

[Utica NY Police Department History](#)

By Lt. John Donato

Utica Police Department

The history of policing in what is now the City of Utica began in the last decade of the eighteenth century. This area was a natural passageway for the American westward movement. Recognizing this potential for growth, our first pioneers developed transportation routes, trading posts and lodging facilities. As the population grew more and more heterogeneous, especially with a variety of settlers and immigrants from Europe, differences in values and moral standards became more obvious. Reacting to this gradual change from rural to urban, a need evolved for law and order. Consequently and quite naturally, relying on their own European experiences, the first law enforcement official to appear in this community was the Sheriff and later the Constable.

In 1794, James S. Kip, an ambitious and civic minded New York City native came to Old Fort Schuyler and later became county sheriff. During his term in office, Sheriff Kip rented property to Joseph Pierce, a Captain in the Revolutionary War. In 1798, when Old Fort Schuyler incorporated into a village, Captain Pierce's son John, became the first and only constable of the village of Utica, New York.

The constable, like the sheriff, can be traced to old Anglo-Saxon traditions. Their duties not only were to maintain peace, but to collect taxes, perform magisterial functions and serve civil processes for the entire county. Each service was compensated by a fee according to schedule. Frequently, the merits of this system came under attack. The fees encouraged officials to devote more time and effort to services with large profits. It even encouraged unnecessary arrest of citizens most available and powerless. Despite these charges and abuses. John Pierce was a conscientious

constable on patrol (COP). Records reflect he occasionally traveled more than a hundred miles to serve a summons. In days when traveling was extremely rough and slow, this effort is noteworthy. It demonstrates a degree of dedication and determination., but also a severe limitation in effective law enforcement.

By December 1805, the charter had to be revised for more effective policing. A non-paid volunteer night watch was formed to patrol the village from end to end. The watch consisted of nearly one hundred villagers assigned to squads of five or six members each. All were to take turns watching for fires and unruly persons. Each member was instructed to walk slowly and silently, stopping occasionally to stand and listen. The duty was dangerous and unpleasant. Most volunteers performed insincerely. Those who could afford the expense hired substitutes. This unreliable volunteer night watch lasted a few years and was finally abolished.

Throughout this beginning history, the responsibility of policing shifted from one constable to an entire community and finally to a volunteer night force. Each system produced the same ineffective results. As the village grew, so did the danger of fire and other social disorganization.

In 1810, a paid night watch of three men were appointed to patrol the streets for 10:00 PM to daylight. Two watchmen were to patrol to the far end of Whitesboro Street (today the intersection of Broadway) to the far end of Main Street (today the intersection of Second Street). The third watchman was to remain at a watch house. Specific instructions were not only to alert the community of a fire, but to arrest and detain burglars and other suspicious persons. Those taken into custody were to be detained at the watch house for further investigation by the village constable. Then, watchmen did not have full investigative or enforcement powers. This night watch was paid two shillings each, or about twenty-eight cents a night or less than four cents an hour.

From 1810 to 1817, the village grew in size and became an important transportation center. The population was estimated at 3000 with some 420 dwellings, stores, churches, taverns, printing offices and one bank. In 1817 a new charter divided the village into three wards and a second constable was added to enforce laws. This charter was the first for Utica to call the constable a Police Officer. During the next decade the paid night watch continued to function. The number of watchmen varied from a few to as many as eighteen, depending on budgetary restraints and political patronage.

On February 13, 1832 an act to incorporate passed the State legislature and the village became the City of Utica. Several laws and ordinances were adopted to help improve policing and the administration of justice. Anticipating an increase in immigration, poverty, slums, racial and ethnic rivalry, the constables and night watch were given added authority to protect people and property. Like the constable, the night watch is now required to diligently enforce the laws without fear. All violations were to be reported to the Mayor of Utica and the Common Council. In addition, the night watch was authorized to enter any building to apprehend a felon and granted the right to compel citizens to assist in suppressing a riot. The foresight to combine and coordinate the policing efforts of the constables and night watch could credit Utica as having the first, surely one of the first, organized Police forces in America.

During the winter of 1835-36, the weather was extremely cold and snowy. A cholera epidemic broke out creating misery and harm to many citizens, especially the poor. Reacting to human needs, the constables and night watch were organized to patrol the streets to provide public safety. They were placed under the direction of the street commissioner. This organization was called a Police force. It became operational on January 10, 1836, eight years before New York City combined its day and night watch and became the first Police Department in America.

During the 1840's the City of Utica was troubled with gangs and outbreaks of arson. The police of those days wore no uniform nor carried a weapon, except a long stick or club. Police appointments were made on a yearly basis, consequently powers of arrest were ephemeral and renewable. On many occasions, the entire police force was replaced by new appointees. Lacking permanent status and security, officers were reluctant to risk their lives. Walking away from acts of violence became the practice, rather than the exception. Not only were the police ineffective, but they themselves were abused and assaulted by rowdy gangs. It was not until 1844 that the city made two significant changes to improve law enforcement.

It is noteworthy to mention that Horatio Seymour was a powerful political influence in state, local and national government. He served two non-consecutive terms as Governor of New York and was the unsuccessful Democratic Candidate to the Presidency of the United States. Ward Hunt was another important political leader who became a justice of the United States Supreme Court.

In October 1859, the first police uniform was displayed in Utica to encourage public participation for the first annual Policeman's Ball. Proceeds from the dance were used to defray the cost of the new dark blue coat, pants and cap. The uniform was styled after the police of New York City. It was to build morale and maintain faithful duty.

In 1862, Mayor Dewitt C. Groves reorganized the department into a Metropolitan Police Force. Standards were adopted in accordance with State legislation designed to unify departments and reduce individual local authority and control over the police. Twelve members were appointed by the Common Council, David Hess was retained as Chief of Police. Salaries were set at \$40 a month for Chief and \$35 a month for patrolmen. Unlike other cities, State officials did not interfere with the Utica Police regarding home rule concepts because the governor of New York was

Utica's own Horatio Seymour. The Utica Metropolitan Police Force existed until the end of the Civil War.

Throughout the early history of policing some positive changes occurred, but for the most part, the Utica Police could not overcome the political spoils system. Politicians knew that controlling the police maximized their own goals and ambitions. The police could be used as weapons of patronage and power. Especially enforcing vice laws, such as alcohol, prostitution or gambling, community standards were ambiguous. Discretionary authority, consequently, could favor citizens with political power or pull. Even on Election Day, the police could be another source of influence at the polls by helping administer the political process. In any event, exploiting the police was popular and beneficial for most elected officials.

In 1867, several efforts were attempted at freeing the police from political influence. A bill brought before the State legislature tried to create a single commission to control the Utica police and police of Rome, New York. That bill was never enacted into law. However, a separate bill did pass into law creating a bipartisan board of four police commissioners to take full command of the Utica force. Two commissioners were to be elected by the people and two appointed by the Common Council. The commissioners were to serve staggered terms and receive a salary not to exceed \$100 yearly. The commissioners were empowered to appoint sixteen to twenty-two police officers. From these initial appointments, a Chief of police and assistant chief were to be selected and held accountable for the operation of the department. Each month the chief was mandated to report to the commissioners the activities and problems of the department. Salaries were set at \$75 a month for the chief, \$70 a month for the assistant and \$60 a month for all other officers. No one was to be removed from duty unless on proof of misconduct.

Within a short period of time this legislation fell victim to political conflicts.

The mayor, Common Council and Police Commissioners could not agree on many of the police appointments. Some appointments were made by one office and rejected by another. Stormy political battles erupted. At one time in 1870, the Mayor of Utica ordered the Utica Police to arrest members of the Common Council for failing to meet and ratify several police appointments. Refusing to acknowledge this authority, the council did not surrender but summoned the Oneida County Sheriff. Armed with arrest warrants, the Sheriff arrested the Chief of police and several police officers. Subsequently the court negotiated a resolution by scheduling a second meeting.

By 1874, Utica was not a well policed city. The fire department was then under the control of the Common Council. As volunteers, they functioned independently and could select their own fire Chief. The police department was even less autonomous. The administration structure of the police department inevitably caused discord. The mayor was the head of the police, but shared similar powers with four police commissioners. The Common Council not only appointed two police commissioners, but had the right to interfere with the arrest and detention of suspected criminals. This complicated system did little to neutralize political influence. In fact, it further exploited the police and ultimately the public. The city needed an improved system of public safety.

In 1844, Assemblyman Horatio Seymour, introduced a bill establishing a Recorder's Court in Utica. This was one of the first recorder courts in New York State. The court made the process of justice more accessible and full time. It had original jurisdiction over civil and criminal complaints. The court could issue arrest warrants, search warrants and accept bail. This localized the process of law and improved the administration of justice.

About the time the court became functional, Mayor Ward Hunt stabilized the police force by retaining all police personnel. He also made one exceptional appointment. David Hess, a man of strength and courage who

worked on constructing the Erie Canal, joined the ranks of the Utica Police. With only a little experience, on July 4, 1844, Hess alone arrested forty offenders for crimes of burglary, larceny, assault, vagrancy, disorderly conduct and drunkenness. The fearless enforcement of this man influenced the entire department. By 1846, Hess expanded his role in law enforcement by securing the appointment of Utica's first Marshall. In 1856, David Hess became the first Chief of Police in the City of Utica, N.Y.

In 1900 the Utica Police Dept. consisted of 40 police officers. The city was divided into 10 daytime beats and 20 nighttime beats. Two squads were formed to work a month of days and two months of nights. Each squad was formed and a new shield number was assigned to each member according to length of service. Prior numbers were assigned according to height. Thomas V. Church became the first commissioner of public safety .

Throughout the eighteenth and nineteenth centuries, Utica's growth and development engendered a corresponding increase in crime and civil disorder. To control these problems various police administrative systems were tried. This period was marked with many experiments. The political spoils system dominated most of the early history of policing, but was briefly replaced by state control and thereafter given to an administrative board of commissioners. The nature and character of the board, especially the bipartisan board with struggles from several political representatives, was evidence that politics would never be completely eliminated from the functions of police management. In reality this administration system compounded political influence. The bipartisan board was soon replaced by a four member police and fire commission and finally one commissioner of public safety. At the end of the nineteenth century, the City of Utica adopted a civil service system to improve policing through the process of police appointments and promotions based on merit and fitness with respect to character, knowledge and ability. This competitive system was introduced to help meet the challenges of the twentieth century.

Few institutions are more important to the community than the police. The public may be aware of efforts against crime and violence, but this is a small fraction of the total police service. History seldom records or even acknowledges the many police performances that serve mankind. Daily, dedicated police officers interact with the community, quietly without fanfare, professionally perform to reduce fear and conflict and make the city safer. Unfortunately, much of this history has been ignored and is irretrievable. In the absence of that significant information, this study is another incomplete historical reflection.

Note: this document has been edited for brevity.