

## THE HISTORY AND ADMINISTRATION OF THE IOWA HIGHWAY SAFETY PATROL<sup>1</sup>

The problems of State government have been transformed and enlarged during the past three-quarters of a century. New needs for governmental services have developed as the social structure and living conditions have changed. A recently recognized need which has grown out of changed conditions has resulted in the establishment of two new control agencies in the United States — State police and State highway patrols. Three factors are involved in this recognition of the need for State supervision of conduct on the highways: changes in population; industrialization; and extension of transportation and communication facilities.

Iowa, with a gross area of 56,147 square miles and a population of 2,470,939 in 1930, ranks twenty-fourth in size among the States of the Union and nineteenth in population.<sup>2</sup> In 1930 Iowa's density per square mile was 44.5 as compared to 41.3 for the United States.<sup>3</sup> A density of about 15 persons per square mile approximately represents the average for the farm population of the State today.<sup>4</sup>

According to the Federal census, Iowa's population has remained predominantly — albeit decreasingly — rural

<sup>1</sup> This article is a condensation of a thesis submitted by the writer to the Graduate College of the State University of Iowa in June, 1938.

<sup>2</sup> For a concise discussion of the distribution and nativity of population in Iowa, see Harter and Stewart's *The Population of Iowa, Its Composition and Changes*, pp. 19-36.

<sup>3</sup> *Statistical Abstract of the United States: 1936*, p. 3.

<sup>4</sup> The farm population per farm in Iowa, in 1930, was 4.55. This was a decrease from 4.61 in 1920.— *Fifteenth Census of the United States: 1930*, "Population", Vol. II, p. 13.

(residing in the country or in municipalities having a population less than 2500). The population was 74.4 per cent rural in character in 1900. This decreased to 69.4 per cent in 1910, to 63.6 per cent in 1920, and to 60.4 per cent in 1930.<sup>5</sup> The fact that urban population had shown an increase in the decade from 1920 to 1930 of 11.9 per cent, while rural population in the same period had actually decreased 2.4 per cent further substantiates the theory that Iowa is becoming more urban.<sup>6</sup>

There were in Iowa in 1930 only eighty-one cities having a population of 2500 or more. Forty-six of these had less than 5000 inhabitants. There were 29 cities and 93 towns with a population of between 1000 and 2500, and 721 towns with a population of less than 1000.<sup>7</sup> Together, these small cities and towns possessed a population of 464,922, while the farm population was 1,026,725, or only 41.6 per cent of the total population of the State.<sup>8</sup> The towns with a population below 1000 showed a distinct loss during the decade from 1920 to 1930, while cities of 5000 or over, with but two exceptions, made significant gains in population.

A significant characteristic of the Iowa industrial situation is the distribution of manufacturing among a number of small cities. No dominant industrial cities or districts have developed, nor are there indications that any will develop. Iowa factory production has expanded, but only in a normal manner and, with but few exceptions, with little variance in national importance. Regardless of the desira-

<sup>5</sup> *Fifteenth Census of the United States: 1930*, "Population", Vol. II, p. 10.

<sup>6</sup> *Fifteenth Census of the United States: 1930*, "Population", Vol. II, p. 10. See also pp. 12, 13. The increase of urban population has been constant throughout the history of Iowa. Rural population has actually decreased only since 1900.

<sup>7</sup> These 721 towns have a total population of 285,872 people.

<sup>8</sup> *Fifteenth Census of the United States: 1930*, "Population", Vol. II, pp. 10, 11.

bility of industrialization, there is probably little to justify belief in any rapid development of Iowa in this direction.<sup>9</sup>

Most important of the changes which have made necessary some State-wide law enforcement agencies has been the increase in the number and speed of motor vehicles and the improvement of roads. Motor vehicle registrations in Iowa have shown remarkable increases in the two decades, 1910-1930. Passenger cars increased from an estimated 18,870 to 716,304, and the total motor vehicle registration reached a peak of 790,231 in 1929.<sup>10</sup> This was an average of one automobile to every 3.1 persons in Iowa, placing the State third in national ranking.<sup>11</sup> Despite a set-back in the depression years after 1929, registrations have been steadily increasing since 1934.<sup>12</sup>

Truck transportation has also made rapid strides in Iowa, and has shown a tendency to develop even further. Truck registrations have been more constant in their increase and have shown less decline in the depression years than has been the case in passenger car registrations. Peak registration was reached in 1931, with 81,937 trucks, or 10.75 per cent of all registrations. In 1934, registrations totaled 78,536.

Iowa's public roads or highways<sup>13</sup> of all classes, exclu-

<sup>9</sup> For a discussion of this point see McCarty's *Manufacturing Trends in Iowa* in *Iowa Studies in Business*, No. 8, July, 1930, pp. 8, 9, 75-79.

<sup>10</sup> Motor vehicle registration figures, unless specifically attributed elsewhere, are taken from *The Second Report of the Iowa State Planning Board*, pp. 170, 171. Available motor vehicle registration figures vary from a few in number to several thousands, according to different sources. See, for instance, the *Statistical Abstract of the United States: 1936*, p. 365. The Planning Board report is, in the opinion of the writer, closer to the actual figures than any other.

<sup>11</sup> See the *Literary Digest*, Vol. 106, August 2, 1930, p. 43.

<sup>12</sup> Records of the Motor Vehicle Department, Des Moines, Iowa, June 1, 1937.

<sup>13</sup> Facts concerning Iowa's roads, unless specifically attributed elsewhere, are taken from the *Annual Report of the State Highway Commission*, 1936, pp. 7, 100.

sive only of town and city streets, totaled 102,657.89 miles in 1936. With the establishment of the State Highway Commission in 1913,<sup>14</sup> attention began to be focused on the condition of Iowa roads. With the beginning of Federal aid and a road program centered around a primary road law of 1919, Iowa began slowly to "come out of the mud". A paving program was begun in 1924 which has since put Iowa in the upper bracket of States in this respect.

On November 30, 1936, the primary road system, bearing the main traffic of the State, included 8,317.9 miles. The secondary road mileage totaled 94,339.99. With a total of 5,070.95 miles of paving and 32,534.02 miles of gravel forming a huge intricate network of roads, with several east and west cross-State and many north and south roads entirely surfaced, through-traffic has easy access to all parts of Iowa. No farm is far from a good road. Every town of over 400 people is connected with a primary highway. Every county seat is well connected with main highways.

#### NEED OF STATE POLICE AND HIGHWAY PATROLS

With the increase in population in urban centers, with industrialization of the smaller cities and towns, and with ever faster modes of transportation and better roads have come changes in certain social, economic, and political aspects of life. Problems of justice change. Social deviations become troublesome maladjustments that must be recognized. The rôle of the police in this changed society tends to become more difficult. Effective control agencies require broader bases, larger areas in which to operate, and especially new types of personnel.

Increased transportation facilities create a condition where, by his mobility, the criminal can live in one community and commit his depredations in another. This was

<sup>14</sup> *Laws of Iowa*, 1913, Ch. 122, pp. 109-117.

strikingly illustrated in the cases involving the "big-time" gangsters of 1933 and 1934. The ability of criminals to strike and get away, to avoid small groups of officers limited in jurisdiction to a town or a county, showed clearly the importance of a co-ordinated and centralized police organization. "At present, these conditions have made it so very apparent that the rural districts can no longer depend upon an untrained individual to attend to their protection that many states have organized state police forces with the primary purpose of giving police protection to areas lying outside municipal jurisdiction, and with the secondary function of cooperating with the various police authorities of the state, giving aid where more than normal police power is required, as frequently occurs during disasters by flood, fire, or explosion, during threatened lynchings, or where the local authority is not sufficiently strong to maintain peace and enforce the law."<sup>15</sup>

The almost universal use of the automobile, combined with the ever-extending network of good roads, has brought these new problems forcibly to the fore. Laws regulating the use of the automobile on the highways, aimed to prevent accidents in the rural districts, must be enforced to be of value. Enforcement has tended to grow beyond the capacity of the regularly constituted local authorities. "The depredations of city [and country] motorists released from the constant supervision of the uniformed patrols to which they have been accustomed have become a matter of serious concern . . . , while the weekly toll of lives resulting from automobile accidents has challenged the attention of the entire nation"<sup>16</sup>

<sup>15</sup> Adams's *The State Police* in the *Annals of the American Academy of Political and Social Science*, Vol. 146, November, 1929, pp. 34, 35; Mathews's *Principles of American State Administration*, Chs. XV and XVI.

<sup>16</sup> Smith's *The State Police*, p. 10. See also Hibbs's *State Cop or Vigilante?* in *Country Gentleman*, Vol. CIV, January, 1934, p. 10.

The motor vehicle accident record has been and still is dark. Death rates on Iowa roads have been increasingly large. The average number of deaths resulting from automobile accidents on Iowa highways, from 1921 to 1925, was 241, and for the United States, 13,869.<sup>17</sup> Iowa's death toll in 1926 rose to 312, and showed regular increases to the year 1930, when 645 deaths were recorded. This total was, however, reduced to 582 the following year, and was further curtailed to a total of 530 in 1932. In 1937 fatalities on the highway totaled 571.<sup>18</sup>

It was largely the automobile, too, which exposed the rural districts to the depredations of the city criminal. Cities have long been recognized as breeding places for crime. The automobile has annihilated distance and has reduced to a minimum the effectiveness of police protection in thinly populated districts. Roadhouses often cater to the passing motorist with one or more forms of commercialized vice. Poorly protected regions offer opportunity to the criminally-minded. Throughout the areas served by the more important thoroughfares, crimes of all degrees are frequently committed. Modern transportation "has brought city and country so closely together as to make their interests, in the police sense, almost identical".<sup>19</sup>

The extension of communication has widened the horizons of the people living both on the farms and in the small towns, as well as those in the cities. Modes of living have undoubtedly been profoundly influenced. New markets have been introduced, the urge to rapid accumulation of wealth has been felt, and the rural dweller has probably definitely taken his place in the ranks of urban civiliza-

<sup>17</sup> *Statistical Abstract of the United States: 1936*, p. 368.

<sup>18</sup> *Motor Vehicle Accidents, 1933*. These figures are taken directly from the records of the Motor Vehicle Department.

<sup>19</sup> Smith's *The State Police*, p. 13.

tion.<sup>20</sup> The concept of crime has extended its scope to include various new forms of irregular conduct, and this concept has become thoroughly imbedded in our penal laws. Thus burdens are imposed on the rural justice machine which were never anticipated.

While this social change was taking place, public machinery for the preservation of rural peace and order was not materially changed. Traditional institutions are still existent and functioning as strongly as ever, showing marked vitality and persistence in the face of change. Yet as instruments for the prevention and suppression of organized crime and many other law violations, the county sheriff and township constable are at a disadvantage. Many of these weaknesses are due to the unsatisfactory organization of these offices: direct popular election ensures no professional training, experience, or other qualification; limited terms of office and prohibitions against successive terms serve to discredit experience, and to discourage vigorous work; deputy forces are inadequate, untrained, undisciplined, and ill-directed; local sentiment acts to stifle activity; and assessing costs against the locality serves to cut activity to a minimum.<sup>21</sup>

The indication has been that some type of governmental machinery was needed to furnish at least three things: (1) machinery to announce and maintain a consistent State policy of enforcement; (2) effective State supervision of local enforcement bodies; and (3) better organization of personnel.<sup>22</sup> New agencies of law enforcement have devel-

<sup>20</sup> Smith's *Rural Crime Control*, pp. 3, 4. See also Millspaugh's *Crime Control By The National Government*, pp. 273-301.

<sup>21</sup> Fairlie and Kneier's *County Government and Administration*, pp. 240-242. See also Smith's *The State Police*, pp. 15 ff; and Porter's *State Administration*, p. 94.

<sup>22</sup> Dodd's *State Government*, pp. 432, 433; Bromage's *State Government and Administration in the United States*, pp. 239-272.

oped in an attempt to fulfill these conditions. The world of crime has gone modern, and law enforcement agencies are trying to do likewise to catch up with the criminal element.

It has become increasingly evident that in the majority of the States prevailing conditions necessitate some form of decisive action by the State as a unit. The mere multiplication of law enforcement forces with boundaries between those forces has come to be recognized as a source of complication and weakness. The problems of law enforcement have become far less local than ever before. They require an experience, an organization, and equipment not fully within the command of most of the existing local enforcement areas. Forty-five States have established some system effecting radical changes in the whole or in some specified portion of their police administration. Most comprehensive of these systems is the plan of having a State police force.

In general, the powers of the State police are those of sheriffs and police officers in criminal jurisdiction, limited territorially only by the State boundaries. Their general duty is obvious: to enforce all the laws, and more particularly the criminal laws of the State. In addition, because the State police are so widely distributed and their members are in such close and constant touch with local conditions, a number of special duties are often imposed. Typical of such duties are motor vehicle control, fire protection, and the enforcement of fish and game laws. Certain restrictions of power are usually made. These may be statutory, prohibiting the use of the force in certain regions (as in cities) or under certain circumstances (as in strikes), or they may be self-imposed departmental regulations.

Regular stations are maintained throughout the State at centrally located places, with substations at convenient



points. Barracks are constructed or rented for the housing of the police. Rapid systems of communication are maintained: two systems, the radio and the teletype, are usually used, either singly or in conjunction. Three methods of transportation are most often used: the horse, motorcycle, and automobile. The relative utility of each method is determined by the topographical nature of the country patrolled and the nature of the work. The States of Arkansas, Connecticut, Delaware, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Texas, Virginia, and West Virginia have inaugurated such systems.

Three States have failed to take any formal action to meet the problem. All law enforcement in Florida remains under the supervision of the sheriffs of the various counties within the State.<sup>23</sup> No "state patrol" of any kind exists in Mississippi.<sup>24</sup> And patrols in Wisconsin are under co-ordinated county, city, and town control.<sup>25</sup>

Twenty-five States — Alabama, Arizona, California, Colorado, Georgia, Idaho, Iowa, Kansas, Kentucky, Minnesota, Missouri, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Vermont, Washington, and Wyoming — have limited their State police activities entirely

<sup>23</sup> Personal communication from R. A. Gray, Secretary of State in Florida, July 28, 1937.

<sup>24</sup> Personal communication from Walker Wood, Secretary of State in Mississippi, October 19, 1937.

<sup>25</sup> Personal communication from Theodore Dammann, Secretary of State in Wisconsin, by R. L. Siebecker, Assistant Secretary, July 26, 1937. The committee on enforcement of the American Association of Motor Vehicle Administrators, in a report entitled *State Traffic Enforcement Agencies* (Washington, D. C., June 1, 1937), lists Wisconsin as having a group of eight uniformed inspectors in the treasury department. These inspectors, states the committee, have the full police power of sheriffs, and perform both police and traffic work.

or largely to highway patrols, intended to enforce the laws concerned with the new and complicated problems of traffic regulation and accident prevention. The theory is that mishaps may be largely prevented if these laws are observed. Enforcement is therefore a vital part of traffic control.

State highway patrol forces are usually organized as subordinate units of executive departments already existing. Departments of state, finance, and highways are typical repositories of these patrols. An occasional patrol, however, is organized as a separate and distinct unit of State government.

The duties of the patrol are usually specifically to enforce traffic regulations on highways outside of municipalities, and to bring about improvements in driving practices and motor vehicle equipment. The patrolmen are trained to recognize the symptoms of mechanical defects of vehicles, and to impress on motorists the need for prompt repairs. Cars in especially hazardous condition may be ordered off the highways; motorists who flagrantly or willfully violate the laws are arrested. General police power is also occasionally granted, although such a grant is often restricted. In such cases the general power is usually exercised to a noticeably lesser degree than in the regular State police systems. Possibly this may be attributed partly to the fact that in the performance of the primary function of highway protection little time is left for general law enforcement, and partly to the policies of the administrative officials.

Nevertheless, there is some indication that these patrol forces are cautiously advancing from specialized traffic control units into an intermediary state, a pre-State police.<sup>26</sup> In six of the States with highway patrols — Ala-

<sup>26</sup> Bruce Smith, in his volume *Rural Crime Control*, pp. 133-135, gives a good account of this tendency.

bama, Georgia, Kentucky, Missouri, Oklahoma, and Washington — a tendency to increase the police power beyond general traffic control is evident. As recruiting policies develop, as training programs progress, and as the volume of general criminal work increases or decreases, this tendency will become more — or, as the case may be, less — apparent.

#### THE ESTABLISHMENT OF THE IOWA HIGHWAY SAFETY PATROL

The actual establishment of the Iowa Highway Safety Patrol was preceded by a long series of attempts in the legislature to secure a program of consolidation and reform in the field of public safety. Beginning in 1915, twenty years of persistent effort was finally rewarded by the passage of the act of 1935, creating the Highway Safety Patrol. The significance of this accomplishment, incomplete though it was, can hardly be over emphasized. The campaign for the bill showed conclusively the need of a force of this kind and indicated decisively the trend of action by which that need was being met.

As early as 1915 an attempt was made to integrate some of the functions concerned with public safety in Iowa. A general reorganization bill, House File 602, proposed the creation of a public safety department to include and have general supervision over a number of State control agencies. This bill, however, was withdrawn from consideration.<sup>27</sup> It was not until April 3, 1925,<sup>28</sup> that motor vehicle agents or inspectors were given the authority of peace officers, and even then such authority was confined to the enforcement of specified laws. Two years later, on April 2, 1927,<sup>29</sup> this limitation was partially removed and such au-

<sup>27</sup> See the *Journal of the House of Representatives*, 1915, pp. 1006, 1680.

<sup>28</sup> *Journal of the House of Representatives*, 1925, p. 1308; *Laws of Iowa*, 1925, Ch. 7, p. 13.

<sup>29</sup> *Journal of the Senate*, 1927, p. 1145.

thority was extended to include any act for the "purpose of enforcing the law relating to motor vehicles".<sup>30</sup>

An unsuccessful attempt was made that same year (1927) to establish a department of State police,<sup>31</sup> but the bill did not attract serious consideration in the legislature. However, during the next regular session, an extension of the power of peace officers was granted to the State Fire Marshall and his assistants while engaged in the duties of that office.<sup>32</sup>

Movements to establish a highway patrol began early in 1931. Identical bills were prepared and introduced in each branch of the legislature on January 28th.<sup>33</sup> The bills, as proposed, authorized the State Highway Commission to employ not to exceed thirty-five persons to enforce the law relating to traffic on primary roads, and designated such persons as peace officers. It is worthy of note that in the consideration of the Senate bill, an amendment was adopted whereby "the state department of justice shall have the right to commandeer the services of such highway patrolmen in cases of emergency in the pursuit of criminals and fugitives from justice".<sup>34</sup> The Senate bill was passed 29-17, but action on it by the House was delayed. Finally, on April 6th, the bill was sent to the House sifting committee; it was never returned to the House for consideration. This bill was important in (1) that it was an abortive attempt to establish a highway patrol; (2) that it placed the proposed patrol under the authority of the State Highway Commis-

<sup>30</sup> *Laws of Iowa*, 1927, Ch. 249, p. 215.

<sup>31</sup> *Journal of the Senate*, 1927, p. 843. This bill was Senate File 387. It was introduced on March 19, 1927, and referred to the Sifting Committee on March 29th.

<sup>32</sup> *Laws of Iowa*, 1929, Ch. 95, p. 131.

<sup>33</sup> *Journal of the Senate*, 1931, p. 172; *Journal of the House of Representatives*, 1931, p. 219.

<sup>34</sup> *Journal of the Senate*, 1931, pp. 762, 763, 764.

sion, whose function is primarily construction and maintenance work on the primary road system; and (3) that recognition was given the fact that a general State law enforcement body was desirable.

A second set of companion bills introduced in 1931 provided for the establishment of a department of public safety, with general police power. This bill included a motor vehicle licensing and liability provision. The Senate bill was referred to the sifting committee and was not returned. An automobile-drivers' license bill was substituted for the House bill and was adopted by both houses.<sup>35</sup>

The Forty-fourth General Assembly did, however, before its adjournment, appoint a "nonpartisan" interim committee to study the problem of reorganization of State law enforcement agencies. An elaborate study was made, an exhaustive report was written, and bills were drafted that "would have saved a great deal of money and increased the efficiency of the State Government, yet these proposed bills were never made available, even for a vote, by the General Assembly."<sup>36</sup>

Agitation for a highway patrol was, however, continued. A few individual members of the legislature of 1933 took up the cause, and on March 6, 1933, another set of bills was introduced in each chamber of the legislature.<sup>37</sup> These bills authorized the creation of a motorized State highway patrol of 210 members, with power to enforce all motor vehicle laws. A comprehensive organization was outlined in detail. Powers, duties, and even equipment were specified. Provisions were made for the patrol districts, for tests and

<sup>35</sup> *Journal of the Senate*, 1931, p. 762; *Journal of the House of Representatives*, 1931, p. 358; *Laws of Iowa*, 1931, Ch. 114, pp. 75-83.

<sup>36</sup> Personal communication from Dean W. Peisen, Representative, October 26, 1937.

<sup>37</sup> *Journal of the Senate*, 1933, p. 499; *Journal of the House of Representatives*, 1933, p. 604.

examinations, for instruction, and for employment and dismissal.<sup>38</sup> The bills were referred to the respective sifting committees in the Senate and House and never returned. In the extraordinary session following, the bills were revived and again introduced, but once more were shelved.

A different reception was accorded a new bill, House File 286, providing for a road patrol of thirty-eight men, with the power of peace officers.<sup>39</sup> An amendment was filed by W. A. Yager, of Dickinson County, and W. H. Strachan, of Humboldt County, which included several devices later incorporated in the patrol act of 1935. These included a provision that not over fifty per cent of the patrolmen should belong to the same political party, a six months probationary period for appointees, and a provision that no member of the patrol should be a candidate for political office nor take part in any political campaign.<sup>40</sup>

The first of these provisions — that not over fifty per cent of the patrol members belong to the same political party — ensures so far as practicable equal political participation in the administration of the patrol. Such a restriction was obviously intended to preclude the possibility of appointment solely through political favoritism and to lessen the “spoils” and thereby to secure greater compe-

<sup>38</sup> It should be noted that in the interests of good administration such details are better omitted from the law. The legislature should concern itself with the formulation of policy; it should not waste its time doing administrative work. Furthermore, to specify details in a law is to hamper administration, and make inflexible rules for matters which often require changes. In fixing patrol districts, for example, account must be taken of the fact that conditions vary in different localities — conditions which may become apparent only after actual administration is begun. Furthermore, changes are frequent or at least potential, in any locality. Any patrol force that has been “tied down” may become impotent and its purpose may be defeated.

<sup>39</sup> *Journal of the House of Representatives*, Extraordinary Session, 1933-1934, pp. 489, 490.

<sup>40</sup> *Journal of the House of Representatives*, Extraordinary Session, 1933-1934, pp. 767, 768.

tence in appointees. It is a well-accepted principle that sound administration and efficiency of even a rudimentary sort falls before the ungoverned greed of any party for positions. Yet from the safeguarding device itself comes an evil; every appointee must list himself as a definite partisan. Only men of tried party connections may be appointed, and all others, regardless of worth, are excluded. The patrol — or other office — automatically becomes bipartisan rather than nonpartisan; and such a condition, in a force which will, it may be assumed, play so important a part as that of safety and law enforcement, is the very antithesis of the ideal of the patrol.

Referred to the Committee on Motor Vehicles and Transportation, House File 286 was reported back favorably; and the report was accepted by the House. Referred to the Steering Committee, the bill was reported back with a recommendation that it be placed on the calendar; and it was made a special order by the House. Motions to lay the bill on the table were twice lost, 45-54 and 49-54, whereupon consideration of it continued in the House for two days. An amendment to make the patrol responsible to the Governor was adopted, 70-29. An additional amendment was offered (also making the patrol responsible to the Governor), whereupon it was moved to lay the amendment on the table. This motion was adopted, 64-37, and in accordance with the rules of the House, the rejected amendment carried down with it the main bill.<sup>41</sup> A promising beginning had ended in failure.

The caustic opposition of labor and farm leaders had defeated the measure. Lively hostility had been displayed by union labor and by farmers against a uniformed road patrol, for they feared that such a force might be used as a

<sup>41</sup> *Journal of the House of Representatives*, Extraordinary Session, 1933-1934, pp. 1274, 1277, 1278, 1284-1291.

bludgeon against them in milk blockades, cattle "wars", and labor disputes.<sup>42</sup> Public opinion, however, as reflected in the newspapers of the State, was united in agreement that action of some sort, to establish either a State patrol or State police, was imperative.

Meanwhile more practical steps were being taken in the Motor Vehicle Department itself. Iowa's first woman Secretary of State, Mrs. Alex Miller, had been elected in the fall of 1932. Immediately on assuming office, Mrs. Miller's attention was drawn to the increasing number of tragic and unnecessary accidents on the State highways, resulting in so much loss of life and limb. She felt it her duty to do what she could to prevent these accidents, and this she felt could only be accomplished by establishing for motorists a well-defined safety code and tradition. By "catching the ear of the motorist at his wheel", she hoped to establish good driving and correct manners on the road.<sup>43</sup> Good roads make for greater safety, but the effect is nullified by increased speed, careless driving, and confusing traffic laws. And, thought Mrs. Miller, the Motor Vehicle Department — a single small detail in the cumbrous machinery she must pilot — was the one agency in the State's administrative set-up that was available for this service.

There was, in the Motor Vehicle Department, a force of fifteen motor-license inspectors who were virtually only tax collectors. Since 1925 they had been vested with the authority of peace officers in enforcing motor vehicle legislation, but their duties restricted them to enforcing the complex license regulations of Iowa and license reciprocities between Iowa and other States. Mrs. Miller, without special appropriation, authorization, or other formal encour-

<sup>42</sup> Harlan Miller's *Iowa's Woman-Against-Death* in the *Ladies Home Journal*, October, 1935, p. 99.

<sup>43</sup> Harlan Miller's *Iowa's Woman-Against-Death* in the *Ladies Home Journal*, October, 1935, p. 14.



agement from the legislature, added to the duties of these inspectors while on the road the enforcement of safety regulations. "Iowa's first Highway Safety Patrol consisted of only fifteen men, called Inspectors", wrote Mrs. Miller. "From now on, save lives first, money afterwards", were their instructions.<sup>44</sup>

For one month, in 1933, the inspectors attempted to perform their new function. They stopped motorists guilty of violation of the motor laws and cautioned them, reported violations, and initiated the revocation of drivers' licenses for the more flagrant infractions. Motorists, however, were apprehensive of bandits, when accosted on the road by men in civilian clothes and there was much complaint. And so, without authorization and in defiance of the acrimonious criticism which would undoubtedly come from labor and farm leaders, Mrs. Miller called in her little group of inspectors, gave them first aid training, put them in uniforms for which they themselves paid, and once more sent them out to save lives.<sup>45</sup>

Each man was assigned six or seven counties. Yet even with such an inadequate force an enormous influence was exerted.<sup>46</sup> Fast drivers were retarded, and reckless or lawless ones were curbed. Occasionally the inspectors gave short talks to high school students, clubwomen, and businessmen. Mrs. Miller personally gave talks throughout the State. Results were soon evident. "Deaths decreased by 69, accidents by 3372, injuries by 3731 on Iowa's high-speed

<sup>44</sup> Mrs. Alex Miller's *Worse Than War* in *The Clubwoman*, January, 1936, p. 26.

<sup>45</sup> Mrs. Alex Miller's *Worse Than War* in *The Clubwoman*, January, 1936, p. 26; Harlan Miller's *Iowa's Woman-Against-Death* in the *Ladies Home Journal*, October, 1935, p. 99.

<sup>46</sup> An editorial in the *Belle Plaine Gazette* illustrates this belief: "The little force of fifteen that has worked the past six months or so under Mrs. Miller's direction has made a fine record and has more than paid for itself."—Reprinted in *The Des Moines Register*, May 17, 1935, p. 2-A.

roads in 1934 over 1933, roughly 15 per cent, *while the nation's death and accident toll increased 17 per cent.*"<sup>47</sup>

Reelected in 1934 (partly on her auto-safety crusade stand) by a majority of 79,072 popular votes, Mrs. Miller "chaperoned" through the legislature the act of 1935 which established the highway patrol. She was definitely opposed to placing the highway patrol in the proposed department of public safety, a set-up which would have taken it out of her department. "Research by my department has led me to believe", she declared, "the safety patrol and the state police should not be combined. If we cannot have both a safety patrol and a state police, should we not establish the one for which the greater need exists?"<sup>48</sup> Her justifiable pride in the accomplishments of her little patrol led her to hope for the fulfillment of her ideal. "We shall always believe that the record of this little experimental patrol was a factor in securing passage of the legislation favoring an official state patrol, after it had been defeated for several years in succession", wrote Mrs. Miller.<sup>49</sup>

On January 31, 1935, Curtis L. McKinnon, of Henry County, and others introduced House File 67, a bill to create a patrol of fifty peace officers, charged with enforcement of motor vehicle regulations.<sup>50</sup> The proposed patrol was to supersede the tentative force established under the act of

<sup>47</sup> Harlan Miller's *Iowa's Woman-Against-Death* in the *Ladies Home Journal*, October, 1935, p. 99.

<sup>48</sup> Mrs. Miller strongly advocated increasing the patrol to fifty men, and continuation of its supervision under her department. *The Des Moines Register*, February 3, 1935, p. 4, speaks on this stand, and quotes Mrs. Miller as follows: "I wish it clearly understood that my interest in the patrol matter now before the legislature lies solely in greater safety on our highways. I have promised that so long as I continue in office I shall continue my fight on highway tragedy."

<sup>49</sup> Mrs. Alex Miller's *Worse Than War* in *The Clubwoman*, January, 1936, p. 26. Substantially this view is expressed in *The Des Moines Register*, January 30, 1935, p. 6.

<sup>50</sup> *Journal of the House of Representatives*, 1935, p. 163.

1925, by which motor vehicle inspectors were given authority as peace officers. An amendment was immediately offered which was, in effect, a substitute for the whole bill. By this new bill fifty-three men were authorized on the patrol; a six months probationary period was specified for its members; general police power was granted; and a training school was authorized. With only a few minor changes, the amendment was adopted, 102-0, and the revised bill passed the House, 102-1 (5 absent or not voting).<sup>51</sup> Attention must be called to the fact that an amendment to take the general police power from the patrol failed of adoption, 45-51. Once more recognition was given the fact that a general State law enforcement body was necessary, even if a somewhat limited sphere of activity was considered advisable.

Action on the bill in the Senate was delayed from March 18th to April 23rd. On the latter date, consideration was given the bill. Amendments were added prohibiting members from wearing any uniforms other than those prescribed and providing that not more than sixty per cent of the personnel should belong to one political party. The bill as amended was passed by the Senate, 44-0 (6 absent or not voting).<sup>52</sup> The House concurred in the Senate amendments, 80-2, and passed the bill 91-4 (13 absent or not voting). On May 7, 1935, the bill was formally signed by Governor Clyde L. Herring.<sup>53</sup> If the legislature had undertaken a systematic reorganization of State government machinery, as it might have done, it would be safe to assume that the highway patrol question would have

<sup>51</sup> *Journal of the House of Representatives*, 1935, pp. 493-495, 655-668. The changes mentioned concern the age limit of appointees, number of personnel, salary changes, and a prohibition against political activity by the members of the patrol.

<sup>52</sup> *Journal of the Senate*, 1935, pp. 1215-1219.

<sup>53</sup> *Journal of the House of Representatives*, 1935, pp. 1568, 1569, 1649.

been settled on a basis of long-time policy rather than of temporary departmental policies.

The Highway Safety Patrol Act of 1935<sup>54</sup> was composed of fourteen sections. The Highway Patrol was placed in the Motor Vehicle Department within the Department of State, partly because its work fitted in there and partly because of the influence of Mrs. Miller. There is every indication that the force of men authorized was limited to fifty-three because the legislature, fearful of opposition from labor and farm leaders, hesitated to impose a larger force on a State not yet accustomed to a uniformed State force. A restriction that not more than sixty per cent of such employees shall at any time be members of the same political party serves merely to attempt—perhaps unwittingly—to identify patrolmen with parties, and thus infuse politics into the administration of the patrol. Examinations for fitness were left to the Secretary of State (Section 4) in the absence of any centralized personnel department, the only restrictions being that appointees must be citizens of Iowa, of good moral character, and not less than twenty-five years of age.<sup>55</sup> Section 5 directly negatives the requirement concerning political affiliation: it denies patrolmen the privilege of any further political action, a step that no doubt is an important factor in relieving fears that the patrol may be used in political activities.

A six months probationary period is required, during which administrative formalities and safeguards usually attending dismissal are dispensed with, and the Secretary of State may dismiss at will; but thereafter dismissal may be made only by a formal presentation of charge, and a hearing before the Executive Council—a practice which tends to violate the principle that the power to dismiss

<sup>54</sup> *Laws of Iowa*, 1935, Ch. 48, pp. 62, 63.

<sup>55</sup> For a very complete discussion of these and other factors concerning personnel, see Smith's *The State Police*, pp. 125-171.

“for the good of the service” is essential to successful administration. The duties of the patrol are to be the enforcement of motor vehicle legislation, but the patrolmen are also granted general peace power on the road. Uniforms and equipment are to be provided by the State and members of the patrol are forbidden to wear any other uniform while on duty. Maximum salaries for the first year were specifically enumerated—chief, \$200 per month; assistant chief, \$165; and patrolmen, \$100. Provision was made for an increase of \$5.00 per month for each year a patrolman served up to \$125 per month. Salaries are to be paid from the maintenance fund of the Motor Vehicle Department; no other funds are provided in the act. A training school, a necessary complement to an enforcement body, is authorized.

On February 18, 1937, Senate File 181 was introduced in the Senate by the Committee on Motor Vehicles. This bill was concerned with a general revision of the motor vehicle laws. It was adopted by both houses and on April 19, 1937, it was formally approved by Governor Nelson G. Kraschel.<sup>56</sup>

The portion of this motor vehicle law which pertains to the Iowa Highway Safety Patrol consists of eighteen sections.<sup>57</sup> Provision is made that the Motor Vehicle Department, as such, shall have charge of the administration and control of the patrol. The authorized personnel of the patrol was increased by not to exceed seventy-five additional men, an indication both of the success of the “experiment” and of greater recognition of the need; but the political affiliation clause is left unchanged. Impersonation of patrolmen with intent to deceive is made a misdemeanor, as is the wearing of patrol badges under like conditions.

<sup>56</sup> *Journal of the Senate*, 1937, pp. 331, 1189.

<sup>57</sup> *Laws of Iowa*, 1937, Ch. 134, Secs. 30-47, pp. 225-227.

Other provisions are simply re-enumerations of those of the act of 1935.

The problem of reorganization of State law enforcement agencies in general arose once more in the 1937 session. While most State officers agree that such reorganization and consolidation is desirable, definite political action on the problem seems most difficult of attainment. Down to 1937, efforts essentially nonpartisan in character and apparently sincere in purpose had been wholly impotent. On March 5, 1937, House File 313 was introduced by D. W. Peisen, of Hardin County.<sup>58</sup> The bill proposed the creation of a department of public safety, with provisions for the centralization of all State police activities therein. Its aim was to consolidate all law enforcement work in one department with a single directing head. By this bill, the Highway Patrol was limited to 150 men but the Executive Council was given the right and power to increase the personnel to 175. The proposed reorganization "would have effected such a reduction of the then force and the various increases asked, so as to effect a saving of approximately one-half million dollars."<sup>59</sup>

The bill was read the first and second times and referred to the Committee on Departmental Affairs. It was reported back to the House without recommendation, and first came to the attention of the House indirectly in connection with the motor vehicle bill (Senate File 181 discussed above), under an amendment which would have eliminated the existing highway patrol so as to leave the proposed motor patrol to be provided for under the provisions of the bill creating a department of public safety. House File 313 was read a third time, and a vote was taken. The result,

<sup>58</sup> *Journal of the House of Representatives*, 1937, p. 603.

<sup>59</sup> Personal communication from Dean W. Peisen, Representative, October 26, 1937.

52-52 (4 absent or not voting), failed to give a constitutional majority for the measure and it therefore failed to pass the House. A motion to reconsider was tabled, 55 to 49.<sup>60</sup>

“When thus presented”, writes Mr. Peisen, “the opposition had not had time to organize itself and the members of the House were free to consider [the bill] strictly upon its merits and free from any pressure. At that time it was again presented purely as a non-partisan measure and received a very definite approval by the House. Then something happened. Representative Gallagher from Iowa County, a grand old man, who had made one of the telling speeches in its support, for some reason best known to him, filed a motion to reconsider. Suddenly it appeared that the various State Peace Officers all had business in Des Moines and heads of the various Departments and various office holders affected began to turn on the ‘heat’. The Democratic members of the House caucused upon it and decided to support the motion to reconsider. Under this combined pressure of the heads of the departments and office holders and the caucus action, the motion to reconsider carried and the cause of reorganization was again back to scratch.”<sup>61</sup>

Despite efforts to keep the issue nonpartisan, all but six of the Democratic members of the House voted against the bill. The principal support came from editorial opinion, which was ninety per cent favorable. The opposition which mustered the final marginal vote was labor.<sup>62</sup>

This appears to indicate that it is improbable if not impossible that a party in power can resist the pressure of

<sup>60</sup> *Journal of the House of Representatives*, 1937, pp. 1131, 1132.

<sup>61</sup> Personal communication from Dean W. Peisen, Representative, October 26, 1937.

<sup>62</sup> Personal communication from Dean W. Peisen, Representative, October 26, 1937.

its officeholders against effective action involving the elimination of these offices.<sup>63</sup> Different factions of the government fear reorganization, as President Herbert Hoover said in 1932, and many associations and agencies throughout a State become alarmed that the particular function to which they are devoted may in some fashion be curtailed. It is almost a commonplace that the larger and older an agency becomes, the harder it is to effect a change in it. Particularly is this true when such an agency is controlled by a popularly elected (and therefore independent) official. Such an official loses interest in sound integration, and, as is natural under the circumstances, throws his full political weight—and that of his subordinates, friends, and relatives as well—to keep the service intact and in place. It would seem, therefore, that major changes must come incidental to and coincidental with a change of administration; and even then it might best be effected by a judicious use of temporary appointments at that time.

#### THE ADMINISTRATION OF THE IOWA HIGHWAY SAFETY PATROL

One of the administrative divisions allocated to the office of Secretary of State, when the first motor vehicle legislation was passed in 1904,<sup>64</sup> was that of motor vehicles. The importance of the function grew to such proportions that in 1919 the division was granted the status of a department,<sup>65</sup> without, however, changing its position in the office of the Secretary of State. Originally this Motor Vehicle Department was simply a registration or licensing division for motor vehicles, headed by a chief clerk. A

<sup>63</sup> For a clear, extended discussion of this point, see Porter's *State Administration*, p. 63.

<sup>64</sup> Jurisdiction over the registration of motor vehicles was assigned to the office of the Secretary of State in 1904.—*Laws of Iowa*, 1904, Ch. 53, pp. 44-46.

<sup>65</sup> *Laws of Iowa*, 1919, Ch. 275, pp. 335-358.



drivers' license division, headed by a chief examiner, was set out in 1935. The number and compensation of the employees of these divisions varies, subject to the approval of the State Executive Council.

The Department of Motor Vehicles is headed by a Commissioner, appointed by and serving at the will and pleasure of the Secretary of State. Lew E. Wallace, of Sigourney, Iowa, was appointed to the position in 1933 by the then Secretary of State, Mrs. Alex Miller. He was retained by the present Secretary, Robert E. O'Brian, and still holds the position. Aided by his deputy, Horace Tate, Mr. Wallace has performed a most commendable service in administration, one which has earned for him national recognition.

The creation of the Highway Safety Patrol in 1935 led to the erection of a third division within the Motor Vehicle Department. Nominally Mr. Wallace was in charge. Immediately after the law went into effect he, with the approval of the Secretary of State, appointed John R. Hattery as chief of the patrol. Hattery, a resident of Nevada, Iowa, had for a number of years served as sheriff of Story County, was active in the Iowa State Sheriffs' Association, and had established a fine record in law enforcement.<sup>66</sup>

<sup>66</sup> Personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, August 25, 1937.

*The Iowa Sheriff*, May, 1935, Volume VII, Number 4, p. 10, speaks of Mr. Hattery's appointment in the following words: "Our good friend John Hattery has been appointed chief of the new unit. As sheriff of Story county, Mr. Hattery has long been active in highway safety work and he fits admirably into the picture as the logical choice for Chief of the Highway Patrol.

"Not only is John a confirmed safety advocate but he served Story county well as its sheriff. He has the confidence of the many sheriffs and other peace officers of the state who know him, and this confidence will be an asset to him in his new position and an asset to his organization.

". . . we respectfully recommend him. He knows the law enforcement game and you can talk to him as one law enforcing officer to another — he'll understand your language. He can be depended upon to do everything in his power to make the word cooperation mean nothing less in his dealings with the various enforcement groups over the state."

Assuming his duties at once, Chief Hattery has since then devoted untiring efforts for better enforcement of highway laws in the State. His public service in this direction is especially worthy of high commendation. His zeal and sincerity has earned for him a high regard not only from his men, his staff, and his superiors in the department, but also from fellow officeholders in other State offices with which the patrol must necessarily keep contact, from sheriffs throughout the State, and from the public at large.

The appointment of the chief marked a tangible beginning in the actual work of organization of the patrol. Backed by the power conferred by law and confident of the approval and coöperation of both the Secretary of State and the Commissioner, Chief Hattery was in a position to undertake the job ahead. Two assistants were appointed to help in the work that followed. Both had been with the patrol which had been operated by the Motor Vehicle Department since its inception, and their appointment came as a recognition of meritorious service. Major E. A. Conley, of Marshalltown, battalion commander of the 163rd Infantry of the Iowa National Guard, and J. H. Nestle, of Carroll, son of a former Carroll County sheriff, were the two appointees.

Applications for positions on the patrol began literally pouring in. Over 3000 applications were filed for the fifty available positions.<sup>67</sup> As they came, political "heat" was turned on from both major political parties. County officials, State officers, judges, and party leaders "conferred" with the Commissioner regarding the appointment of their favorites. But politics, maintained the Commissioner, was "out". "We are going to select the best hundred men we

<sup>67</sup> *The Des Moines Register*, May 19, 1935, p. 5; personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, August 25, 1937.

can find in the state", he declared, "and then see how the political qualifications work themselves out."<sup>68</sup>

The Commissioner was backed in his non-political stand by Mrs. Miller. "I believe", asserted the Secretary of State, "the men on this force should be chosen from both major political parties, and solely for character, ability, and devotion to their job; also, they should not be subject to changes of political administration."<sup>69</sup> And as a result, in the actual selection of the patrol, the letter of the law as regards the political affiliation clause was fulfilled while the political angle was evaded: some of the men had no political affiliation; some had left theirs unexpressed; and only a few had revealed their party connections. Only the Commissioner knew the actual facts.<sup>70</sup>

Qualifications for the prospective patrolmen were set up by the Department according to standards comparable to those erected by other States. The law was silent on these particulars, specifying only that the appointees be citizens of Iowa, of good moral character, and not less than twenty-five years of age. Application blanks were furnished by the Department. These requested information on a variety of subjects, including age, height (a minimum of five feet

<sup>68</sup> Mr. Wallace, quoted in *The Des Moines Register*, May 19, 1935, p. 5. A similar view is expressed in a "question and answer" pamphlet distributed to men at the training camp, in which Mr. Wallace is quoted as saying: "If anyone attempts to discuss politics with you, ask your opinion, or get any statements, arrange to tell him that it means your job if you do. I am very frank to say that you will be fired within fifteen minutes after I am convinced that you actually have done any such thing. Now you may hear from a lot of people outside that this is a lot of hooley, but as long as I have anything to do with the department, there's not going to be any politics. If you would rather believe somebody outside rather than me, just try it and see how long you keep your job. We have one idea — to give Iowa the best highway regulatory program in the United States of America — and that doesn't leave any time for playing politics."

<sup>69</sup> Mrs. Miller, quoted in *The Des Moines Register*, February 3, 1935, p. 4.

<sup>70</sup> Personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, August 25, 1937.

ten inches was required), residence and citizenship, marital status, dependents, record of employment or occupation for the past five years and present occupation, experience tending particularly to qualify for duties of a patrolman, information as to experience as a law enforcement officer, experience in any United States service, experience as motor-cyclist, experience with firearms, use of intoxicating liquors or narcotics, charge or conviction by any court, education, and—most interestingly—two questions: “Why do you want to be a Patrolman?”; and “Why do you feel that you would make a capable Patrolman?” The application required a list of five references of the last two years or longer, must contain a full length photograph taken within three months of the date of application, and must be accompanied by a physician’s report of a physical examination.

With these data at hand the elimination process began, and about 200 men were chosen for personal interviews. The Secretary of State, the Commissioner, and the Chief held the interviews. The first was concerned with general devotion to the job, the second with the ability of the men to sell themselves, and the third with potential ability as officers. Following the interviews, a comparison of notes was made, and “almost invariably they were the same.”<sup>71</sup> Character references were then consulted. A requisite of the Department was that such references be high, and that no man should have appeared in court as defendant on a criminal charge. All questionable applications were thoroughly investigated by agents of the Department. Finally, written examinations were given. Ninety-two select men who qualified in all the stated requisites became eligible to attend the patrol training school at Camp Dodge, north of Des Moines.

<sup>71</sup> Personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, August 25, 1937.

Plans for the training school had been perfected by the Commissioner, the Chief, and his two assistants. Sergeant David R. Petersen of the Maryland State Police was employed as chief adviser for the camp. No particular existing State system was followed in the planning of the school, but the Chief had visited "a few" schools similar in purpose. Training was intended to teach the rudiments of safety crusading and to inoculate an evangelical spirit and morale. The instructors were traffic and patrol experts from Maryland and Michigan. Candidates were given intensive courses for seven weeks in first aid, physical culture, jujitsu, small arms, auto mechanics, motor vehicle law, court procedure, statutory law, and public relations, including courtesy.<sup>72</sup> From this group the final appointments were made. Only in the "final selection" were the "politics of the individual aspirants considered and only then . . . because of the statutory provision".<sup>73</sup>

In general these pioneer patrolmen, greatly to the credit of the Motor Vehicle Department and much to the enhancement of the prestige of the patrol, were high-caliber men. Their ability as patrolmen showed the practical success of the system under which they were appointed. The majority of the first fifty patrolmen were college graduates, many of them outstanding in State athletic circles. Many of the remainder had college work to their credit; and no appointee, in conformance with a departmental regulation, had less than a high school education. Marital status played no part in the selection.<sup>74</sup>

The new Highway Safety Patrol, smartly uniformed in

<sup>72</sup> *The Des Moines Register*, May 19, 1935, p. 5. "Most" of the subjects, declared Chief Hattery in a personal communication on June 28, 1937, were those incorporated in other schools in existence in the United States.

<sup>73</sup> *The Des Moines Register*, May 19, 1935, p. 5.

<sup>74</sup> Personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, August 25, 1937.

olive-drab, made its first tour of duty on the highways of Iowa on Sunday, July 28, 1935. The members were instructed to instill courtesy in motorists by being courteous to them and to paint vividly and unforgettably for them the consequences of such violations as ignoring a stop sign or passing a car near the crest of a hill.<sup>75</sup> The men were assigned to previously designated districts, and immediately entered upon the routine of their regular assignments.

Twelve motorcycles and thirty-seven automobiles<sup>76</sup> had been purchased by the Department for use of the Highway Patrol in the work of covering the 6000 assigned miles of highway. On each car appears the legend "Iowa Highway Patrol", and at night this is illuminated. Motorcycles and automobiles alike were radio equipped, with reception from 8:00 A.M. to 2:00 A.M. Twelve hour shifts were effected. In general, a policy was maintained whereby daytime shifts were worked by individual patrolmen—except in cases of emergency—and nighttime shifts were performed by men working in pairs, for greater safety.<sup>77</sup> Twenty-four hour "service" was maintained.

The primary function of the Highway Patrol, as had been stressed since its inception, was to increase safety on Iowa highways, and to reduce the number of automobile accidents in Iowa. All other duties have been made secondary to these. This function is suggested by the name. While violations are to be checked and warning cards or summonses issued therefor, disabled or otherwise stranded motorists are to be aided, and road obstacles removed, the deterrent effect of a systematic patrol upon bad driving

<sup>75</sup> Harlan Miller's *Iowa's Woman-Against-Death* in the *Ladies Home Journal*, October, 1935, p. 101.

<sup>76</sup> Records of the Department of Motor Vehicles.

<sup>77</sup> It was found that patrolmen were at a decided disadvantage when they attempted single-handed to apprehend more dangerous violators or criminals at night.

is the most eagerly sought objective. It is hoped that increased attention and safety mindedness of the motoring public may be achieved by the very fact of patrol activity on the highway—applied psychology is thought to be the real answer to the problem.

To aid the Patrol in awakening public interest — and in strict conformance with the Department's ideal — a system of voluntary citizen reports of instances of lawless driving had been introduced throughout the State. Citizens who by chance observed such violations were encouraged to report them to the Department. Two factors modified their action, so that the extreme "grouch" and vengeance seeker might be avoided. These were that each report must be attested over a notarial seal, and that the observer must consent to appear in court in the event of prosecution. For the first offense a tactful letter of reproach is sent the violator; for the second, a card is filed with the Commissioner of the Department and possible revocation or suspension of the driver's license may follow. Wholesale revocation is a trump card held in reserve for the psychological moment. The system was received enthusiastically by citizens interested in safety on the highways, and by October, 1935, over 10,000 such voluntary reports had been received.<sup>78</sup>

Another device set up by portions of the Patrol to better inculcate the principles of highway safety was a series of weekly traffic schools. In coöperation with various local units (the police department, the sheriff's office, and the judges) a weekly public hearing is held in various places for violators of motor vehicle laws. At such hearings rules are explained to violators, and questions are permitted from them and from the audience. The success of the experiment in Mason City was apparent from the fact that

<sup>78</sup> Harlan Miller's *Iowa's Woman-Against-Death* in the *Ladies Home Journal*, October, 1935, p. 101.

“there has never been a ‘repeater’ on the violation of a state law, and only one on a city ordinance.”<sup>79</sup>

Members of the Highway Patrol have always been available for talks in schools and churches, at local picnics, and before parent-teacher associations, chambers of commerce, farm bureaus, and other organizations.<sup>80</sup> The Department encourages such activity, in conformance with its policy of educating the public. In general, these talks explain why the Patrol was organized, how many men are on the staff and personnel, what their duties and obligations are to the State, and what the Patrol wants in coöperation from the public. Explanations of some of the road laws and safety regulations are also made.<sup>81</sup> By April, 1937, approximately 80,000 persons had been reached through the medium of the safety talks and the safety films presented. To March 20, 1937, the patrolmen made 439 talks in ninety-one counties, and presented safety films 462 times in seventy-one counties, with an average attendance of 100. These were before grade and high schools, both town and rural, chambers of commerce, American legion and auxiliary groups, business and civic organizations, women’s clubs, and similar groups.

The Department believes that the Patrol is judged by the actions of its men. To improve its position with the public and to further sell the Patrol to the citizens of Iowa, it has set out certain standards and objectives to be maintained. These include a pleasing, neat, and clean personal appearance, undivided loyalty to the Patrol and a devotion to its work, and a courteous attitude toward and friendliness with the public.<sup>82</sup> A reputation for integrity and high

<sup>79</sup> *The Highway Patrolman*, February, 1937, p. 1.

<sup>80</sup> *The Highway Patrolman*, December 15, 1935, p. 2.

<sup>81</sup> *The Highway Patrolman*, April, 1937, p. xvi.

<sup>82</sup> *The Highway Patrolman*, January 15, 1936, p. 3.



standards of performance is maintained by the policy that not a single summons is to be "fixed"; and in two and a half years of operation none has been so treated for anyone, "no matter how important he may be."<sup>83</sup>

Patrolmen are furnished with uniforms and accessories, including a revolver, as a part of their standard equipment. Vehicles are furnished for their use in patrol work, and expenses for the care of these vehicles is paid for by the Department; but individual patrolmen are responsible in case of accident unless such accident occurs while in actual pursuit. Regular shifts of twelve hours have been instituted by the Department; but all patrolmen are subject to call during the full twenty-four hours, and overtime working hours are sometimes necessary.<sup>84</sup>

The patrolmen are by law allotted two weeks vacation in every year's service, but they were deprived of this period in 1936, because of a shortage of men and an accumulation of work. Special general vacations are, however, granted on occasion, such as on Christmas day — and motorists are left "on their honor". No patrolman has been dismissed from service, but suspensions are not unknown and a few resignations have occurred from time to time.<sup>85</sup>

Report sheets are handed in daily by each patrolman. These form the basis of all statistics of the Department regarding the actual accomplishments of the Patrol. They include information as to violators, vehicles, and disposition of cases; weather and road conditions; miles traveled,

<sup>83</sup> *The Des Moines Register*, December 10, 1937, p. 8.

<sup>84</sup> On special occasions this overtime work becomes very apparent. A good — and typical — example of such occasions is New Year's Eve. Moreover, when the Patrol becomes short-handed, due to injuries or resignations, it is sometimes found necessary to impose added hours on those remaining. Overtime periods vary, under these conditions, from one to six hours on the average.

<sup>85</sup> These resignations have usually been made by newer and younger members of the Patrol who had found other positions to which they were more attracted.

motorists aided, and obstacles removed; and a variety of less important information. In addition a special motor vehicle accident report is made for every accident investigated. These include a great amount of detailed information as to all conditions involved.

A summary of the statistics of the actual work of the Patrol from August, 1935, to August, 1936, reveals that 2,116,385 miles of highway were traveled, during which 15,728 summonses were issued, 36,926 warning cards were sent out, 27,939 motorists were aided, and 11,737 road obstructions were removed.<sup>86</sup> For the twelve months following, until August, 1937, a similar record was displayed. There were 2,234,521 miles of highway traveled, or an increase of 118,134 miles. There were 15,264 summonses issued, or a decrease of 464, perhaps indicating a growing consciousness on the part of the public of the presence of the Patrol. Warning cards were sent to 37,580 motorists, an increase of 654. There were 29,280 motorists aided, an increase of 1341, and 12,376 road obstructions were removed, an increase of 639.<sup>87</sup> It must be noted that these records are comparable inasmuch as the increase of the Patrol in 1937 did not actually occur until the last month of the second period.

Winter camp was held at Fort Des Moines on February 16-29, 1937.<sup>88</sup> "Refresher" courses were given attending members. Both the Secretary of State and the Commissioner gave talks on the function of the Patrol, and members themselves discussed various aspects of their work. Other related functions were outlined by O. C. Gaumer of the index department, Earl Pahl of the bookkeeping department, Ed Murray of the drivers' license division, and

<sup>86</sup> Records of the Motor Vehicle Department.

<sup>87</sup> Records of the Motor Vehicle Department.

<sup>88</sup> *The Highway Patrolman*, March 15, 1936, p. 5.

Gene Brown, chief engineer of the Iowa police radio system. Forty of the fifty-two men attending the camp received satisfactory ratings.

From the beginning, districts had been designated to which the patrolmen were assigned. These districts vary in size, depending on the number of highways and the volume of traffic in each. Those that are larger or have heavier traffic contain sub-stations. Neither the districts nor the sub-stations, however, are regarded as permanent; both are subject to change as conditions warrant. Assignments, too, are temporary. A transfer policy was inaugurated in the beginning whereby men are reassigned to different districts every six or nine months. This transfer policy is designed to eliminate any possible embarrassment to either the patrolman or the citizen resulting from a friendship incurred by an extended close relationship. In the same manner, patrol routes are varied intermittently, so that no dependence can be placed on a patrolman's being or *not being* at a designated spot at a given moment.<sup>89</sup>

The peace officer function of the Patrol is relegated to a secondary position, even though it plays a very important part in the actual work performed. Several factors are probably involved in this situation.<sup>90</sup> First, it is assumed by the Department that no patrol could ever have been established in Iowa, due to the opposition of labor and farm leaders and of the organized sheriffs of the State, unless its functions were limited to the highway enforcement problems. Secondly, there is no justification, in the opinion of the Department, for making policemen out of patrolmen. Thirdly, the Department believes that there is a place in Iowa for the sheriff, that he is competent to handle

<sup>89</sup> Personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, dated August 25, 1937.

<sup>90</sup> The inference of these factors was personally communicated by Horace Tate, Deputy Commissioner of the Motor Vehicle Department, August 25, 1937.

most criminal situations in the State, and that, since a State police force would act to eliminate his importance, the sheriff's functions must be altered as little as possible. And fourthly, the principal thought of the Department is that there is not enough crime in Iowa to justify a State police force under the prevailing conditions.

Outstanding accidents and increasing accident-death figures serve, moreover, to bring the safety function more and more to the fore. To illustrate, a school bus-train collision occurred at Mason City on October 22, 1937. Three adults and ten children were killed and eighteen children were injured. A State-wide shock crystallized in a statement issued by the Governor. Declaring that the highway patrol duties, fixed by law, reach into many fields, he demanded that functions not directly connected with highway safety be relegated to the background and the entire attention of the Patrol be devoted strictly to highway safety.<sup>91</sup>

The Patrol is, nevertheless, active in a certain measure of criminal law enforcement. The efficiency and alertness of its members in apprehending fleeing criminals through radio warnings deserve commendation. And the patrolmen have not neglected their potential influence in this field. The presence of the Patrol cars at night on the streets of Iowa towns and on the highways no doubt acts to restrain possible lawlessness and to protect farmers and businessmen.<sup>92</sup>

Such an important function as law enforcement can hardly be evaded, but the fact that no reports are published by the Department on the police activities of the Patrol is due to the expressed desire of its administrators to "soft pedal" the function, to keep the patrolmen free from the competitive spirit that it is thought would ensue if such

<sup>91</sup> *The Des Moines Register*, October 24, 1937, p. 8.

<sup>92</sup> *The Highway Patrol*, November 15, 1935, p. 11.

records were maintained, and to keep the Patrol out of movements to secure the payment of fines and licenses for the sake of the money to be thus secured.<sup>93</sup> An indication of this work, however, can be gained by a systematic search of the monthly publication of the Patrol Division, *The Highway Patrolman*.<sup>94</sup> It is unfortunate, however, that complete records are not made public. Only thereby can an accurate estimate be made by the people of Iowa of the value of the Patrol in this field.

So far as is ascertainable, the major portion of the criminal work is concerned with the recovery of stolen cars and other articles, and the apprehension of fugitive men and women, runaway boys and girls, and, occasionally, specifically designated criminals. One patrolman has been killed in the performance of this portion of the patrol work. This was Oran Pape who on April 29, 1936, while patrolling the road between Davenport and Muscatine, stopped a car bearing a license plate which indicated it had been stolen. The occupant of the car, a fugitive criminal, shot the officer, but was himself killed by the dying patrolman. Pape's death emphasized the advantage of having two men in each patrol car.<sup>95</sup>

That this part of the work of the Patrol is not unduly discouraged nor entirely unexpected by those most seriously affected — the county sheriffs — is evidenced by an editorial sponsored by the Iowa State Sheriffs' Association:

<sup>93</sup> Personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, dated August 25, 1937.

<sup>94</sup> This publication consists of from twelve to sixteen mimeographed sheets. It was first issued November 15, 1935, as *The Highway Patrol*, and has since that time continued as *The Highway Patrolman*. Whether or not the publication contains a complete list of "pickups" could not be ascertained. The point is immaterial. The fact remains that the material that is offered is very indicative of both what is and what can be done.

<sup>95</sup> *The Highway Patrolman*, April, 1937.

"In addition to their highway patrol work they will be a valuable asset to Iowa in case of major crimes . . . they present a problem worthy of major consideration by the hoodlum who seeks to drive his car over Iowa highways to a safe haven in an underworld hideout.

"The sheriffs of Iowa welcome this new unit into service and stand ready to render them full cooperation."<sup>96</sup>

On January 10, 1937, the second winter camp of the Patrol was opened at Fort Des Moines.<sup>97</sup> Classes were held in accident investigation, driver's license work, first aid, public relations, strategy in handling people, marksmanship, jujitsu, and public speaking. The camp was visited by Colonel Casteel, of the Missouri State Patrol, who sent Sergeants Poage and Snedaker and Patrolman Kinder to take the course during the second week. The Minnesota State Patrol was represented by Captains Potvin and Dougher.

The act of the legislature in 1937 authorized an increase of seventy-five men. The appointing procedure followed strictly the methods employed in 1935. From 1500 to 2000 applications were filed; selections were made for interviews; and finally seventy-one men were admitted to the training school.<sup>98</sup> From seventy-one, fifty selected men became probationary patrolmen, the determination being made on grades accorded in the training school courses. The remainder, if passed, were placed on reserve, to be

<sup>96</sup> *The Iowa Sheriff*, August, 1935, p. 121. *The Des Moines Register*, October 16, 1937, p. 4, commends the Patrol upon its work in this field in these words: "the fact is that the state highway patrolmen are constantly making . . . arrests without any public hubbub at all . . . Yet a part of the training given patrolmen is calculated to prepare them for this very function, and the citizens of Iowa ought not to be entirely ignorant of the constant alertness of the patrol merely because the officers' names are seldom emblazoned on the front pages."

<sup>97</sup> *The Highway Patrolman*, January, 1937, p. 1.

<sup>98</sup> Personal communication from Chief Hattery, dated June 28, 1937.

called upon in the event of the death, resignation, or removal of regular patrolmen.

In addition to these applicants, eighteen men and two sergeants, former members of the Drivers' License Division transferred by the act of 1937 to the Patrol also took the course. These men were counted a part of the authorized increase of the Patrol. After the training period they were then assigned to the Drivers' License Division for work as license examiners. Such assignments are not permanent, however, and men may be and frequently are shifted from regular patrol work to license examinations or from license work to general patrol duties.<sup>99</sup>

A second training school was held at Camp Dodge, for seven weeks beginning on June 12, 1937. Ten instructors appointed by the Motor Vehicle Department were in charge of classes. The increased curriculum consisted of first aid, accident investigation, public relations, strategy in handling people, short course in public speaking, patrolling, marksmanship, drivers' license, motor vehicle laws, conduct of an officer, court instruction, jujitsu, motorcycle instruction, conduct on witness stand, and radio. The several changes were made because the experience and actual work of the Patrol showed the necessity for the new courses.<sup>100</sup> The training is general in relation to the duties of an officer, and special in relation to patrol work.

Hours of training in the school were long and arduous from 5:30 A. M. to 10:00 P. M. daily except Saturday afternoons and Sundays. Each man received \$40.00 per month while in training. Roughly, over one-half of the appointed men have "had some college work", and "quite a few"

<sup>99</sup> This part of the work of the Highway Patrol is discussed in an article by M. G. Bodine which will appear in an early number of *THE IOWA JOURNAL OF HISTORY AND POLITICS*.

<sup>100</sup> Personal communication from Chief Hattery, dated June 28, 1937.

were college graduates; but the total of college trained men was not as high as in the former group.<sup>101</sup>

Since the inauguration of the enlarged patrol, a system of ten districts with headquarters at Des Moines, Oakland, Denison, Cherokee, Fort Dodge, Mason City, Cedar Falls, Cedar Rapids, West Liberty, and Ottumwa, have been set up. In seven districts there are one or two sub-stations. Each district is in charge of a sergeant who supervises the men assigned to the area.

Operating costs of the Patrol are included with the total operating costs of the entire Motor Vehicle Department and no accurate computation can be given of the cost of operating the Patrol unit proper.<sup>102</sup> Total expenditures of the Department<sup>103</sup> were \$353,258.92 for the year ending December 31, 1935. Salaries accounted for \$99,887.66, of which patrolmen were charged directly with \$34,479.85. Patrol equipment was directly debited with \$10,065.85. Other departmental expenses in which the Patrol probably shared most heavily were: traveling expenses, amounting to \$33,427.25; new automobiles costing \$13,379.40; new motorcycles costing \$4,415.76; and radios and sirens costing \$4,535.50.

<sup>101</sup> Personal communication from Chief Hattery, dated June 28, 1937; personal communication from Horace Tate, Deputy Commissioner of the Motor Vehicle Department, dated August 25, 1937.

<sup>102</sup> It is to be regretted, from the viewpoint of a student of administration, that this policy has been maintained. In all fairness to the Patrol, it must be admitted that the law authorizes that expenditures be paid from the Department funds. Further, it must be admitted that the relative newness of the Patrol and its presumable insecurity in the administrative organization of the State agencies might conceivably influence the Department to wish to "soft-pedal" costs until a greater stability has been secured. Nevertheless, there probably should be a departmental breakdown of operative costs, if for no other reason than to secure an accurate picture of that side of the Patrol. If such a breakdown exists, the writer was unable to find material on it or to secure admission of it.

<sup>103</sup> All figures for both 1935 and 1936 were taken from *Budget Report, State of Iowa, 1937*, p. 131.



Total expenditures for the Department for the year ending December 31, 1936, were \$400,709.44. Salaries accounted for \$135,493.12, of which patrolmen were directly charged with \$65,518.39. Other expenses in which the Patrol probably shared heavily were: traveling expenses amounting to \$61,919.27; and new automobiles costing \$19,210.53. Increases were undoubtedly due to the increase in the size and work of the Patrol.

The Patrol coöperated wholeheartedly with the law enforcement officers of Iowa in the conduct of the State's first peace officers' short course, offered at the State University of Iowa, Iowa City, on July 19-24, 1937. The course was sponsored jointly by the University College of Law, the Iowa State Sheriffs' Association, the Iowa League of Municipalities, the Iowa Association of Chiefs of Police, and the Iowa Bar Association. A faculty of nineteen administrators and workers of law enforcement and related fields presented the six-day course. The Patrol Chief gave a lecture upon highway safety, and members of the Patrol demonstrated tricks of personal combat and jujitsu.

#### CONCLUSIONS

During the year 1933, there were 13,268 accidents in Iowa which brought death to 546 and injury to 13,623 persons.<sup>104</sup> The automobile accident problem, already a major issue, was rapidly reaching a crucial stage. Enforcement of the motor vehicle provisions of the law was more and more recognized as being beyond the capacity of local officers. In 1934, during the period of the pre-patrol inaugurated by Mrs. Miller, a decrease in accident figures served to emphasize this belief. Automobile accidents decreased to 11,011, deaths to 544, and injuries to 11,423.<sup>105</sup> Partly as a

<sup>104</sup> *Motor Vehicle Accidents*, 1934.

<sup>105</sup> *Motor Vehicle Accidents*, 1934.

recognition of the deterrent effect of such a group, the actual patrol was established in the following year, 1935.

In 1935, 10,335 motor vehicle accidents were reported in Iowa, causing 575 deaths and injuring 10,196 persons.<sup>106</sup> While fatalities had increased, the total number of accidents and injuries had lessened. And this was true despite the fact that automobile registration and gas mileage had both shown big increases. Fatalities were 526 in 1936, and 571 in 1937, despite the increased personnel of the Patrol late in that year.<sup>107</sup>

Nevertheless, a remarkable improvement in the degree of safety has been achieved. Because still further improvement is quite possible and highly desirable, this statement is not calculated to justify any complacency or satisfaction with the present record. It but serves to emphasize the magnitude of the problem. Moreover, it shows the recognition of a need for additional study of the actual patrol problems, coupled with more energetic effort to satisfy that need. The time of the present members of the Patrol available for highway duty is crowded, making adequate follow-up of cases less likely and allowing less application than might be made of material gathered in the records obtained as a result of actual field activity. This is not derogatory to existing personnel or administration; it refers largely to the inability of an organization to do a job too big for its numbers.<sup>108</sup>

<sup>106</sup> *Motor Vehicle Accidents*, 1935.

<sup>107</sup> Records of the Motor Vehicle Department.

<sup>108</sup> That this condition is not unusual among the States is evidenced by the *Report to Congress on Study and Research of Traffic Conditions and Measures for Their Improvement*, June 30, 1937, p. 28, in which the following statement appears:

“It is obvious . . . that the personnel of the patrol organizations in more than half of the States is wholly inadequate to effectively patrol the highways and enforce the traffic laws, particularly in view of the fact that the States which have the smallest patrols are among the larger States in area. The

It may, therefore, be concluded that the present administration of highway safety work in the field is in general to be commended. The Patrol has justified its existence. Its ideals are high, and in general every effort is made to accomplish their fulfillment. Personnel, however, is restricted to a degree that may properly be said to hamper the activities of the Patrol; probably the personnel should be at least doubled. As for the clerical administration, great improvement is possible. Records showing more completely the work of the Patrol, especially in the criminal field, and particularly records showing expenditures and unit costs, should be available.

Furthermore, in the interests of sound integration, it would seem that the Motor Vehicle Department should be removed from the office of the Secretary of State. There appears to be no valid relation between the duties of the secretarial officer of the Commonwealth and the enforcement of the motor vehicle law. Probably the Highway Patrol would be better integrated in some form of safety bureau connected, probably, with the Bureau of Investigation.

In addition to the enforcement of the motor vehicle laws in the interest of safety on the highways, now the chief function of the Iowa Highway Safety Patrol, at least four problems of law enforcement face the States. One of these is the protection of citizens against criminals; another de-

effectiveness of such organizations . . . is further diminished . . . by the fact that they are charged with the enforcement of numerous laws which have no relation to highway safety."

Nevertheless, opinions vary as to the desirability of large patrols. Governor John Hammill, in his message to the Iowa legislature in 1931, gave as his opinion that "Largely speaking, our traffic laws are reasonably adequate . . . [and] our real need is for the enforcement of the traffic laws we now have. This can be done in a proper manner only by a state motor traffic police organization . . . Such . . . organization need not necessarily be large. An efficient, well-trained force of about thirty men should be able to handle the problem at this time . . . The mere fact that the state had such a force, and that a traffic officer might appear on any primary road at any time, would be a most powerful and beneficial influence."—*Journal of the Senate*, 1931, p. 69.

velops from economic or social tensions between groups of citizens or between a group of usually law-abiding citizens and local authorities; a third arises in time of public catastrophes such as storms, floods, fires, or earthquakes; and a fourth involves the administration of State regulations, such as pure food laws. In all of these fields a State police force would function acceptably.

Law enforcement in Iowa is entrusted to 99 sheriffs, 99 county attorneys, 99 coroners, about 800 constables, some 63 police chiefs, and about 850 town marshals. Most of these are elected and each one is practically independent of the others. State administration of law enforcement is scattered among the Governor, the Executive Council, the Department of Justice, the Motor Vehicle Department, the State Fire Marshal, the State Commerce Commission, the Department of Agriculture, the Conservation Department, the Treasurer's office, the Liquor Commission, and others.<sup>109</sup>

Most important of the problems assigned to these agencies is the prevention and punishment of crimes such as kidnaping, bank robbery, theft, hold-ups, murder, rape, arson, and similar crimes. Any of these may be committed in one county by a person or persons from other counties (or from outside the State), and the criminals usually flee into still other counties or leave the State, to dispose of the stolen property. In some cases organized gangs terrorize rural communities, stealing cattle, hogs, or chickens or holding up banks and service stations. In handling these crimes<sup>110</sup> the local law enforcement officers are at a disad-

<sup>109</sup> For an extended discussion of these points of law enforcement in Iowa, see the *Report on a Survey of Administration in Iowa*, prepared by the Brookings Institution, Ch. III, pp. 90-125.

<sup>110</sup> Criminal statistics based upon prosecutions or, more especially, upon commitments to institutions can hardly be regarded as true indications of crime rates. Such statistics are dependent in large part on other indeterminable

vantage and a State-wide organization with more complete equipment than a single county could provide would be more efficient.

Iowa has seen a number of situations in which friction between two elements of a community or between a group of citizens and law enforcement officials has necessitated the use of the National Guard to preserve public order. One of these was the so-called "Cow War" of 1931.<sup>111</sup> In 1932 and 1933 the farm "strikes" and the attempts to prevent the sale of foreclosed mortgaged property brought about martial law in Plymouth and Crawford<sup>112</sup> counties and in other sections as well. Strike duty, such as the mobilization at Ottumwa in 1921 and at Newton in 1938, are other examples of this problem. The use of the National Guard is, of course, expensive, and in most cases of this kind the use of State police would seem to be advisable.

factors, such as efficient enforcement, efficient prosecutions, and, among others, surety of justice.—See Perkins's *Iowa Criminal Justice* in the *Iowa Law Review*, Vol. XVII, No. 1, May, 1932, pp. 1-136; Burrows's *Criminal Statistics in Iowa* in *University of Iowa Studies*, Vol. IX, No. 2; Iowa State Planning Board's *Crime and Delinquency in Iowa* (in manuscript); and *The Biennial Reports of the Attorney General*.

*The Iowa Sheriff*, August, 1935, p. 12, speaks of the Patrol as presenting "a problem worthy of major consideration by the hoodlum". On the occasion of the annual meeting of the county attorneys of Iowa, at Des Moines, *The Des Moines Register*, December 17, 1937, p. 6, bears an account that "the county attorneys . . . went on record favoring expansion of the Iowa highway patrol, both in power and personnel."

An editorial in *The Iowa Sheriff*, November, 1935, pp. 8-10, discusses this attitude in great detail. The editorial expresses opposition to "any asinine theory which would turn all law enforcement activities over to such units and seek to discontinue the sheriff's office as it now exists in Iowa."

<sup>111</sup> See current newspapers of Iowa for the period for varied accounts. Walter Davenport records the highlights of the whole incident in an article entitled *Get Away from Those Cows* in *Collier's*, February 27, 1932, pp. 10, 11, 44, 46.

<sup>112</sup> *Biennial Report of the Adjutant General*, 1932-1934, pp. 8-11; records in the office of the Adjutant General at Des Moines. See also current newspapers of Iowa for varied accounts and *News-Week*, May 6, 1933, p. 9, May 13, 1933, pp. 6, 7.

Such disturbances, regrettable as they may be, are due to difficulties in administering social justice and not primarily to anti-social attitudes.

Labor unions have generally disapproved of such an organization,<sup>113</sup> but the national labor organizations often take no definite stand. "The CIO supports effective measures for impartial enforcement of justice. The CIO objects vigorously to the use of law enforcement agencies to destroy the rights of workers to collective bargaining and organization."<sup>114</sup> The Iowa branch of the United Mine Workers of America, affiliated with the American Federation of Labor, states that "the Mine Workers' experience with state police . . . has been such that we are absolutely opposed to the establishment of any state police system."<sup>115</sup>

The third contingency — public catastrophes such as storms, floods, and fires have seldom required more than the coöperation of citizens and local authorities. Only once in Iowa has the organized militia been called out to assist in such cases. In 1936 the Governor sent a National Guard unit to Remsen for the three days of July 5-7, during a conflagration.<sup>116</sup> Such occasions require only an orderly administration of emergency measures and State police would function admirably in such work.

It would seem, then, that for efficient law enforcement the agencies of the State should be unified, at least to a

<sup>113</sup> For a discussion of this phase of the problem, see Anderson's *State Police Systems in the United States*, a manuscript thesis at the University of Minnesota, and Millsbaugh's *Crime Control by the National Government*, p. 5.

<sup>114</sup> Personal communication from Ralph Hetzel, Jr., secretary to Chairman John L. Lewis, of the Committee for Industrial Organization, November 5, 1937.

<sup>115</sup> Personal communication from Frank Wilson, president of District No. 13, U. M. W. of A., dated October 19, 1937.

<sup>116</sup> Records in the office of the Adjutant General at Des Moines.

greater degree than at present, and some form of leadership and assistance in crime control should be offered the local government units. There are many questions as to how this should be done. Should Iowa combine the Bureau of Investigation and the Highway Patrol into a single unit and add to the new organization certain duties? Or is it preferable to keep the highway patrol work separate and maintain a separate organization for other police work? The former plan would appear to be the more efficient and economical. On the other hand, democratic governmental agencies must grow out of a popular demand and must consider popular prejudices and suspicions.

Another question concerning the future of the Highway Patrol is who should be in charge. Students of administration<sup>117</sup> generally agree that, in theory, a well-organized State police system should be integrated in the office of the Attorney General, who is in fact the chief law enforcement officer of the State, but they likewise agree that since the Attorney General is an elective officer and therefore independent of the other administrative branches, such a State police force should probably be created as an independent department under the direct control of the Governor. As supreme executive officer of the State, it is his duty to "take care that the laws are faithfully executed," but he has actually at his command no adequate enforcement agency.<sup>118</sup> Hence, it seems that such an agency as the State police, if established, should be placed under the supervision of the Governor.

In the meantime, the Iowa Highway Safety Patrol per-

<sup>117</sup> For a discussion of this point see Porter's *State Administration*, pp. 95-97.

<sup>118</sup> For an account of criminal law enforcement by the State of Iowa see Shea's *History and Administration of the Iowa Bureau of Criminal Investigation* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXIV, pp. 262-311.

forms its function of making the roads as safe as possible for citizens of Iowa and for truckers, tourists, and all others who use the roads of Iowa. In view of the loss of life, the injuries, and the property loss which result from accidents on the highways, this work is sufficiently important and worth while to justify the maintenance of the organization. Only the future will of the people of Iowa can decide whether it is to maintain its separate and limited status under the supervision of the Secretary of State or be merged in a larger law enforcement unit under the Governor, the Attorney General, or a department of public safety.

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