbied with a grand jury committee and Baltimore judges to oppose raising the age limit for adult offenders in Baltimore.⁶⁰ An FOP spokesman suggested dropping the age-limit statewide. Lodge 3 President Richard Simmons said, “Many of the more serious crimes are committed by persons between the ages of 16 and 18 years of age and, therefore, they should be tried in the Criminal Courts of Maryland.”⁶¹ Dropping age limits and incarcerating minors had long-been considered a racialized policing tactic. Lodge 3 had answered the national call for stricter crime laws and the need for an increased prison population. Lodge 3 won this battle with both the federal and state government. Similar reinforcement of adult sentencing popped up in courts across the country.

⁵⁷ *Understanding Challenges Facing Baltimore City and Maryland*, Report, Department of Legislative Services, History, Public Policy, and the Geography of Poverty, Annapolis, Maryland: Department of Legislative Services Office of Policy Analysis, 2016. 1-101.

⁵⁸ *Understanding Challenges*, Ibid.

⁵⁹ *Understanding Challenges*, Ibid.

⁶⁰ “2 Groups Hit Juvenile Age,” *The Baltimore Sun*, last modified January 22, 1969, [https://www.newspapers.com/image/226192466/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/226192466/?terms=baltimore+fraternal+order+of+police).

⁶¹ “2 Groups Hit Juvenile Age,” Ibid.

And throughout the 1970s and 1980s, police arrested African American and Mexican American children at unprecedented rates.

Citizen review boards emerged as one of the only ways to provide accountability for police forces. After decades of police corruption and abuse, the concept carried overwhelming support from Baltimore citizens, especially from communities of color. Allyson Collins documented the officers “code of silence” in the book *Shielded from Justice*, which ties into the “us against them mentality.” The code of silence prohibits officers from providing or reporting any adverse information against a fellow officer. The Order denies that any such law exists but has never been willing to discuss the rule.⁶²

In 1969, Lodge 3 began a formal campaign against civilian review in Baltimore. Halpern highlighted Lodge 3’s resolution advising the governor that civilian review boards would be detrimental to the efficiency and morale of law enforcement officers and would be of no benefit to the public.⁶³ A 1970 *Baltimore Afro-American* article advocated for citizen review and referenced an 84-page report released by the Rand Corporation — an American non-profit think-tank that researched and analyzed the U.S Armed forces. The article highlighted the ineffective system of in-house officer discipline: “Over an 11-year period, for example, the report said there were 204 allegations of criminal misbehavior, but only 31 were brought to departmental trial and only six resulted in ‘severe penalties.’”⁶⁴ Lodge 3 in Baltimore and FOP lodges around the country have been intentional in limiting police accountability and insulating officers from any form of discipline. From the 1960s-forward, it has been one of the Order’s key concerns.

⁶² Allyson Collins, *Shielded from Justice: Police Brutality and Accountability in the United States*, (New York: Human Rights Watch, 1998), 68-69.

⁶³ Halpern, *Police-Association*, 33.

⁶⁴ “Few Police Ever Convicted,” *The Baltimore Afro-American*, last modified November 28, 1970, <https://www.newspapers.com/image/226192466/?terms=baltimore%20fraternal%20order%20of%20police>.

In 1971, during the Baltimore primary for city council president, the FOP's lack of racial sensitivity caught the attention of Baltimore city leaders. The FOP endorsed John Hubbel who local politicians had referred to as a "conservative ideologue."⁶⁵ Those critical of the FOP thought that endorsing a candidate was a mistake, especially with a black man running for the same position. A Baltimore AFL-CIO official explained the public relations blunder: "You just don't do these sorts of things. Three of the four were friends of the police. You had nothing to win. First, by opposing the black candidate and favoring a conservative like Hubbel, you raise the race question."⁶⁶ City leaders and citizenry would again criticize Lodge 3 later that same year for opposing the first black man to run for Baltimore Mayor, George Russell. The Order was merely maintaining a long-standing tradition of supporting white nationalists and opposing African American leadership. As the first black mayors arrived in the 1960s and 1970s in cities like Cleveland and Washington DC, local FOP lodges consistently rallied against them and endorsed white candidates.

The lodge's intervention into the political arena extended to the judiciary branch. Since its inception, Lodge 3 has openly critiqued Baltimore attorneys and judges deemed overly "liberal." In the summer of 1972, Lodge 3 again fought for stiffer recourse for criminals. The Order petitioned Governor Mandel in the hopes of initiating an attorney general investigation into the Baltimore circuit court for alleged "leniency in handling criminal cases." Lodge 3 president Simmons raised the specter of a friendly circuit court system; "Here in the courts you have state attorneys who are reducing robbery and burglary charges with potential 20-year prison terms to larceny charges that have an 18-month potential term."⁶⁷ Lodge 3's call for harsher

⁶⁵ Halpern, *Power and Policy*, 29.

⁶⁶ Halpern, *Ibid.*

⁶⁷ The Evening Sun, July 10, 1972.

sentencing reflected the federal crime agenda. Again, Lodge 3's fight for stiffer recourse for criminals was laced with racist overtones, much like Nixon and Agnew's War on Crime. A vast majority of those impacted by the requested changes lived in communities of color within Baltimore. In comparison to African Americans, white criminals were convicted less often and given much less severe penalties when convicted.

Lodge 3 regularly practiced "Court watching," which according to Hervey Juris and Peter Feuille, involved stationing an observer in court to record the deposition of criminal cases. Juris wrote, "these statements were invariably couched in coercive language castigating judicial language."⁶⁸ Juris and Feuille identified this practice in six large cities, but described Lodge 3 in Baltimore as having the most success in lobbying against court officials that dealt liberal sentences.

The Order's activities paid off. By the mid-1970s, FOP membership expanded to include 1,060 of Baltimore county's 1,200 police officers.⁶⁹ Nationally by 1974, the FOP recruited more than 140,000 members in 1,100 lodges across the country.⁷⁰ The order also had the support of the GOP establishment. After President Nixon's resignation, the FOP's longtime friend Gerald Ford stepped into the role. Ford was a lifetime associate member of the Grand Rapids FOP Lodge in Michigan. FOP national president Pat Stark endorsed Ford in 1974. FOP leadership appreciated Ford's stance on increased sentences for career criminals. In fact, aside from pardoning President Nixon, Ford was incredibly tough on low-level criminals. Ford supported the death penalty and harsher sentencing and no bail for drug offenders. Ford also bolstered the

⁶⁸ Hervey A. Juris and Peter Feuille. *Police Unionism: Power and Impact in Public-sector Bargaining*. (Lexington: Lexington Books, 1973), 160.

⁶⁹ "Police Chief Vows to Stay in County," *The Baltimore Sun*, last modified February 1, 1977, [https://www.newspapers.com/image/223764633/?terms=baltimore fraternal order of police legal defense](https://www.newspapers.com/image/223764633/?terms=baltimore+fraternal+order+of+police+legal+defense).

⁷⁰ Walsh, *Fraternal Order*, 12.

justice system by increasing federal marshals and prosecutors and general support for increasing the size and reach of the carceral state.⁷¹ Walsh wrote, “Stark’s endorsement of Ford was the most publicized political endorsement involving the Order during the nation’s bicentennial. But it was only one of hundreds made as lodges everywhere became politically active. In some instances, members even ran for elected offices.”⁷²

Lodge 3’s first decade was crucial for both the Order in Baltimore and around the country. Facing accusations of police brutality and corruption, Lodge 3 opened at a precarious time. Even in the face of protest and controversy, the carceral state was growing at an exponential rate. Despite calls for progressive police and prison reform in the mid-20th century, the conservative sentiments shared by Harrington and Agnew won the day. With the centralized support and resources from national headquarters, key political allies locally and a rapidly-growing membership base, Lodge 3 quickly established itself as an integral aspect of Baltimore’s expanding police state. Having faced decades of budget cuts and waning support from the public, Baltimore’s increasingly isolated police force joined Lodge 3 with open arms. The FOP also exerted control over the police departments policies and disciplinary procedures. Lodge 3 instantaneously implemented and embraced the national Lodge’s allegiance to conservative leaders and support of a larger carceral state. Over its initial decade in existence, Lodge 3 played an increasingly integral role in limiting police culpability, expanding political and economic interests and influencing the dialogue on crime in Baltimore. In the late-1970s and 1980s, Lodge 3 worked to establish even deeper relationships with national leaders including Ronald Reagan.

⁷¹ “Crime,” *The Ford Library and Museum*, last modified June 10, 2009, <https://www.fordlibrarymuseum.gov/library/document/factbook/crime.htm>

⁷² Walsh, *Fraternal Order*, 306.

The Order fully supported and helped to enforce Reagan's racialized "war on drugs" and "welfare queen" trope.

Growth and Increasing Power: Lodge 3, 1977-1988

The late 1970s marked a period of massive change for America. Labor power dwindled as the economy took a massive hit from the energy crisis and subsequent stagflation. Economic woes combined with the growing distaste for the nation's involvement in the Vietnam War added to a growing distrust in the government. By the early 1980s, Reagan's faith in a boundless market and call for a larger police state was met with white approval. As Hinton highlighted, Baltimore became an important model for rising prison populations, harsher punishments for non-violent drug offenders and the increased militarization of police forces — a model that Lodge 3 would fully support. Again, Lodge 3's increased involvement with officer discipline, city politics, department policy and even the choosing of a new police chief demonstrate the Order's influential role in Baltimore and active support of national conservative discourse.

In 1977, Lodge 3 flexed their political power by aiding in the removal of a progressive police chief and helping to choose another. The FOP had ruthlessly criticized Baltimore Police Chief Joseph Gallen after he claimed to have had inherited a "corrupt police department." The Order leveraged support to remove Gallen by conducting internal polls that claimed that 70 percent of officers wanted the chief ousted. The FOP accused Gallen of being incompetent and unprofessional. Shortly after the investigation, Joseph Gallen stepped down as chief despite receiving overwhelming support from the African American community and progressives throughout Baltimore. FOP attorney David Harris critiqued the initial panel to select the new police chief. The panel, according to Harris, "Lacked the expertise to select a capable and

independent chief of police.”⁷³ After Lodge 3’s protest, the selection panel was altered. In the fall of 1977, the FOP launched a county-wide bumper sticker campaign in support of their preferred choice and soon-to-be appointed Chief of Police, Cornelius J. Behan.⁷⁴ Unlike Gallen, Behan consciously avoided publically accusing the Baltimore police department of corruption. The FOP’s growing role in the selection of police chiefs and commissioners trended nationally. In his book *Police Leadership in America*, William A. Geller investigated the Order’s involvement with the selection of police chiefs in Philadelphia, San Francisco, Baltimore, Atlanta and Boston in the late-1970s and throughout the 1980s. “Labor organizations can exercise their influence on the critical selection of police chiefs in a variety of ways, and their expertise grows as their coffers fill and political sophistication increases.”⁷⁵ By influencing the selection of police chiefs, Lodge 3 controlled the department from the very top. The Order’s recommendations for chief reflected their conservative ideologies, further extending the links between national politics and local policing decisions. The Order was able to pursue and exercise political power in arenas where police departments are, by design, limited. Lodge 3 bypassed checks and balances designed to protect the city and citizenry, putting the Order’s own interest first.

In 1978, the FOP fought the formation of a civilian review board in Maryland again. This multi-decade fight became one of Lodge 3’s central goals, which mirrored the actions of the national lodge. Concerned Citizens for Human Rights had been attempting to establish a civilian review board in Baltimore since the early 1970s. CCHR’s representative Carl Snowden claimed that civilian review would not be an anti-police measure and would, “hopefully make the job of

⁷³ "Panel to Fill Gallen’s Post is Criticized,” *The Baltimore Sun*, last modified June 19, 1977, [https://www.newspapers.com/image/223754166/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/223754166/?terms=baltimore+fraternal+order+of+police).

⁷⁴ "FOP Launches Drive Backing Behan,” *The Baltimore Sun*, last modified September 21 1977, <https://www.newspapers.com/image/371074258/>.

⁷⁵ William A. Gellar, *Police Leadership in America: Crisis and Opportunity* (Chicago: American Bar Foundation 1985), 269.

the Police Department easier.” Snowden also suggested that the community’s relationship with police was “very touchy at this point.”⁷⁶ Complaints of racially charged violence, abuse and arrests had only grown since the 1960s. FOP attorney David S. Harris said that the Order opposed any form of review board but was open to a police community relations committee made up of police. Lodge 3 took legal and political action and city leaders shot down the proposal for civilian review. Again, the FOP successfully delayed the formation of a civilian review board in Baltimore. With successful citizen review boards emerging around the country, the failure to establish a review board in Baltimore was emblematic of a growing contention between the BPD and Baltimore’s African American community. The Order’s unwavering protection of corrupt and violent officers epitomized the “us against them” mentality.

By 1979, just 13 years after launching operations, Lodge 3’s membership reached 2,850 members. Similar to national trends, the lodge situated itself as the sole representative for Baltimore city police officers, expanding their influence not only in the police department, but local politics as well. In the fall of 1979, Lodge 3 endorsed Mayor William Donald Schaefer and city controller Hyman A. Pressman’s reelection campaigns. In turn, Mayor Schaefer lobbied for an increase in officer pay despite facing budgetary limits from the state. Successfully lobbying for increased pay and benefits is undeniably one of the Order’s greatest strengths, especially given the state of the economy.

As many historians have documented, White flight to the suburbs in the 1950s and 1960s decimated city budgets. By the 1970s and early 1980s, cities were scrambling to find ways to replace the billions of dollars in lost tax revenue. Similarly, Baltimore police department

⁷⁶ "Police Review Board Sought," *The Baltimore Sun*, last modified July 11, 1978, [https://www.newspapers.com/image/223927168/?terms=baltimore fraternal order of police civilian review](https://www.newspapers.com/image/223927168/?terms=baltimore+fraternal+order+of+police+civilian+review).

struggled financially, and money issues mounted in the 1980s, yet Lodge 3 continued to grow and boasted over 3,000 members. In 1980, the lodge was still fighting for the promised aid to bolster officer pay in Baltimore.⁷⁷ The FOP's legislative chairmen Robert C. Maglia said, "Baltimore's low police salaries have kept the department from filling 129 vacancies. At the same time, the city has been losing experienced officers to better-paying area police departments, such as Baltimore county."⁷⁸ Maglia also claimed that FOP members and their families had initiated a massive letter-writing campaign to aid their cause. In January of 1980, one officer said, "The police department is an orphan. Schaefer wants too much and doesn't want to give enough for it."⁷⁹ The theme of understaffing on the Baltimore force was not a new issue. The department had dealt with staff shortages and back-pay issues for most of the 20th century. As it had in the 1960s and 1970s, the camaraderie and support that Lodge 3 offered, gave Baltimore officers a social and professional outlet. The departments financial troubles and limited labor support for officers directly contributed to Lodge 3's steady growth. This trend did not happen in a vacuum. These city-budget issues hit police departments across the country, helping to bolster FOP membership. These same budgetary issues contributed to a culture of corruption, poor training and brutality.

Although Lodge 3 had successfully delayed the formation of a civilian review board, the push for such public oversight never fully extinguished. The Baltimore African American community continued to spearhead the call for civilian review. In May of 1980, the Baltimore office of the NAACP and a number of community members proposed another bid for civilian review to the city council. NAACP regional director Reverend Emmet C. Burns said, "In the last

⁷⁷ "Governor Doesn't Foresee More State Aid for Police," *The Baltimore Sun*, last modified January 18, 1980, [https://www.newspapers.com/image/223906344/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/223906344/?terms=baltimore+fraternal+order+of+police).

⁷⁸ "Governor Doesn't Foresee More State Aid for Police," Ibid.

⁷⁹ "Governor Doesn't Foresee More State Aid for Police," Ibid.

7 months, the organization has been flooded with calls from citizens who claimed that they have been unnecessarily assaulted by Baltimore police officers.”⁸⁰ Community members complained that under the current system, police officers accused of excessive force were subject to internal review within a police department that rarely handed out punishments. The concept had gained traction nationally as the only way to combat racialized practices, abuse and corruption. The NAACP pointed to successful review boards in New York. Meanwhile, the Baltimore police department suggested that review boards cause more problems than solutions. In response to the proposal, Lodge 3 attorney Herbert Weiner said, “Citizens should not be empowered to review the conduct of police officers. A civilian review board would severely jeopardize officer’s rights. It takes experienced policemen to adjudicate these kinds of complaints. I don’t think citizens have a feel for what it takes to be an officer under stress.”⁸¹ The FOP was unwilling to consider any form of citizen review and leveraged its political power to squash the proposal.

In the 1980s, the FOP began to form political action committees — another indication of their political evolution. Taking office in 1981, President Ronald Reagan’s racialized War on Drugs and welfare recipients in urban centers drew immediate approval from the Order, and had a particularly strong impact on Baltimore.

President Reagan declared a war on drugs and called for the mass incarceration of drug offenders.⁸² Reagan’s color-blind approach was riddled with racist underpinnings, perfectly aligning with the FOPs own long-time stance. Between 1980 and 1992, the U.S. prison population again doubled from 500,000 to one-million.⁸³ Reports released by the CIA in the late-

⁸⁰ "Civilian Probe Sought of Brutality Cases," *The Baltimore Sun*, last modified May 7, 1980, [https://www.newspapers.com/image/224087045/?terms=baltimore fraternal order of police citizen review](https://www.newspapers.com/image/224087045/?terms=baltimore+fraternal+order+of+police+citizen+review).

⁸¹ "Civilian Probe Sought of Brutality Cases," *Ibid*.

⁸² Angela Y. Davis. *Are Prisons Obsolete? (An Open Media Book*, 2010)

⁸³ Trends in U.S. Corrections, *Ibid*.

1990s have suggested that the agency allowed billions of dollars of drugs to flow into cities like Baltimore from Latin America in the 1980s.⁸⁴ In her book *Are Prisons Obsolete?*, Angela Davis explored the massive growth of prisons in the U.S. in the late-twentieth-century. Davis recognized the early 1980s marked a turning point: "... a massive project of prison construction was initiated during the 1980s, that is, during the years of the Reagan presidency."⁸⁵ Reagan argued that being tough on crime, which included longer sentences, would free communities of crime. Yet the new policies had almost no impact on reducing crime rates.⁸⁶ The FOP's stance on the incarceration and racialization of non-violent drug offenders paralleled Reagan's. The Order also firmly supported the death penalty. Like many major cities across the country, Baltimore witnessed a massive uptick in their jail and prison population. In Maryland, the prison population tripled between 1980 and 2010. Despite an increase in arrests, violence only increased in Baltimore. Experts suggested that ending the brutal and corrupt "War on Drugs" would decrease violence in Baltimore and around the country — a notion that would never be supported by the Order.

Although Reagan claimed to support "the everyday worker and American," his support of big-business and animosity toward labor groups dated back to his time with General Electric in the 1950s when company vice president Lemuel Boulware revolutionized the fight against labor.⁸⁷ In August of 1981, Reagan played a key role in the firing of 11,359 air traffic employees belonging to the Professional Air Traffic Controllers Organization.⁸⁸ Despite Reagan's firm

⁸⁴ "Introduction: The Contra Story," Central Intelligence Agency, last modified April 26, 2007, <https://www.cia.gov/library/reports/general-reports-1/cocaine/contra-story/intro.html>.

⁸⁵ Davis, *Are Prisons Obsolete*, 12.

⁸⁶ Davis, *Ibid*.

⁸⁷ Kim Phillips-Fein, *Invisible Hands: The Businessmen Crusade against the New Deal* (New York, NY: Norton, 2010).

⁸⁸ Joseph A. McCartin, "The Strike That Busted Unions," last modified August 03, 2011. <http://www.nytimes.com/2011/08/03/opinion/reagan-vs-patco-the-strike-that-busted-unions.html>.

stance against unions and labor groups, he never criticized the FOP, which continued to grow throughout his presidency. Through a strong anti-radical stance and key political alliances, the Order has side-stepped what has been the fate of most labor organizations. Ironically, prison labor has dramatically impacted the power and reach of labor organizations since the 1970s. By being a proponent of an expanding carceral state and aiding in enforcing social and economic segregation, the Order has been uniquely positioned to avoid the downfall of most unions.

After decades of community urging, the Baltimore police department revised their deadly force policy in 1982. After several questionable shootings of African American citizens, civil rights groups and community members approached police leadership in the hopes of changing the long-standing policy allowing officers to fire at fleeing criminals. To the severe disappointment of the FOP, police leadership agreed to change the current policy and also agreed to put a human relations officer on the department deadly force panel. FOP representative and detective Raymond McCreary said, “Some of the guys are opposed to the human relations officer on the deadly force review panel. They consider it a foot in the door for a citizen review board. Suppose a felon is fleeing out of a house he has burglarized and you don’t know if he killed someone while inside. You could be letting a criminal go by not firing at him.”⁸⁹ Although the urging resulted in a small victory for community members and activists, the FOP’s unrelenting control still trumped the power of Baltimore’s citizenry.

In 1983, Baltimore citizens elected their first black mayor, Kurt Lidell Schmoke. Contrary to James Forman Jr’s findings in his book *Locking Up Our Own* (2017), Mayor Schmoke was a vocal critic of the War on Drugs and promoted the decriminalization of drug

⁸⁹ "Arundel Police Revise Force Policy," *The Baltimore Sun*, last modified November 19, 1982, [https://www.newspapers.com/image/225724409/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/225724409/?terms=baltimore+fraternal+order+of+police).

offenders.⁹⁰ In doing so, Schmoke drew fierce criticism from the FOP. In 1984, the Baltimore Police Department appointed its first black police commissioner, Bishop Robinson. Robinson's tough stance on crime aligned with Forman Jr's observations in regard to black leaders in the 1960s-1980s who adopted a particularly harsh stance on crime. Robinson would go on to oversee youth corrections for the state of Maryland from 2000-2003 as the incarceration rates for children continued to climb in Baltimore.

In 1985, the city of Baltimore reprimanded Lodge 3 for violating charitable solicitation laws — wrongly representing the lodge as a charity. In phone calls to Baltimore residents, they claimed that buying tickets to their variety show would benefit “worthy or needy people.”⁹¹ These same annual shows and fundraisers attracted more negative attention from the community after white officers performed skits in black face.⁹² Employing a racist tradition white nationalists have embraced for well over a century, black face skits were centerpieces at the Order's social events for decades.

Throughout the 1980s, drug abuse amongst Baltimore police officers became a city-wide topic. In 1980, several patrolmen were released from the department in a matter of months.⁹³ Citizens were outraged by the hypocrisy. For years, community members had complained of excessive force and unprofessionalism. Lodge 3 was defensive in response to the criticism and even questioned the validity of the urine analysis given to officers. Going a step further, FOP attorney Herb Weiner claimed that the department should be required to have equal probable

⁹⁰ Forman Jr., James. *Locking Up Our Own*. (New York: Farrar, Straus and Giroux, 2017.)

⁹¹ "City Police Fundraising Probed," *The Star-Democrat*, last modified June 3, 1985, [https://www.newspapers.com/image/91907430/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/91907430/?terms=baltimore+fraternal+order+of+police).

⁹² Kevin Rector, "Ex-cop and Blackface Performer's Fundraiser for Officers in Freddie Gray Case Canceled," last modified July 24, 2015. <http://www.baltimoresun.com/news/maryland/freddie-gray/bs-md-ci-fundraiser-black-face-20150722-story.html>.

⁹³ "'We Had No Business' in White Neighborhoods," NPR, last modified August 11, 2013, <https://www.npr.org/templates/story/story.php?storyId=211025034>.

cause before testing officers that patrolmen would need to frisk a suspect on the street.⁹⁴ These contradictions offer a glimpse into the difference in treatment between criminals and cops — poor, black citizens are actively targeted even when innocent and guilty and poorly trained cops are insulated by the Order.

In a *Baltimore Sun* article in March of 1988, journalist Roger Twigg interviewed Weiner and Assistant City Solicitor Millard Rubenstein. Weiner was known as the “gun-toting attorney,” and Rubenstein claimed to pack heat throughout his early career in law. The article pitted the two men as foes that had learned to respect one another. Yet, both men acted more like old friends than foes. Rubenstein had been a long-time legal adviser to the police department. In his new position, he was to ensure that officers accused of misconduct were investigated and tried if necessary. Weiner said that he “loved policemen to death,” while Rubenstein said that he had “a great deal of respect for officers.”⁹⁵ In the review system for wrongdoing, Weiner represented officers and Rubenstein questioned them. Three high-ranking officials from the Baltimore police department oversaw the process. The article infers that the officer review system was designed to protect rather than discipline officers: “Punishment rendered by the trial board varies from letters of reprimand to termination. Few officers are fired, however. Most have leave time taken from them, and some are required to work extra hours without pay.”⁹⁶ The FOP wedged itself into a crucial position in the process of officer discipline. Taking into account the Order’s blind support of officer innocence in all cases, their involvement in the discipline of officers was a direct conflict of interest. This involvement was not unique to Baltimore. The FOP had fought

⁹⁴ “Baltimore Police Keeping Closer Eye on Officers’ Drug Use,” *The Baltimore Sun*, last modified April 21, 1987, [https://www.newspapers.com/image/226753347/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/226753347/?terms=baltimore%20fraternal%20order%20of%20police).

⁹⁵ “2 Lawyers — Foes in Police Disciplinary Hearings — Learn to Respect Each Other,” last modified Mar 6, 1988, [https://www.newspapers.com/image/226959755/?terms=baltimore fraternal order of police](https://www.newspapers.com/image/226959755/?terms=baltimore%20fraternal%20order%20of%20police).

⁹⁶ “2 Lawyers — Foes in Police Disciplinary Hearings — Learn to Respect Each Other,” *Ibid*.

for a similar position of power in precincts across the country. In her book *Crook County*, Nicole Van Cleve analyzed the racism and institutionalized injustices of American criminal courts.⁹⁷ Incidents like these serve as strong examples of the “fixed” legal system. The judicial system had grown into a central cog in the incarceration process, generating revenue and securing the jobs of district attorney’s prosecutors, judges, guards and police officers. Although this system has received a great deal of attention from scholars in the last decade, the Order’s crucial role has been given little attention.

By the late 1980s, Lodge 3 grew considerably, representing more than 3,500 officers in Baltimore and 9,700 throughout the state of Maryland. Nationally, the Order represented 200,000 members. After decades of work in Baltimore, Lodge 3 had successfully fought against citizen review boards, lobbied for political appointments ranging from mayor to police commissioner, negotiated higher pay and benefits for officers, legally defended hundreds of officers accused of racism and excessive force violations and successfully lobbied with local, state and federal leaders to strengthen criminal laws. Lodge 3’s growth from 1977-1988 was paramount to their future success and representative of the Order’s increasing numbers and influence across the country. Conservative leadership in the 1980s laid the foundation for massive growth in the police and prison regimes, while the FOP supported increased arrests and incarceration rates in the trenches of cities like Baltimore. The subsequent decades proved equally active and successful for the Order in Baltimore. In the 1990s alone, Lodge 3 successfully lobbied for a new mayor, protected a number of officers accused of excessive force, lobbied for less gun reform, successfully passed a law allowing police to enter homes without knocking, limited civilian review and won a lawsuit against the government for increased and overdue officer benefits.

⁹⁷ Gonzalez Van Cleve, Nicole. *Crook County*. (Stanford: Stanford University Press, 2016.)

Conclusion

Lodge 3's evolution and expansion from 1966 to 1988 is illustrative of the Fraternal Order of Police's growing presence across the country. Since 1915, the Order has strategically cultivated key support from political leaders and trumpeted an anti-radical, anti-immigrant, racialized and anti-labor. This political and public relations maneuvering was key to the national Order's growth in cities like Baltimore. With the waning power of labor, Lodge 3 offered Baltimore officers a rare olive branch, providing social, legal, professional and financial support. Lodge 3 became an important ambassador for the expanding carceral agenda in Baltimore. Similarly, the Order took on a larger national role in propagating conservative sentiments. Through the process of deindustrialization, ghettoization and suburbanization in the mid-20th century, police forces became fundamental enforcers of spatial and socio-economic segregation. During this carceral expansion, prison populations exploded. The Order's unique insulation from public critique or legal ramifications allowed the FOP to take highly politicized stances that police departments can't defend individually.

Groups like the ACLU and NAACP that represent racial minorities, as well as hundreds of citizens and the Department of Justice have accused the Baltimore police department of large-scale corruption. They have called consistent attention to a growing list of lawsuits stemming from accusations of excessive force. But Lodge 3's influence — politically and among officers — has only grown. In 2018, the lodge boasted nearly 5,000 members. In 2016, Baltimore citizens lobbied against a proposed \$35 million youth detention facility. Lodge 3 lobbied for it,

arguing that they could “change the lives of youth through incarceration.”⁹⁸ In 2017, the youth detention facility opened. African Americans make up 44 percent of the police force, but Lodge 3 has never had a black president — a trend that is mirrored on the national level. All seven of the national Order’s top leadership positions are filled by white men.⁹⁹ White nationalism is still entrenched in the fabric of the FOP — their endorsement of current president Donald J. Trump serving as evidence.

Incarceration rates have increased more than 500 percent in the last four decades. In 2013, the U.S. population was 4.4 percent of the world’s population, but 22 percent of the world’s prisoners. There are currently 2.2 million prisoners in the U.S., and 40 percent are black even though African Americans represent only 13 percent of the U.S. population.

Institutionalized racism continues to play a central role in the U.S. carceral state. The prison industry in the U.S has become a multi-billion-dollar industry with for-profit private interests heavily invested. Companies like the Corrections Corporation of America actively lobby for stiffer laws and acknowledge that they need prison beds filled in order to maximize profits.¹⁰⁰ Between 1980 and 2018, the Maryland prison population had tripled. More than 22,000 inmates cost the state \$783 million per year.¹⁰¹ Non-violent drug offenders make up 70 to 80 percent of the inmate population. For more than a century, the FOP has adamantly supported stiffer crime laws and the growth of the prison state.

⁹⁸ Jessica Anderson, "State Opens \$35 Million Youth Detention Facility in Baltimore" last modified September 09, 2017, <http://www.baltimoresun.com/news/maryland/crime/bs-md-ci-new-youth-jail-20170907-story.html>.

⁹⁹ "Why the Fraternal Order of Police Must Go," The Marshall Project, last modified October 17, 2017, <https://www.themarshallproject.org/2017/10/11/why-the-fraternal-order-of-police-must-go>.

¹⁰⁰ "Banking on Bondage: Private Prisons and Mass Incarceration," American Civil Liberties Union, last modified May 10, 2012, <https://www.aclu.org/banking-bondage-private-prisons-and-mass-incarceration>.

¹⁰¹ "Maryland Prisons: Time for Reform," Tribunedigital-baltimoresun, last modified August 12, 2011, http://articles.baltimoresun.com/2011-08-12/news/bs-ed-prisons-report-20110811_1_prison-population-prison-system-criminal-justice.

Although secretive, the FOP regularly draws national headlines. In 2016, Donald Trump began cultivating a close working relationship with the Order. Trump’s calls for “Law and Order” and discourse on crime in urban areas is reminiscent of Agnew and Nixon — drawing rabid support from white voters and the Order. The FOP has been an essential supporter of the “Blue Lives Matter” movement, which has drawn controversy for its racially-exclusionary agenda.¹⁰² In 2016, the Order successfully lobbied to exclude Louisiana police officers from being charged with hate crimes.¹⁰³ In the fall of 2017, amidst protests after a Philadelphia officer shot a man in the back and killed him, Philadelphia FOP President John McNesby called Black Lives Matter activists “a pack of rabid animals.”¹⁰⁴ Former Attorney General Jeff Sessions has long been supported by the Order. Less than two years after a scathing DOJ report implicated the Baltimore police department on charges including financial corruption and overtly racist practices, Sessions said, “local control and local accountability are necessary for effective local policing. It is not the responsibility of the federal government to manage non-federal law enforcement agencies.”¹⁰⁵ The changing national political landscape has strengthened the FOP’s already formidable political and legal power. In 2018, the Order applauded Sessions for urging prosecutors to seek the death penalty for non-violent drug dealers.

¹⁰² Paul Butler, "The Fraternal Order of Police Must Go" last modified October 12, 2017. <https://www.thenation.com/article/the-fraternal-order-of-police-must-go/>.

¹⁰³ Victoria M. Massie, "Louisiana's Blue Lives Matter Law Protects Police under Hate Crime Law. Here's How" last modified July 15, 2016. <https://www.vox.com/2016/7/15/12188478/blue-lives-matter-law>.

¹⁰⁴ Brian McCrone, "FOP Prez Calls Protesters a 'Pack of Rabid Animals'" last modified September 01, 2017. <https://www.nbcphiladelphia.com/news/local/Police-Union-President-Calls-Black-Lives-Matter-Protesters-Outside-Philadelphia-Officers-House-a-Pack-of-Rabid-Animals-Report-442452063.html>.

¹⁰⁵ David Rocah, "Is Jeff Sessions' Justice Department Trying to Kill Police Reform in Baltimore?" last modified April 05, 2017. <https://www.aclu.org/blog/criminal-law-reform/reforming-police-practices/jeff-sessions-justice-department-trying-kill>.

Today, the Order represents one-third of the country's police force, acting as the largest police union in the world. The Order has worked closely with and endorsed U.S. presidents including Calvin Coolidge, Richard Nixon, Gerald Ford, Bill Clinton, George H.W. Bush and Donald J. Trump. But this arm of the police and prison state has been largely unexplored by scholars and media. Police militarization, as perpetuated by the FOP, has conditioned officers to treat community members like enemies, and in turn the communities that are the most heavily targeted by the police have been conditioned to view police as the enemy. This dialectical relationship has reached tragic extremes in Baltimore. As this research has demonstrated, for over half-a-century Lodge 3 has successfully protected and shielded what is considered one of the most corrupt police departments in the country. Even if the Baltimore Police Department wanted to adjust policies to facilitate better community relations, they might not be able to given the massive power and labor representation of Lodge 3. The Lodge has mimicked the conservative agenda of the national Order, while garnering criticism from citizens and activists. Serving as a microcosm for large cities across the country, Baltimore's large prison populations and high crime rates have fed the growing prison industry. Through close relationships with political leaders, the BPD was one of the first departments nationally to benefit from federal funding and training initiatives — becoming an archetype of urban policing. Lodge 3 has played a significant role in creating Baltimore's current police regime, becoming an essential arm in a growing police state. By uncovering this arm of Baltimore's police regime, we can begin to understand the full policing apparatus in Baltimore, and around the country. As this paper has highlighted, between 1966 and 1988, Lodge 3 played an important role in limiting police accountability, advancing the economic and political interests of the law enforcement profession, and shaping the discourse and politics of crime in Baltimore. The Order had a similar impact in

large and small cities across the country, helping to shape the carceral state. It is impossible to comprehend the full reach of the carceral state without recognizing the power and influence of the FOP. As the Order's authority continues to expand, more scholarly attention is vital.

As noted throughout the thesis, there are many arms of the contemporary U.S. carceral state, ranging from police precincts to circuit courts. One of the least researched and understood areas of this multi-faceted system is the Fraternal Order of the Police—the largest police organization in the country with over 330,000 members. Turning our attention to the commanding influence of the nation's and world's largest police union, will enable us to better understand the inner workings and power of the U.S. carceral state.

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