

Political development

Politics



Mendis (2006) argues that this balance of police power by the community, the states, and the Federal Government hampers the ability of the states to exercise their full police powers. This affects the states' ability and contemporary efforts in reforming the welfare of their territories. The sharing of police power by individuals also complicates the states' efforts in fighting terrorism and allows certain individuals to go unpunished with certain crimes.

According to Murphy & Lutze (2009), in exercising police powers, adherence and obedience to the set laws may be coerced using a variety of methods that may include but not limited to physical means and legal sanctions. The use of physical means has continually generated controversies when it is applied by the Federal Government, as this conflicts the rights of powers bestowed upon the states. Controversies also arise when the physical means of coercion is used by the federal or states governments on individuals as this conflicts with the rights and freedoms of individuals. Thus, the states appear even more powerless with the availability of the police powers.

The court is another organ of the state and federal government that is inevitably affected by the contentious nature of the police power (Revell, 2006). Every state in the US has its different form of the constitution as far as the police power is concerned. The federal courts do not have the jurisdiction to interpret state constitutions and considers all the states to be having general police powers and laws. This also raises conflicts between the states and the federal courts, as far as the police power is concerned.

In order to realize the full potential and benefit of the police power, it would be prudent to make the police power policy an exclusive function of the states. This would see radical changes in the states' ability to regulate, control and prevent criminal activities in their territories. This can only be achieved gradually through the abolition of civil rights jurisprudence on police power. The federal government can also contribute to the full decentralization of police power to the states by minimizing its encroachment on state authority.