

How Police Unions Fight Reform

Activists insist that police departments must change. For half a century, New York City's P.B.A. has successfully resisted such demands.

By William Finnegan

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In May, just days after a Minneapolis police officer killed George Floyd, Lieutenant Bob Kroll, the bellicose leader of the city's police union, described Floyd as a violent criminal, said that the protesters who had gathered to lament his death were terrorists, and complained that they weren't being treated more roughly by police. Kroll, who has spoken unsentimentally about being involved in three shootings himself, said that he was fighting to get the accused officers reinstated. In the following days, the Kentucky police union rallied around officers who had fatally shot an E.M.T. worker named Breonna Taylor in her home. Atlanta police staged an organized sick-out after the officers who killed Rayshard Brooks were charged. Philadelphia police sold T-shirts celebrating a fellow-cop who was caught on video clubbing a student protester with a steel baton. The list goes on.

Along with everything else about American society that was thrown into appalling relief by Floyd's killing, there has been the peculiar militancy of many police unions. Law enforcement kills more than a thousand Americans a year. Many are unarmed, and a disproportionate number are African-American. Very few of the officers involved face serious, if any, consequences, and much of that impunity is owed to the power of police unions.

In many cities, including New York, the unions are a political force, their endorsements and campaign donations coveted by both Republicans and Democrats. The legislation they support tends to get passed, their candidates elected. They insist on public displays of respect and may humiliate mayors who displease them. They defy reformers, including police chiefs, who struggle to fire even the worst-performing officers. In an era when other labor unions are steadily declining in membership and influence, police unions have kept their numbers up, their coffers full. In Wisconsin, the Republican governor, Scott Walker, led a successful campaign to eliminate union rights for most of the state's public employees. The exceptions were firefighters and police.

Police unions enjoy a political paradox. Conservatives traditionally abhor labor unions but support the police. The left is critical of aggressive policing, yet has often muted its criticism of police unions—which are, after all, public-sector unions, an endangered and mostly progressive species.

In their interstitial safe zone, police unions can offer their members extraordinary protections. Officers accused of misconduct may be given legal representation paid for by the city, and ample time to review evidence before speaking to investigators. In many cases, suspended officers have their pay guaranteed, and disciplinary recommendations of oversight boards are ignored. Complaints submitted too late are disqualified. Records of misconduct may be kept secret, and permanently destroyed after as little as sixty days.

With the rise of the Black Lives Matter movement, criticism of the police has become less muted. Calls resound to defund police forces, and to abolish the unions. But the United States has eighteen thousand nonfederal police agencies in its hyperlocalized system, with more than seven hundred thousand officers represented by unions. They will not be easily dislodged.

The Police Benevolent Association of New York City, which represents rank-and-file officers in the

N.Y.P.D., is the largest municipal police union in the country, with twenty-four thousand dues-paying members. When the P.B.A. was founded, in the eighteen-nineties, it was a feeble thing, dedicated to raising money for the widows of fallen officers. The job was brutal then. Officers were badly paid, untrained, overworked—and thrown out of their jobs every time political power changed hands. They could plead for a living wage or an eight-hour day, but the rising labor movement wanted nothing to do with them. Cops were strikebreakers or worse; the first unionists killed in the American labor struggle, in 1850, were tailors clubbed to death by the New York police, at Ninth Avenue and Thirty-eighth Street.

After the First World War, the American Federation of Labor began issuing charters to police locals—in Cincinnati, St. Paul, Boston, Los Angeles. Management was horrified. Police were not ordinary workers, the argument went; they were more akin to soldiers or sailors, and unions would divide their loyalties, undermining the chain of command. The Boston Police Strike of 1919, when the nascent union demanded recognition from the city, forced a reckoning. There was extensive looting and reported rape; eight people were killed by the state militia. President Woodrow Wilson called the strike “a crime against civilization,” and most of the city’s policemen were fired. The fledgling unions in other cities were destroyed, and the cause of police unionization was set back for generations. It didn’t help that, in 1937, Chicago cops fired on striking steelworkers and their families, killing ten.

In the early sixties, white racial anxiety helped strengthen the unions’ position. The civil-rights movement was gathering force, street crime was increasing, and white flight was transforming cities. Public-sector unions were also flourishing. In New York, the teachers’ union secured the right to collective bargaining in 1961—a major victory. The city’s police were next. In 1963, Mayor Robert Wagner, Jr., a progressive, signed an executive order granting them collective-bargaining rights. Other cities followed, and police unions were eventually accepted in much of the country.

The N.Y.C.P.B.A. reassured politicians by promising not to strike or to affiliate with any other union, but it quickly asserted its power in other ways. The next mayor, John Lindsay, a Kennedyesque Republican, came into office vowing to establish a strong civilian complaint-review board, to provide police oversight. The P.B.A. mounted an overwhelming campaign against the plan. One poster showed a young middle-class white woman emerging from the subway onto a darkened street, looking frightened, with an accompanying text that read, “The Civilian Review Board must be stopped! Her life . . . your life . . . may depend on it.” A TV commercial surveyed damage from rioting in Harlem in 1964, with a voice-over intoning, “The police were so careful to avoid accusations that they were virtually powerless.” The P.B.A. leadership was, if anything, blunter. The president, John Cassese, said, “I am sick and tired of giving in to minority groups, with their whims and their gripes and shouting.” In a citywide referendum, Lindsay’s side was defeated, by a margin of nearly two to one, and New York’s mayors have been on notice ever since.

In the city’s large, and largely segregated, Black community, police brutality had been a first-order issue for decades. The 1964 riots had been sparked when an off-duty policeman killed a fifteen-year-old Black student, James Powell. Activists, led by the N.A.A.C.P. and by Black newspapers such as the *Amsterdam News*, had been calling for more police accountability since at least the twenties, and for civilian oversight since the forties. Another frequent demand was for the hiring of more Black officers. One of the less-remembered lines in Martin Luther King, Jr.’s soaring speech at the March on Washington, in 1963: “We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.”

When Mayor David Dinkins sought to install a civilian review board, in 1992, the P.B.A. staged a ferocious protest at City Hall, with ten thousand off-duty officers, virtually all white and many carrying guns and drinking alcohol. Demonstrators waved racist placards—“Dump the Washroom Attendant”—

attacked reporters and bystanders, vandalized City Council members' cars, stormed City Hall, and overflowed onto the Brooklyn Bridge, where they stopped traffic and jumped on occupied cars. It was a wild performance of police impunity, and the on-duty officers did nothing to stop the mayhem.

Jimmy Breslin was there, reporting for *Newsday*, and he described a scene of toxic racism. "The cops held up several of the most crude drawings of Dinkins, black, performing perverted sex acts," he wrote. *Newsday* had more. A city councilwoman, Una Clarke, who is Black, was prevented from crossing Broadway "by a beer-drinking, off-duty police officer who said to his sidekick, 'This nigger says she's a member of the City Council.'" As the rally surged, Rudolph Giuliani, a former prosecutor, stood on a car, leading obscene chants through a bullhorn. He defeated Dinkins the next year and went on to two terms as mayor.

By the end of the sixties, a racialized law-and-order ideology had emerged as a sort of unexamined American consensus, and it has basically prevailed since then, providing the political context in which police unions thrive. In the N.Y.P.D. today, with the arc having bent toward inclusion, people of color constitute slightly more than half the uniformed force. And yet the unions—there are five, for various ranks, with the P.B.A. the largest by far—give a different impression. Their leadership, their politics, and their occasional mass protests, not to mention the N.Y.P.D.'s riot squads, still read as overwhelmingly white. White cops, Black and brown suspects: that remains the dominant paradigm.

Patrick J. Lynch is the president of the N.Y.C.P.B.A. He is fifty-seven, and was recently elected, unopposed, to a sixth four-year term. Lynch, who grew up and still lives in Bayside, Queens, is a cop's cop, banty and brash, clean-shaven, with hair gelled straight back. He's wound tight, and has a commanding shout that he can sustain for long periods at no-questions-taken press conferences. Outrage is his default mode. His officers are never wrong. Anybody who criticizes them is wrong. Mayors are the enemy. Police brass are the near-enemy. Recently, Lynch said, "Pro-criminal advocates have hijacked our city and state. Law-abiding New Yorkers are suffering, and the police officers who protect them are under attack." That was in March, but it could have been anytime in the past twenty years. "Pro-criminal" seems to be code. Lynch says it a lot.

Lynch and the P.B.A. deliver solid contracts for their members, with generous pay, especially for overtime, and good benefits. New York cops often retire after twenty years of service, with pensions that, according to a 2018 analysis by the nonprofit Citizens Budget Commission, average \$74,500, and with plenty of time to start a second career, typically in security. The union—with its hefty political budget, its ability to launch fierce media campaigns, and the fear it can inspire in every politician who does not want to be painted as soft on crime—has also delivered when it comes to public policy. In the sixties, the N.Y.P.D. dropped a longtime requirement that its officers live in the five boroughs, and the P.B.A. has fought off every suggestion that the requirement be revived. And so a majority of its white members live on Long Island or in other suburbs. Dinkins ultimately succeeded in installing a civilian complaint-review board, but its disciplinary recommendations to the department are rarely followed. In public, the union trashes its every step.

The N.Y.P.D. is not the most insular, lawless police department around. It is, in fact, one of the least violent police agencies in the country's hundred largest cities. During the past seven years, according to a database built by a group called Mapping Police Violence, the police in St. Louis have killed fourteen times more civilians, per capita, than New York police have. In New York, police kill Black civilians at 7.8 times the rate of white civilians. In Chicago, the factor is 27.4.

In June, Lynch denounced George Floyd's killing as the "murder of an innocent person." But, even in

New York, police killings have gone unprosecuted to an extraordinary extent. In 2014, the *Daily News* looked at the hundred and seventy-nine killings committed by on-duty N.Y.P.D. officers in the previous fifteen years and found that all those deaths had produced only three indictments and one conviction—which brought no jail time. The reluctance to indict stems partly from the close relationships between the police and local district attorneys—many of whom take campaign donations from the unions—but also from prosecutors’ awareness that juries tend to believe police officers.

Lynch’s time at the N.Y.P.D. has coincided with a spectacular decline in violent crime. His first assignment when he joined the force, in 1984, included the Ninetieth Precinct, in Williamsburg, Brooklyn. The Ninetieth was a bad neighborhood then, with dozens of rapes and murders and more than a thousand robberies a year. Today, it’s . . . Williamsburg. The causes of what is often called the New York Miracle are complex and hotly debated; violent crime has fallen in nearly every major American city. New York’s police claim credit. Young, white, middle-class protesters, fired up by Black Lives Matter and chanting “I can’t breathe,” tend not to acknowledge that their gentrified neighborhoods owe something to the cops behind their polycarbonate riot shields.

A sense of being unthanked runs deep in the N.Y.P.D. People protesting police brutality, according to Lynch, “obviously do not appreciate the risk and sacrifice we make for them.” Mike O’Meara, who heads the transit-police union, scolded state officials at a recent rally, shouting, “Stop treating us like animals and thugs and start treating us with some respect!” In February, after Mayor Bill de Blasio expressed his sympathies to two police officers who had been shot, the Sergeants Benevolent Association tweeted, “Mayor DeBlasio, the members of the NYPD are declaring war on you! We do not respect you, DO NOT visit us in hospitals. You sold the NYPD to the vile creatures, the 1% who hate cops but vote for you.” The S.B.A. was also responsible for doxxing the Mayor’s daughter, Chiara; after she was arrested during a peaceful demonstration in late May, it published the police report, including her height, weight, and address, on Twitter. The City Council member Ritchie Torres described the S.B.A. as “a hate group masquerading as a labor union.”

Lynch, for all his choler, is more strategic. He frames every question, whether it’s officers’ salaries or police violence, as a simple binary. “This is not an issue that’s Republican or Democrat,” he told a crowd on the City Hall steps last year, about a contract demand. “This is a right-and-wrong issue.” At the same event, Justin Brannan, a progressive city councilman, offered another binary: “Don’t tell me you’re a union guy if you don’t support the cops and the P.B.A.”

For members, it’s possible to appreciate the work the unions do while deploring their rhetoric. Kirk Burkhalter comes from a police family. His father grew up poor, in the South, and joined the force young. Burkhalter joined at twenty-one, a few years after his brother. “It was all I knew,” he told me. He was always grateful for the unions’ bargaining power: “If it wasn’t for that legislative lobby, I wouldn’t have grown up with all the benefits I did, the health care, the pension.” He started as a patrolman in 1984, the same year that Lynch joined, made his way to detective first grade, and served as a union delegate. He went to college and law school on his own time and, after retiring, became a professor at New York Law School. “It pains me to see what’s going on in the Police Department now,” he told me. “Those are some of my best friends, the people I grew up with.” He says that he understands the unions’ defensiveness, but not their vitriol: “Imagine a nurses’ union that hated patients, that went on TV and talked about how much trouble the patients give them.”

Police unions are prohibited from striking, but they impose themselves through illegal work slowdowns—a tactic known as the “blue flu.” New York has staggered through many of them, including at least one

directed at de Blasio. It is a protest, typically, against a perceived injustice to the police, but also a taste of the lawlessness to which police could subject their city. How do you like a languid, foot-dragging response to your 911 calls? Feeling unappreciated, officers may even consider deserting their posts entirely. In June, police in Buffalo shoved an elderly demonstrator to the ground with enough force to crack his skull, and then marched past him, expressionless, as he lay bleeding. After the two officers who did the pushing were suspended, pending an investigation, all fifty-seven members of an élite Emergency Response Team resigned in solidarity.

The gradual departure of beat cops, who knew everybody in the neighborhood and whom everybody knew, at least in sentimental memory, has been a big step toward the alienation between police and civilians that one can feel in nearly every big American city. Cops today, sequestered in their patrol cars, are anonymous, minatory, and much more heavily armed than their predecessors. But the good old days of the beat cop were in many ways not so good. One of New York's most famous policemen in the nineteenth century was Alexander (Clubber) Williams, who claimed to have bludgeoned hundreds of miscreants into submission, and was celebrated as a hero in *Harper's Monthly* in 1887. Violence was—and is—part of the job.

In other developed nations, there is nothing comparable to the rate of police killings that we experience—or, in richer communities, countenance. In England and Wales, three or four civilians die at the hands of police in an average year. The U.S. population is larger, of course, but not three hundred times larger.

According to Paul Hirschfield, a Rutgers sociologist who has written about international law-enforcement practice, the difference is partly in the basic work environment. “American police encounter conditions that are more like Latin America than northern Europe,” he told me. “These vast inequalities, the history of enslavement and conquest, a weak social safety net. The decentralization. Police are more likely to encounter civilians with firearms here. We don't have the levels of police corruption they do in Mexico, but we are not like other developed countries. The legal threshold for the use of force is lower.” Another difference is training. In some Western European countries, police academies are as selective as a good American college. Recruits in Germany study for a minimum of three years, with professors who are experts in their fields. Officers in the U.S. often start work with as little as eleven weeks of training, mostly in firearms and survival. Burkhalter has proposed that existing training be replaced with a two-year curriculum that includes courses in a range of subjects—law, sociology, psychology—and that not all classes be taught, as is current practice, by law-enforcement personnel. “A clear understanding of the nature of the society they will serve, and all its complexities, is fundamental to any member of a service profession,” he has written.

Police work is indisputably difficult. Patrol officers are often confronted with people at their worst and their most trying; in a country that has more firearms in private hands than it has citizens, the threat of being shot is real. But, statistically, law enforcement does not make the list of the ten most dangerous jobs in America. Commercial fishing is worse, as are roofing and construction. Studies of patrol officers' service calls have shown that less than five per cent are related to violent crimes.

Seth Stoughton, a former police officer who now teaches law at the University of South Carolina, argues that law enforcement's “warrior problem” begins in the first days of training. “Would-be officers are told that their prime objective, the proverbial ‘first rule of law enforcement,’ is to go home at the end of every shift,” he wrote in the *Harvard Law Review* in 2015. “But they are taught that they live in an intensely hostile world. A world that is, quite literally, gunning for them. . . . As a result, officers learn to be afraid.” This message is then drummed into young cops on the job. The only way to survive is by

hypervigilance, addressing civilians in a tone of “unquestioned command,” and identifying those who don’t readily accede to authority as enemies.

In June, three N.Y.P.D. officers bought milkshakes downtown and didn’t like the taste. After they mentioned the incident to their sergeant, they were rushed to Bellevue Hospital. The Detectives’ Endowment Association tweeted out an “urgent safety message”: “Tonight, three of our fellow officers were intentionally poisoned by one or more workers at the Shake Shack at 200 Broadway.” The union went on to excoriate the cowards and criminals and pandering elected officials presumably behind the attack. The P.B.A. also got into the act. The officers “discovered that a toxic substance, believed to be bleach, had been placed in their beverages,” the union tweeted. “We cannot afford to let our guard down for even a moment.” Sean Hannity expressed his horror.

Upon further investigation, there was no poison in the milkshakes. Maybe there had been some residual cleaning solution in the shake machine. It happens. The officers were fine, the unions deleted their tweets, and the terrorized Shake Shack workers shrugged it off. The cops reportedly got vouchers for free food and drinks. Police hysteria about fast-food workers tampering with their orders is not limited to the N.Y.P.D.; it has been spreading across the country, to Kansas and Indiana and Georgia. So far, it’s all been imaginary.

In less agitated times, police have a more banal reason to be wary of restaurants. “Cops avoid eating in public because they don’t want to pick up jobs,” Lieutenant Edwin Raymond, of the N.Y.P.D., told me. “People come up to you, want to complain about their landlord, get you involved, when you just want to eat.”

Traditionally, the galvanizing issue for social critics of the police was corruption—straight-up graft. Patrick Lynch was first inspired to run for union president by a corruption scandal, involving the P.B.A.’s lead negotiator and crooked lawyers, which sent several people to jail. He was elected, at thirty-six, on a reform ticket. The only serious competition he has faced came in 2015, after a faction of officers was unhappy with his weak defense of the miscreants in a ticket-fixing scandal in the Bronx. They wanted more solidarity around corruption. They lost.

Brutality is different. If we ask for stronger regulation, we’re siding with the bad guys. Last year, Lynch told *City & State* magazine that anti-brutality protesters didn’t actually want “reform” (his scare quotes): “Their goal is the end of any law enforcement in New York City, period.” Bill de Blasio got crosswise with the police during his first campaign for mayor, when he promised reform. In office, he hastened the end of a stop-and-frisk policy that was rife with racial profiling, and sharply reduced the city’s jail population. He also talked about warning his biracial son, Dante, about the perils of being a young man of color navigating police stops—a bit of paternal realism that police received as a slight. But it was the Eric Garner tragedy that really blew up de Blasio’s relationship with the N.Y.P.D.

On July 17, 2014, on Staten Island, Garner was allegedly selling loose cigarettes to passersby. Police regarded him and the other cigarette sellers on Bay Street as a quality-of-life problem—a “broken window” that needed to be fixed. Garner was a big man, a Black man, and he shied away from police who came to arrest him. He had done nothing wrong, he said. His friend Ramsey Orta began to film the encounter; without his video, we would not know Garner’s name. Officer Daniel Pantaleo, in plain clothes, seized Garner, drove him to the ground, and put him in a choke hold. On the video, we hear Garner cry “I can’t breathe” eleven times, as Pantaleo and four colleagues take their time cuffing him. By the time they finished, Garner was inert. An hour later, he was pronounced dead at a hospital. After an

autopsy, the city's medical examiner ruled the death a homicide, caused in part by the choke hold.

Patrick Lynch maintains that it was not a choke hold but a "seatbelt"—a non-strangling takedown, which is permitted by the N.Y.P.D. The arrest report filed by Pantaleo's partner said, falsely, that no force was used. On Staten Island, a grand jury declined to indict Pantaleo. Witnesses who had been called to testify later described the proceedings as focussed less on police malfeasance than on what Garner had done. Pantaleo remained on desk duty. The city rebuffed calls by activists and lawyers for the Garner family to release the officer's disciplinary record. The department slowed its own investigation to allow a federal civil-rights investigation to proceed. This was evidently a political decision, to let passions cool. The Department of Justice took four and a half years to examine the case, and then, after William Barr was installed as Attorney General, quashed it.

But passions had not cooled. In December, 2014, a drifter with a long criminal record came to New York and murdered two police officers, purportedly to avenge Garner and others, before killing himself. Lynch was incensed. He had been feuding with de Blasio, whom he considered "anti-police." Now he encouraged on-duty cops to turn their backs on the Mayor when he came to the hospital in Brooklyn where the officers had been taken. At the officers' funerals, hundreds of police again turned their backs on de Blasio. Polls showed that most New Yorkers disapproved of this display, and many officers apparently felt it was disrespectful of the dead, but none would say so publicly. At a televised news conference, Lynch said that the officers' deaths had left blood on many hands, but "that blood starts on the steps of City Hall, in the office of the Mayor."

De Blasio's enthusiasm for police reform seemed to vanish that night. The rank and file followed up with a two-week slowdown, during which arrests fell by fifty-six per cent. Lynch continued to defend Pantaleo. "He's a model of what we want a police officer to be," he told CNN. "He literally is an Eagle Scout." Pantaleo's disciplinary record was eventually leaked, and showed a high number of what are called substantiated complaints, including two that helped lead to a lawsuit, which the city was obliged to settle.

After the Justice Department quit the case, in 2019, the N.Y.P.D. finally completed its investigation. That August, more than five years after Garner's death, the police commissioner, James P. O'Neill, fired Pantaleo. Firing an officer is very rare, even on a force of thirty-six thousand. Lynch's response: "The job is dead. Our police officers are in distress. Not because they have a difficult job, not because they put themselves in danger, but because they realize they're abandoned." Pantaleo is now suing, with the P.B.A.'s support, to get his job back.

Pro-police analysts always talk about bad apples; it's only a few cops who misbehave—ten per cent, tops. But the problem is that the other ninety per cent inevitably know about their misconduct and thus are made complicit. Why don't they come forward? Everybody hates a rat, and everybody mentions the Blue Wall of Silence, or something called "police culture." Frank Serpico, the N.Y.P.D.'s best-known whistleblower, got shot in the head during a drug raid, under disputed circumstances.

The Wickersham Commission, the first of many Presidential commissions set up to study and explain lawlessness and civil disorder, observed, in 1931, "It is an unwritten law in police departments that police officers must never testify against their brother officers." In what modern urban police officers experience as an increasingly hostile environment, both in the workplace of the low-income neighborhood and in the crosshairs of constant criticism by clever academics and articles like this one, it should not be a surprise that cops feel that they have no choice but to cover for one another. No one else has their backs.

Kirk Burkhalter does not see reform as the responsibility of the unions alone. “Police culture,” he says, is the product of a “symbiotic relationship” between the police and prosecutors and legislators, and the practice of “putting handcuffs on everyone for every little thing” does not originate at street level. “The officer does not have discretion on whether to arrest in many cases,” he told me.

At times, the code of secrecy spreads to elected officials. In Chicago, in 2014, an officer named Jason Van Dyke shot a teen-age boy named Laquan McDonald sixteen times. The police report said that McDonald had advanced on officers with a raised knife. More than a year later, after an activist and a freelance journalist sued under the Freedom of Information Act, the city released a dash-cam video, which showed McDonald not advancing with a knife but walking away. This coverup wasn’t perpetrated by the police alone. City leaders knew what was on that video. Mayor Rahm Emanuel, though he denied having watched it, fought for thirteen months to prevent its release.

In the modern labor movement, police unions are outliers, their politics well to the right of even the Teamsters and the building trades. They can make common cause with the movement when union-killing legislation looms, as it briefly did in New York State a few years ago. But when they know they will be spared, as in Wisconsin, they stay quiet even while teachers and nurses and sanitation workers are being squashed.

For the left, one problem with hammering police unions is that the right is doing the same thing. *National Review* and the *Wall Street Journal’s* editorial page recognize the problems with police unions and accountability, and they duly extend the argument to teachers’ unions and municipal workers. Their sentiment is: bust them all. Benjamin Sachs, a professor of labor and industry at Harvard Law School, points to new data showing that, when police have greater access to collective bargaining, it correlates with a long-term increase in police killing of civilians, specifically nonwhite civilians. Strong union towns like Chicago often have a more dangerous police culture than cities with weak labor laws do. In Dallas, for instance, the main police union is not the sole bargaining agent. Several different groups, including fraternal organizations of African-American and Latino officers, sign off on union contracts. The result is both more transparent and markedly less violent policing.

Ben Brucato, a sociologist at Rhode Island College, argues that police unions are crucially different from other labor unions. “These organizations function as lobbies to both resist accountability legislation and shield implicated officers,” he writes. A public-sector union is distinct from its private-sector counterparts; its negotiations necessarily include, at least morally, a third party—the public, the taxpayer. And yet many police unions, in their contracts and their ideology, seem to make no provision for this invisible third party. They defend their members against the public, and punish whistle-blowers with even greater zeal than management does. Police unions “represent hundreds of thousands of people, and, except in a very few states, have the ability to organize without any opposition from government,” Brucato told me.

Brucato believes that the solution is to abolish police unions. He has a list of ten steps toward that end, including cancelling contracts, mass firings in the event of illegal slowdowns, and federal prosecutions for persistent obstruction of justice. Other abolitionists want to see major labor federations, such as the A.F.L.-C.I.O., sever ties with police unions. Sachs agrees that there is an urgent need for reform, but he suggests considering more procedural steps: limiting collective bargaining to non-disciplinary matters; opening bargaining sessions to the public; encouraging departments to have multiple unions, representing more diverse views. Many analysts emphasize the need for new use-of-force protocols that are known to save lives but that the unions reject.

All of this would require political will of a kind that until very recently seemed unthinkable. In 1994, Senator Joe Biden worked closely with the police unions to help get his big crime bill written. He later gave full credit to the National Association of Police Organizations: “You guys sat at that conference table of mine for a six-month period, and you wrote the bill.” (The unions abandoned Biden during the Obama years, when they saw him working on criminal-justice reform.) And who can forget President Trump’s performance in 2017, when he leeringly told a law-enforcement crowd on Long Island that he personally didn’t mind if they bumped some suspects’ heads on car-door frames. The officers applauded. Trump knew his audience. During the 2016 campaign, the Fraternal Order of Police, a national union with three hundred and fifty thousand members, had formally endorsed him. In 1968, it endorsed George Wallace.

In early June, something remarkable happened in New York. As the city erupted in protests against police brutality, the N.Y.P.D. responded with vivid displays of more police brutality. Much of the violence was caught on video. Officers were injured by thrown bricks and bottles, and often seemed tactically confused. They managed the perimeters of some protests calmly, and charged others with batons and pepper spray. Many had tape over their names and badge numbers. Whole lines of police in riot gear seemed to be white. De Blasio, confronted with video of two police S.U.V.s driving into a throng of protesters, blamed the protesters for crowding in. When serious looting broke out for three nights in midtown and lower Manhattan, the police seemed to vanish. One heard that they were told to stand down but not why.

They had been busy elsewhere, certainly, arresting some twenty-five hundred people. Charges ran the gamut. At some point, reflecting the Justice Department’s interest in what Attorney General Barr called “outside agitators,” the F.B.I. got involved in the questioning of detainees. As the demonstrations entered their second week, an 8 p.m. curfew, the first imposed in New York since the Second World War, gave police a wide field in which to make arrests, some of them seemingly arbitrary, others clearly targeting protest organizers. In the Bronx, police singled out legal observers from the National Lawyers Guild.

In Albany, though, a momentous shift occurred. Civil libertarians, police reformers, and their allies had been trying for years to repeal a state law, known as Section 50-a, that sealed police disciplinary records, making it impossible to know if an officer had a history of misconduct. The public’s right to know if its armed employees were abusing their monopoly on violence seemed indisputable, but the police unions had fought hard to keep 50-a on the books. It had never even come up for a vote in committee. Politicians like de Blasio agreed that it should be repealed, but did nothing about it. Antagonizing the police unions just wasn’t worth it. Michael Sisitzky, the head of a police transparency and accountability project at the New York Civil Liberties Union, worked on the issue for years. “We didn’t know how to frame it,” he told me. “It just sounds so wonky—‘Repeal 50-a.’ Then, suddenly, we started seeing banners at the protests, ‘Repeal 50-a.’ ”

The ideals of Black Lives Matter were now in the political mainstream. Governor Andrew Cuomo said that he would sign any reform bill that state legislators sent him, and a few days later they sent him the 50-a repeal, a new ban on choke holds, and more. He signed. Activists like Sisitzky had prepared the legislation, and the families of those killed by the police, including Eric Garner, had advocated tirelessly; the Legislators of Color caucus had given it a crucial final push. But, Sisitzky told me, “what moved those bills was the massive outpouring of people into the streets demanding action.”

For many years, the P.B.A. and its fellow-unions argued that opening police-misconduct records would endanger not only officers but also their families. This was fearmongering: misconduct records would not

include home addresses or phone numbers. After these reform bills passed, the unions held a rally under the highway on Randall's Island. Lynch and O'Meara raged, backed by rows of glowering police. After all their service, all their sacrifice, they could not believe that they *didn't even get a seat at the table*.

I asked Sisitzky about that. "No seat at the table?" he said. "They've always been represented in ways that other organizations can only dream of." Anyway, it wasn't as if they were going away. "The unions will try to reassert themselves, of course." He was right. In July, the P.B.A. sued New York City to block the release of misconduct records, and a federal judge quickly granted a temporary restraining order. Sisitzky's office was barred from releasing records it had already obtained.

But Kirk Burkhalter felt that, at least for the moment, the momentum toward reform was strong enough that the unions should consider compromise. "There's no need for this rift between the unions and the Black community," Burkhalter, who is Black, said. "Black Lives Matter and the P.B.A.—they can each get some of what they want. It's not zero-sum." But time may be running out for the unions, he said: "How long are these lifelong benefits going to last in this climate? You better get on your horse and insure the public has confidence in you, because that's going to be the first thing to go."

After the victory in Albany, New York's police reformers took a couple of days to party, pandemic style, and then turned their attention to City Hall. The city's fiscal 2021 budget would be submitted on July 1st, and the consensus goal among reformers was a billion-dollar cut in the N.Y.P.D.'s six-billion-dollar budget. De Blasio said he was in favor, but nobody trusted him. People camped in the little wedge of park outside City Hall, trying to turn up the pressure.

Joo-Hyun Kang, the director of Communities United for Police Reform, a long-running campaign to end discriminatory policing in New York, was a key leader in the effort to repeal 50-a. Kang has fought the police unions and the N.Y.P.D. for years, trying to get even the names of officers responsible for killings. "People really should have the right to know who's patrolling their streets," she said. "Really, though, egregious police killings are just the tip of the iceberg. It's the daily humiliation, the daily abuse of authority."

Now she had turned her full attention to the city budget. "This is a direct challenge to the outsized power that the police unions have had," she said. "This movement to decrease N.Y.P.D. funding? That's what they're really scared of." She and the other activists took a hard line with de Blasio. "We don't want to see any funny math," she told me. "This is the time to think about what sort of city we want to be."

When the Mayor and the City Council reached a budget deal, the activists were keenly dissatisfied. The deal purported to redirect a billion dollars from police into social investments, but it was full of funny math. It set a thoroughly unrealistic cap on overtime, promising to reduce last year's estimated expenditures of eight hundred and twenty million dollars by two-thirds. It eliminated the N.Y.P.D.'s payments to cops in schools, but only by making the Department of Education cover them. It lacked an across-the-board hiring freeze—even as other municipal agencies were having their budgets slashed, to address covid-era shortfalls. To the activists' disappointment, many Black elected officials supported the deal. Kang suggested that the council members who voted for it would face progressive opposition. "These councilpersons are going to have races in 2021," she said.

The police unions, already aggrieved by the state-level reforms, were further provoked by a set of New York City statutes passed the following week, which provided new restrictions on choke holds and surveillance and supported the public's right to film police activity. A frightening spike in violent crime—

as of late June, murders in the city were up twenty-three per cent over last year—inspired a fierce round of finger-pointing. It was de Blasio’s fault. (Lynch to Hannity: “The city has given our streets back.”) It was cops not doing their jobs. (Arrests were down dramatically, and morale was said to be low.) It was the bail-reform law, and pandemic mitigation, emptying the jails. It was the judicial backlog. It was the disbanding of a plainclothes “anti-crime unit”—Pantaleo’s old crew.

In July, Dermot Shea, the police commissioner, decided to go full Patrick Lynch. In a speech to senior commanders, he said, “People that don’t have a clue about how to keep New Yorkers safe suddenly think they know about policing.” He called the city’s leaders “cowards who won’t stand up for what’s right.” He declared, “We’re not giving this goddam city back to criminals.”

De Blasio’s response was timid. He said that, while Shea’s choice of words was not “constructive,” his frustration was understandable. Meanwhile, N.Y.P.D. officers were voting with their feet. Since the protests began, more than five hundred officers have filed for retirement—almost twice the figure from the same period last year. The chief of the lieutenants’ union told the *Post* that the police were feeling “demoralized and abandoned.” Another possible factor: many officers had earned huge amounts of overtime, between working the protests and covering pandemic sick days, and their pensions, based on their final year’s salary, were as lucrative as they’d ever be. The office that handles retirements was so swamped that it was seeing people only by appointment.

On a warm recent afternoon, I found myself in colloquy with a half-dozen police officers stationed outside the front entrance of the American Museum of Natural History. They were there for the duration, they said, unhappily. Their assignment was looming above us, in the form of the Teddy Roosevelt statue that has stood in that spot for eighty years.

It’s one of the great problematic monuments. Roosevelt sits astride a horse, both of them extra-muscular. He has a pistol on each hip, and a resolute gaze, too noble by half, fixed on the horizon. On either side, and slightly behind him, is a gun-bearer on foot. One is a Native American, in a feathered headdress, his lower half covered by a blanket—you hear him called a “generic Plains Indian.” The other is a generic East African, naked, carrying a shield on his back and a blanket over one shoulder. In the revolutionary spirit of the moment, the museum had decided to remove the statue, and the cops were there to prevent its being removed prematurely by a mob. Things were quiet up and down Central Park West. Still, the mood was sour.

“You ever read ‘1984’?” one officer asked. He was fleshy and fair, late thirties, with a Long Island accent.

He nodded at the statue, the closed-down museum, the whole situation.

“Nah,” his colleague said. “This is ‘Animal Farm.’ ”

“Nah,” the first cop said. “It’s the Chinese Cultural Revolution. Wipe out the past, act like none of it ever happened.” He sounded disturbed, disgusted, sad.

“Even the blue whale?”

“Yeah, everything,” he said.

Change is coming, and everybody knows it. But Trump and the more reactionary police-union leadership have something in common: they all seem to have missed the last boat out of the bad old days. Patrick

Lynch, certainly, is a relic of mid-century policing, when cops were always right and usually white and could take a free hand in Black and brown neighborhoods. The social license of that model of policing has expired. A new generation of officers, mostly not white, waits to take power at the unions.

In New York, the percentage of African-American officers is in decline, as the first big generational cohort retires. But the numbers of Latino and Asian-American officers are still growing. Though it is impossible to generalize, officers of color seem less enthusiastic than their white colleagues about the union leadership. Each one I've asked has described a feeling of not being represented. A fraternal organization of Black officers, called the Guardians Association, has long dissented from the union's hostility to civilian oversight.

I was struck by a coincidence in telephone interviews with two Black N.Y.P.D. officers, one of them retired. In both conversations, we ended up discussing the latest local police scandal, in which an officer was caught on video applying a choke hold to someone on the boardwalk in the Rockaways. The officer, David Afanador, had previously been tried for felony assault—he pistol-whipped an unarmed, unresisting sixteen-year-old, breaking his teeth—but he was acquitted at trial. In the new case, he was quickly suspended and indicted for “attempted aggravated strangulation,” with no discussion of a grand jury. Both interviewees called my attention to the same detail in the Afanador video: a second officer urging him to ease up. That was what excited them. It was a complicity breach—a small but perhaps indicative case of the ninety per cent reining in the ten. “That’s what we want to see,” the retired officer said. “That guy’s an actual hero.” ♦

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