



Crime & Punishment

James Alan Fox on criminal behavior and the justice system

My police line-up

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As a criminologist, I respect law enforcement officers for the challenging tasks they perform on our behalf. I especially admire those who are assigned to outside details in the sweltering heat or otherwise inclement weather.

I can, therefore, understand and overlook a certain degree of discomposure when police officers interact with the public under such uncomfortable conditions. But I draw the line, when aggressive police conduct is absolutely unprovoked and unnecessary, as it was recently when one officer decided literally to draw the line in the sand (well, actually, in concrete, which is just a very firm version of sand).

Last month, I traveled to Washington D.C. with a couple dozen of my graduate students as part of their doctoral program in law and policy. Unfortunately, the trip happened to be in the middle of a record-breaking heat wave when the air temperature in the nation's capital reached triple digits, and the aforementioned concrete surpassed 120 degrees.

Emerging from a bunch of air-conditioned taxis, our group began to assemble on the front steps of the United States Supreme Court. The concrete plaza at the main entrance to the courthouse was unprotected from the blazing sun, except for a small area covered by the shadow cast by the historic 75 year-old building. And despite the heat and humidity, some of us were dressed in suit and tie.

As our group congregated outside to await our tour, a stereotypically tall and stoic member of the Supreme Court police force pointed to an imaginary line at the front of his spit-polished shoes and sternly instructed us to line up single file. We obediently arranged ourselves accordingly, but stood in the small patch of shade, just about 4 to 5 feet from the marshal. Displeased with our disobedience, the cop angrily ordered us to move sideways, exactly to the sunny spot where he had indicated.

Not just because this was at the Supreme Court, we appealed to the officer's sense of fairness and compassion. My wife, hardly a menacing figure with her diminutive 90-something pound frame, politely requested that we be permitted to remain in the shade rather than to shift a few feet over to his arbitrarily designated point in the sun.

Apparently, the courthouse cop was all officer and no gentleman. He refused to explain his ruling, which to us seemed to be nothing more than a capricious demonstration of his authority -- as if his gun wasn't

enough of a statement in itself. The guard barked out that if we wanted to get inside the building, we had better stand exactly where had commanded.

I half-thought about pulling a Professor Gates, □ saying to the cop, you have no idea who you are messing with. □ But, I'm Northeastern, not Harvard. Plus, I don't like beer, even if it would have been as a guest of the Chief Justice himself. This was not the time or place to make a federal case out of it.

My encounter with a hot-under-the-collar cop was not that serious, of course. And I don't mean to suggest that it was anything as noteworthy and newsworthy as Gates-gate. However, the irony of the setting -- the highest court of the land -- made this incident memorable and egregious.

We weren't a band of ruffians who posed any threat whatsoever to national security. The only thing we posed was for a photograph on the Supreme Court steps (see below).

The officer's demeanor was gratuitous, mean-spirited and unprofessional. Unfortunately, there are some members of law enforcement who pursue the career, not necessarily out of desire to help others, but to enjoy the power that comes with the job. As for my unwavering respect for the men and women who, despite the inherent dangers, work tirelessly to keep the peace, I make an exception for those few whose behavior is more self-serving than serving the public good.

