

HISTORY OF THE RAILROAD SPECIAL AGENT

The Early Years



Lincoln in Foreground

The dawn of the American railroad era began in the early 1840s with the grand opening of the first railroads in Maryland and North Carolina. Inspired by this successful operation, over 200 railway charters were quickly granted in 11 states. By 1850, more than 9,000 miles of railroad were in commission on the eastern side of the Mississippi River.

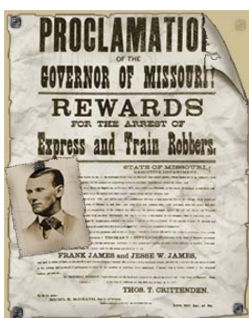
The discovery of gold in the mountains of Colorado, Nevada, and California stimulated incredible railroad construction throughout the western frontier. Within a decade, the railroad had tripled in size to over 30,626 serviceable miles. As the Gold Rush intensified, the western movement created valuable mining territories and lured speculators, adventure seekers, and drifters with the promise of precious resources and untold riches.



Soldiers on Bridge

The U.S. Army was tasked with law enforcement responsibilities within the Territories. As Civil War raged in the East, the Army was simultaneously confronted with Indian warfare out West. In an effort to combat crime, vigilance committees were organized to maintain law and order.

Despite the Army's best efforts, theft was rampant and railroad companies suffered overwhelming monetary losses in stolen freight, parcels, and luggage. Organized bands of outlaws utilized dynamite on bridges, tunnels, stations, tracks and railroad cars to conduct daring holdups. Following the Civil War, thousands of unemployed soldiers took to the railyards to loot and rob for survival.



Train Robbery

Two of the most famous outlaw gangs who preyed upon the railroads were the Hole in the Wall Gang and the Wild Bunch. Legendary Old West desperados participated in unrelenting criminal activities, including Harry Logan (a.k.a., "Kid Curry"), Ben Kilpatrick (a.k.a., "Tall Texan"), Robert Leroy Parker (a.k.a., "Butch Cassidy"), and Harry Longbaugh (a.k.a., "The Sundance Kid"). Jessie and Frank James of the James

Gang were also very active, as were lesser-known bandits such as Sam Bass, the Collins Gang, and Parlor Car Bill Carlisle.



Kid Curry dynamited train car during robbery

The nature of these violent and unpredictable times called for prompt and vigorous action. Railway companies swiftly hired policemen with little concern for their background and experience. In the era of smoking six-shooters, the ability to handle physical confrontations was paramount and an officer's diplomacy and investigative intelligence was a secondary consideration.

It was the general custom to simply hand a newly appointed officer a badge and send him out to work without further preparation or instruction in law enforcement. Inadequate methods of recruiting agents resulted in undesirable characters seeking positions as railroad police officers. The lack of training and ensuing deficiency in order and discipline tainted this branch of railroad service and earned the officers a poor reputation for safety and security.



Wilcox Posse



Bat Masterson

Railroad police officers serving in the Eastern corridor were commonly called "detectives." In the west, they earned the name "Special Agents" due to their mission to protect the company as well as its agents along the railway miles. This title persevered throughout the years, and has been adopted by most federal agencies today. Two of the most famous Special Agents hired to protect the railroads were Bat Masterson and Allen Pinkerton.

The Pinkerton's employed experienced professional policemen and investigators to combat crime along the railways. In these pioneer days, they sought to distinguish themselves from the confusion and distrust created by the unprepared railway police officers. However, in the eyes of the railroad employees, these men were "outsiders," a situation that led to poor cooperation and an atmosphere of skepticism and suspicion.



Allen Pinkerton

One of the primary issues encountered by railroad police was their lack of authority outside the railroad property boundaries. They did not have the power to enforce the law beyond railroad borders unless they gained an appointment as a deputy or special policeman. On February 27, 1865, the legislature of Pennsylvania enacted the Railroad Police Act, the first law officially establishing railroad police. The act authorized the governor of the state to appoint railroad police officers, and gave statewide authority to these officers. The Railroad Police Act provided the model legislation for other states to follow.

Railroad Special Agents Today

Railroad policing has developed into a unique, highly specialized branch of law enforcement. With a commitment to education, technology and safety, railroad police service has kept pace with the changing needs of our society. BNSF uses innovative programs such as the **On Guard** and **Citizens for Rail Safety** programs to enhance rail safety and security by soliciting the eyes and ears of rail fans and employees.



The development of the interstate highway system in the 1950s triggered a downturn in railway ridership. In 1980, the federal government deregulated American railroads and the resulting mergers and acquisitions created fewer and larger railway companies. Corporate streamlining produced more efficient rail operations, which led to reduced employee populations and the downsizing of railroad police officers.

Engineering has also been a powerful contributor to the slimming of the nation's railway police forces. Smaller, more powerful locomotives pull trains over tracks of continuous welded rail. Trains make fewer stops and travel at higher speeds. High value freight is fully enclosed in specially designed railcars, and rail police use modern technology to secure and protect freight in transit. As a result, today there are fewer than 2,300 railway police officers in North America.



In the United States, the appointment, commissioning and regulation of rail police is primarily a state mandate. Section 1704 of the Crime Control Act of 1990, effective March 14, 1994, provides that:

"A railroad police officer who is certified or commissioned as a police officer under the laws of any state shall, in accordance with the regulations issued by the Secretary of Transportation, be authorized to enforce the laws of any jurisdiction in which the rail carrier owns property."