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## Briefer Contributions: Sheriff Tries Crime Prevention, A

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privileges and comfort. As an illustration, a boy upon his admission to a Borstal institution does not receive a regular bed. He sleeps on a plank bed, elevated a few inches from the floor, and covered with blankets. In the same dormitory in which he sleeps he will see other boys who have advanced through the various grades sleeping in regular cot beds. He is made to realize that those things which are representative of privilege and comfort in the institution are to be earned as a result of endeavor on his part. In American institutions, usually, the maximum of whatever physical comforts the institution has to offer is given at the start, and newcomers are deprived only of such privileges as letter writing, visits, etc. In the English institutions of course visits and letter writing privileges are also restricted at the start.

## XV

### *After Care*

In Holland, England, and parts of Germany, the government gives financial aid to organizations caring for those released from institutions. It is recognized in these countries that many times the released prisoner finds it difficult to adjust himself because of employment conditions, suspicion on the part of the public, or home or neighborhood conditions. Organizations doing this work are given the fullest cooperation by the government, and are not required to depend solely upon the sympathy and interest of a relatively small number of the population for financial support. Their service is recognized as necessary and important, and in the interest of public protection.

## XVI

### *Prison Visitors*

England has the unique system of allowing selected citizens to make contact with the inmates of the prisons, in accordance with certain regulations. All persons so selected have been highly recommended by responsible people in the community and have received the approval of the Home Office. Each visitor is allowed not more than ten prisoners, with whom he may make weekly personal contact. Visits are made in the prisoner's cell, and conversation is permissible on all subjects except politics and religion. Prison officers are not present, and the prison visitor goes from cell to cell, unlocking doors himself. The visitors keep the prisoners in touch with the outside world. They endeavor to arouse in them wholesome thoughts and a broader and better view of life. Subsequent to release, so far as is practicable, contact between these men and the visitors continue. This is an exceedingly liberal system, and is a further proof of the erroneous impression that the English prisons are places with an unvarying standard of severity of treatment.

### A SHERIFF TRIES CRIME PREVENTION

GERALD CRESS<sup>1</sup>

"It is worth more to humanity to reduce the number of crimes than to reduce the dread sufferings of criminal punishment."

Enrico Ferri.

Seven years ago on the second day of January, the writer, having been legally elected sheriff, took an oath to support the Constitution of the United States and the Constitution of the State of Iowa, and to

<sup>1</sup>Sheriff, Mason City, Iowa.

faithfully and impartially, to the best of his ability, discharge the duties of the office of sheriff as then or thereafter required by law.

I was absolutely without experience as a peace officer. I had taught school, played semi-professional baseball and worked at odd jobs during the summer months, gone to college until the World War interrupted, served overseas, worked for the United States in the Internal Revenue Department, practiced as a Public Accountant, and now I was taking up the duties as the chief law enforcing officer of a county of approximately thirty-six thousand population. Later, I found that my training came up to the accepted standard required by the voters of our country. Special experience and training were not required nor expected.

The duties of a sheriff were clearly defined by the Iowa Code; viz: "to ferret out crime, to apprehend and arrest all criminals, and in so far as it is within his power, to secure evidence of all crimes committed, and present the same to the county attorney, grand jury, mayor or police courts, and to file information against all persons whom he knows, or has reason to believe, to have violated the laws of the state . . ."

A study of the Codes of the various States reveals a similarity in defining the duties of the sheriff. Among my fellow peace officers then, and even now, I found that it was the general understanding that the sheriff was not expected to employ his official position until a crime had been committed. Then it was his duty to secure the evidence, apprehend the criminal, present the evidence to the county attorney or grand jury, act as witness at the trial and, finally, after

numerous delays from the time of the perpetration of the crime to the affirmance of the sentence by the Supreme Court, to conduct the defendant to the state penitentiary.

Enthusiastic about my job, and working hard, I secured evidence against almost every type of criminal, from bootlegger to murderer and, furthermore, my evidence was used to convict them. In the years since my election the State has never lost a criminal case in our district courts where the evidence was prepared by our office. I had one deputy who worked with me on criminal work, one deputy for the civil processes and an office deputy who did the clerical work. Upon entering the office of sheriff neither I nor my deputies had any acquaintance whatsoever with the criminal element or underworld. I had appointed an entirely new force. There were slack times when crimes were not committed and there were times when crimes would be of daily occurrence. Every one called the latter "crime waves." The remedy was declared to be found in catching the criminal and "putting him away," but we learned that the apprehension and conviction of the criminal did not stop crime.

For two years I pondered over the problem of my county and finally came to the conclusion that the criminal did not have much to worry about. If a criminal committed a crime there was little to worry about. He was either caught or he wasn't caught. If he wasn't apprehended there was no need to worry; but, suppose he was caught, still there was little to worry about. He could demand a preliminary hearing immediately for the purpose of determining whether or not there was sufficient evidence to bind

him over to the grand jury. If there wasn't a sufficiency of evidence, he was released. If he was bound over, still there was little to worry about because his bond was set to insure his appearance to await the action of the grand jury, and there was always the friend whose assets were mortgaged for more than their cash value, or who was judgment proof, who was ready to sign for a stipulated sum. Perhaps the defendant couldn't "make" bond. Still there was small need to worry. He had to go to jail—three meals a day, good food (and it is good), hot and cold showers, modern conveniences, no work, playing cards and shooting craps enlivened by the proceedings of the Kangaroo Court and the Salvation Army on Sunday.

The grand jury either indicted or didn't indict. Suppose it did indict, still there was no need to worry about that. The accused would be arraigned, bond would be set and once more his friends would have the opportunity to prove their loyalty. If the "loyalty" was not forthcoming, he returned to jail to await in ease and idleness his coming trial. Often the press played up his case and he suddenly found himself the center of attraction in his community. If the crime which he had committed had been a particularly atrocious one, such as murder, he became to a degree the object of envy of his fellow prisoners.

Suppose he had no funds with which to hire an attorney. The State was very good to him and usually furnished to him a lawyer of his own choice. So there was no worry on that score.

The date of trial was set at the next term of court. With us, that phrase, "the next term," is certainly a misnomer, because in numerous

criminal cases such a term never existed. Perhaps public sentiment was against the accused. Well, he had the right to a change of venue to an adjoining county where he was unknown and there he could have a fair trial. He had his lawyer and he had been furnished with a copy of the indictment containing a list of the names of the witnesses of the State and the substance of the testimony to be used against him. The defendant often is amused when he finds out that it is not necessary for him to acquaint the State's Attorney with the names of his witnesses or the substance of their testimony. It is like playing poker with a mirror behind one's opponent.

Now, suppose the defendant was accused of murder and finally, after all the continuances, change of venue and other delays, the day of the trial arrived and the selection of the jury began. All the evidence had been introduced, the instructions had been given by the presiding judge, and the case had been turned over to the jury and it had been locked up to consider the evidence and bring in a true and lawful verdict. Here in our state there are three degrees of murder—first, second and third, or manslaughter. The jury not only must find the defendant guilty of murder, but must also determine the degree. Frankly, it has been a wonder to me that juries have ever agreed on anything. Why should they be expected to agree? The accommodations were poor and many a jury found a verdict in winter because a warm bed and fireside awaited its members at home. The defendant is well taken care of and he is not worried about the plight of his jury.

Perhaps the jury found him

guilty. Perhaps not. If not, there was little to worry about. If he was found guilty, he still had the right of appeal to the Supreme Court and if he had been proved guilty of first degree murder and sentenced to be hung, according to law, they couldn't hang for one year, and, well—anything might happen within a year—a commutation of sentence, a reversal by the Supreme Court, a new trial, and, of course, there is always the chance of escape.

But, suppose that after the Supreme Court had affirmed the decision of the district court, and the year had passed and he finds himself standing on the trap door, his hands tied behind his back, a black hood over his head and a noose around his neck. A signal, the trap is sprung, and the defendant launches into eternity. His debt to society has been paid with his life. It is all over. He couldn't worry now, even if he wanted to.

After watching trial after trial, the bickerings of the attorneys, the sobs of the mother, wife or sister of the defendant, I came to the conclusion that *it was better for the individual, better for society, and cheaper for the taxpayer, to prevent crime, rather than to wait until the crime had been committed, and then apprehend the criminal and convict him.*

*But what did the Code say about the prevention of crime? Nothing!* There were various sections for appropriating money for the apprehension of criminals after a crime had been committed, but not one cent for crime prevention.

We have a cosmopolitan population in our county: Greeks, Bulgarians, Austrians, Italians, Mexicans and Chinese; all with their racial prejudices and hatreds, some

naturalized but for the most part just plain foreigners. They had their gambling dens, their speak-easies, and their houses of prostitution. These were the sources of graver criminal offenses. They had been running more or less openly. I began to raid gambling dens, load my car full of habitués, and take them before a judge, and then I watched them take their ten dollar fines. They laughed at me in each instance, but I persisted. With the assistance of local and federal police officers, these enemies of law and order soon found out that they could not operate in a wide open fashion. The gambling fraternity learned that our county seat of twenty-five thousand was not an "easy spot." Constant and unceasing interference with their activities soon drove them out.

We had had several murders by Mexicans. These people come into our county every spring to work in the beet fields from May until October, and then they spend the winter months in the city. We require Mexicans to check in their guns every fall, when they come to town, and we are very active in prosecuting those who do not comply. They invariably get a three-year sentence. The result has been a complete success and murders by Mexicans now are unknown.

In studying the various homicides in this vicinity, I found that many sources still existed. I found family quarrels, jealousies, as well as the sources mentioned above, to be quite prominent factors in this type of crime, and immediately I interested myself in this sort of domestic difficulty. As soon as it was found out that the sheriff was willing to interest himself impartially in domestic difficulties, I was busy with interviews. It is impossible to

enumerate the various family difficulties which have been settled through our office. I was more like a Judge of Domestic Relations, and I found that many married couples, if they had the opportunity to tell their troubles to some person in whom they both had confidence, soon patched up their difficulties. Husbands and wives have repeatedly called at my office and asked me to assist them in framing their mates, by catching them in compromising situations and thus "scaring" them to go along the straight and narrow path. This method of procedure never appealed to me, and I always refused. However, I was able to talk with them in such a manner that usually by the next day I had both man and wife in my office, listening first to one side of the problem and then to the other, though in many cases with "violent interruptions." In some cases the matter ended in the divorce court, but they were the exception rather than the rule.

Another source of homicide was in the cases where young girls had been betrayed by fanciful lovers, and the girls' relatives would seek revenge. Many such cases go through my office, and much has been accomplished through giving advice and counsel to angry and vengeful relatives.

At the present time we do not have a police matron working in conjunction with the city police, neither do we have a probation officer, and all the duties thereof have fallen to my office. I found that instead of waiting for trial and building the case, that by talking to the defendant and showing him my evidence, generally he was willing to plead guilty. If I thought he deserved a parole from the bench, I so told the county attorney

and asked him to include his recommendation along with mine. If he didn't deserve a parole, I influenced him to "take the rap" and get started serving his time in the penal institution.

I found that such a program of preventing crime called for the greatest activity on the part of myself and my deputies, but I found that the citizens of the county responded. They wanted someone in whom they had confidence and to whom they could tell their troubles. After five years of work along this line, especially along the lines of preventing major crimes, such as murder, the result has been satisfactory. Up to the year 1926 the community had had from two to three murders every year, especially during the winter months. It has been five years since a murder was committed in this county.

The effect of reducing the cost of holding court was also very pleasing to the taxpayer. For the two years prior to my taking office, which was January 2, 1925, the court costs in this county amounted to approximately \$32,000 a year. They have been materially reduced, so that there has been a saving of from twelve to fifteen thousand dollars a year, an average saving of at least 40%.

The local police have shown remarkable activity in picking up strangers for investigation, and that has raised the prestige of the law enforcement officials in this county and the county seat, Mason City. Crooks do not like to come here because they know that the officials are active.

The next type of crime which forced itself upon my attention was that of the bank bandit. Some of the banks in the county were as high as thirty miles from the county

seat, with little or no police protection. Vigilantes I found unsatisfactory, due to their lack of experience and training. Every year in the State of Iowa there has been from twenty to twenty-five bank robberies, with a loss of approximately \$100,000. Practically all of the counties around me have suffered from the depredations of bank bandits, but in all these years there has never been an attempt to rob a bank in this county. I do not mean to say that it could not be done, but merely that it has not been done.

When I entered the sheriff's office the only equipment in the office was a pair of battered handcuffs. Not a gun of any description. I immediately requested the Board of Supervisors to equip the office with an adequate number of revolvers, rifles and shotguns, and later I had a Thompson sub-machine gun and gas equipment installed, and insisted that my deputies be able to handle such equipment efficiently. I gave several demonstrations all over the county as this office was among the first to equip itself with a machine gun. I even made arrangements for the use of airplanes at our local airport for the pursuit of bandit cars, and every so often I would notify all the banks in the county of the equipment, telling them what to do in case of a hold-up, and stating that we are ready to assist them. It was difficult in a few places to interest the bankers in such matters, since they preferred to let the insurance company take the risk, but, generally speaking, all of them were interested and willing to assist. Our preparedness may have been the element which caused bank bandits to avoid our county.

Another type of crime which required considerable attention was

that of farm thievery. On starting in to acquaint myself with this type of crime, I found that the losses which the farms suffered were tremendous. Cattle, hogs, chickens, grain and farm products of all kinds were being stolen. The farmers were at a loss to know how to combat the thieves. I immediately began to hold meetings in the evenings when they held their farm bureau meetings, and talked on methods of preventing such crime. I prepared articles for the two leading farm papers in the state, and to efficiently combat the farm thief there was organized what was known as the Citizens' Police, which was more or less of a secret organization. I would go to a Farm Bureau meeting, explain the marking of live stock for identification purposes, and showed them just exactly the type of evidence we must have in order to convict, and then would ask how many would like to join a citizens' police for that particular township. I passed slips of paper around and asked them to write their names, addresses, and the word "Yes" or "No" below, and in a few days those that answered "Yes" would receive a card with my signature, showing that "John Jones" was a member of the Citizens' Police of this county. These cards were given out only after a strict investigation. A letter was written to each person from time to time, requesting them to call at the office and tell us about conditions in their community. The result was beyond all expectations. Farmers began marking their live stock, and after apprehending and convicting a few of the farm thieves, this type of crime has gradually diminished. It is true there are sporadic outbreaks from time to time, but certainly not near the former extent. The type

of farm thief who is apprehended now is usually some young fellow who owes a payment on his car and is seeking "easy money" to make it. Organized gangs of farm thieves have disappeared.

Another type of law violation, and of course the most usual type, was the violation of traffic laws on our paved roads. Our primary roads running East and West and North and South are all paved, and we have approximately sixty miles of paved road in the county. The Board of Supervisors did not feel they were financially able to hire officers to patrol these roads. We were having accident after accident, some of them fatal, and some of them of a very serious nature, and I was at a loss to know how to stop such violations, making our roads safe for travel. I bought a motorcycle with my own funds and put one of my deputies out on the road, and we started to arrest the offenders. They were fined all the way from one dollar to ten dollars, but arresting the people failed to stop violations. Then I started a program of education on "safe driving." I studied the accident facts as prepared by the National Safety Council of Chicago, and found that the general public was very much interested in them. In order to interest the safe driver, I prepared a red ticket and gave these to my deputies with the following instructions: "Whenever you see a *good* driver—that is, a safe driver—on the road alone, follow him for half a mile, take him off to a side road, stop him, say nothing to him except to ask his name and address, take the number of his car, fill out this ticket and give it to him and leave immediately." Here is what the ticket says:

"Dear Sir:

"I have watched your driving over a distance of \_\_\_\_\_ miles. You drove in a safe, sane and sensible manner. Every day on the streets and highways of our state there is approximately one person killed and about fifty injured. Continue to be a safe driver. If you don't know what the other fellow is going to do, slow down and, if necessary, stop until he does it.

"Good-bye. Good luck.

.....  
Deputy Sheriff."

The result was sensational. Not only were automobile drivers clamoring for red cards, but they were *anxious and willing to report traffic violations*. The violations were handled in this manner: A card was sent to the owner of an automobile asking him to call at the office. Perhaps he was not driving at the time and perhaps it was a daughter or a son, and he brought them along. When in the office we gave them a talk on safe driving, and explained our program. Invariably the owner of the car was profuse in his thanks. Instead of making enemies we sought to make friends. Foreign cars, as well as domestic cars, were all tagged with a red card when they were met by my deputies or myself, with the result that our red card was carried to distant parts of the country, attracting considerable publicity. Today we have no traffic cops on our paved roads outside of our cities, but we have very few accidents. But the campaign of educating the public in the matter of safe driving is still going on. Here is the ideal field for useful preventive work.

A large part of juvenile delinquency in this county has been cared for by our office. We have shown a readiness to cooperate with the authorities of our public schools

in stopping petty thievery among the students. By coming in contact with the many students, both in grade schools and in the high schools, I found that the children were very glad to know me, to talk with me, and to help me. The work of probation has been exceedingly difficult due to the fact that, while the law permits it, the county board has not appointed a probation officer in this county. There are a large number of individuals paroled to me: they report every month, and see me quite often. In going into places of bad repute, if I see one of my paroled men I tell him to come to my office, and I go over with him the conditions of his parole, interesting him to live up to the regulations. In some cases the Board of Parole has paroled convicts to my charge, and I believe I have been of material help to them in keeping them from violating their paroles.

To sum up—as a sheriff I deliberately set out on a program of *crime prevention*. It has had re-

sults which justify my idea that *such an officer is of more value to his county through his extra-legal activities* than by following faithfully the duties prescribed by statute. At the present time the results are:

- (1) The entire lack of major crime, such as bank robberies, murders, hold-ups.
- (2) The destruction of the chief causes or sources of felonies.
- (3) Sympathetic care in working with juveniles.
- (4) Unceasing vigilance over those out of prison on parole.

My work is hard and the hours are long. Absolute honesty is required and constant activity. But the work is useful and its results indicate that the labor is well spent. Whatever may be my value in routine work and in crime detection (after the crime has been committed) it is my experience that *crime prevention* pays the best dividends.

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