

Summer 1938

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Recommended Citation

Ray Ashworth, Traffic Law Enforcement, 29 *Am. Inst. Crim. L. & Criminology* 119 (1938-1939)

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TRAFFIC LAW ENFORCEMENT*

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The old adage—"Ill blows the wind that profits nobody"—may well serve as an introduction to the following remarks on traffic law enforcement; for the writer believes that the catastrophic and continuing toll of automobile accidents in this country will eventually do more to raise the standards of the police profession than any other single type of hazard to life and property. To make it clear why this is so and to point out some of the things the police profession must do if this accident toll is to be substantially decreased are the purposes of this paper.

Traffic engineers and educators should not think that the remarks to follow indicate that the solution to the accident problem lies entirely in the hands of the police. The other two E's of accident prevention are of unquestioned value. Most policemen have great respect for them. Sometimes it seems that we police have too much respect for them and tend to spend time dabbling with public education and fumbling with traffic engineering when we would accomplish more by sticking to our own job—that of enforcing the law intelligently. Certainly this is a full-time job.

Everybody agrees, however, that regardless of his opinion of the relative effectiveness of the three E's, enforcement is at least as important as the other two, and more important if immediate results are to be obtained.

A basic technique in any type of accident prevention work is the immediate investigation of accidents at the scene to determine how they happened—in other words, what caused them. Investigation of accidents has become well established in the past few years as the keystone of a sound traffic accident prevention program. The importance of the proper analysis of the information gathered in the investigations has been similarly established. Industrial safety engineers no longer are pleading for accident investi-

* This article is the substance of an address delivered before The Public Safety Session on Enforcement, sixteenth annual Midwest Safety Conference, May 18, 1938.

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gations. They passed that point years ago and are now debating the proper interpretation of analyses and the various means needed to combat the causes of accidents which the investigations reveal. We in public safety can learn a great deal about accident prevention from the industrial people. They have been at it a long time, and they have been very successful.

Inaugurating an adequate system of accident investigation in a police department is a difficult task, admittedly. Commanding officers must be persuaded that such an innovation has merit; intelligent officers must be *trained* to make investigations. These are not unsurmountable hurdles, however. In the early days of the industrial safety movement, hard-shelled, conservative foremen and department managers undoubtedly threw many an obstruction in the path of the "new-fangled" safety engineer. The boss himself probably was not interested. Such are the conditions in many of our police departments today. But not everywhere. While some officers are unaware of their responsibilities in traffic, others are keenly alive to them. In the course, of time, all will be.

One last attempted parallel between public safety work and industrial safety work: It is a truism in industry that you cannot make safe an inefficient plant staffed by untrained workmen. Well, it is just about as impossible to expect a first class accident prevention program to be carried out by a police department if the department itself is inefficiently administered and if the personnel as a whole is inadequately trained.

We of the International Association of Chiefs of Police have surely discovered that in the past year or two. So far we have installed accident prevention bureaus in something like twenty cities, ranging from very large ones to comparatively small ones. Our most successful bureaus are generally located in departments which were efficient, well-ordered, well-manned organizations long before we ever got there. And conversely our least successful bureaus—regardless of the quality of the men in them and regardless of the training they received—are located in departments which were and still are by and large, inefficient.

Thus, workers in the field of traffic accident prevention are faced with a peculiar situation which at first appears to be a very bad one but which, looked at in another way, is not nearly so bad. First, there is a basic technique which almost everybody admits must be adopted if police departments are to accomplish a reduction in the toll of accidents. Second, there is the fact which is becoming

clearer month by month, that this technique cannot be administered effectively in a department or by a department which is shot through with inefficiency, ignorance, or corruption. And third, there is a circumstance not yet mentioned. It is that as the accident problem continues unchecked the American public is bound to become outraged at the price they have to pay for second or third-rate police work. Demands for complete reform will be made, and they will be followed up. Thus efficient police departments will become the rule in this country.

This development which seems inevitable is the reason for introducing these remarks by the adage: "Ill blows the wind that profits nobody." The ill wind of accidents, in other words, is going to blow a great deal of good to the police profession, and thereby to every man, woman, and child who depend on the police for protection. The accident situation will be the lever by which cities and states can raise the standard of their police departments.

The next point is an obvious one. It is that the Safety Division, I. A. C. P., does not have, nor does anybody else have, the last word in enforcement methods. A program is available which, when followed by police departments, produces good results—accident reduction. If experience in the past in other cities may be used as a guide, this is certainly true. But we are the last ones to insist that our program is perfect. We know only too well that it is not. As a matter of fact it is *our* program by adoption. In it have been combined the good activities of several cities making one comprehensive whole. Further development of the program will be made by traffic police in active service in their cities and states.

It is very easy to talk about "accident investigations," "record analyses," "selective enforcement," "enforcement index" and so forth—terms which are rapidly becoming the accepted jargon of workers in public safety. When we use these terms it sounds as if we know exactly what we are talking about—but sometimes this is not so. The technique of investigating accidents has by no means been completely developed and it will be a long time before we shall know how best to interpret the facts about accidents which even the best investigations reveal. The development of this technique or any technique will be slow if anybody takes the attitude that it is now perfect—that nothing else need be done to improve it. For example, how should a police department equip itself to make scientific examinations of hit-and-run cars, so that fingerprints and other scraps of evidence, invisible to the naked eye, may be

utilized as an aid in apprehending and convicting the guilty driver? Frequently such evidence is unwittingly destroyed by the untrained investigator.

Selective enforcement in traffic is a technique that the police profession is proud of. Here is a subject that we think we know something about, but how much do we know?

It is quite plain that the weight of enforcement should be placed on those localities where accidents are occurring most frequently, at the times when they most commonly occur. It is also plain that enforcement officers should be instructed to watch out for those violations which are causing mishaps. This probably is an adequate statement of the principles behind selective enforcement. Thus there are three factors to be considered—time, place, and violation. To set up such a system it is recommended that first the accidents for a given period, such as a month (the period of time will vary with the size of the city and other factors), be analyzed for time of occurrence. If it is then discovered that 50% of the accidents are occurring from 4 P.M. to midnight, it will be clear that 50% of the traffic law enforcement personnel should work on this tour of duty. We must bear in mind at all times that the full purpose of traffic control, of course, is accident prevention.

A place or location analysis is then made so that man-power may be distributed geographically in proportion to accident experience just as it is distributed hourly. It is not unusual for a third of the area of the city to be the scene of 60% or more of the accidents and this area may not include a boulevard which carries an immense volume of traffic at high speed—a boulevard on which police have always concentrated a great deal of their effort. There is such a dangerous looking street in a large Southern city, which is comparatively safe. The street runs for most of its length between a park and a railway right-of-way and thus has few intersections. For years, however, just because the flow of traffic was both heavy and fast on this boulevard, it was overpatrolled to the neglect of other parts of that city which were sorely in need of police protection.

Following the time and place analyses, a study should be made of the violations which are causing the accidents so that once more police attention may be concentrated. Such an analysis will show that there are 10 or 12 violations which cause most of the accidents. Enforcement effort must be concentrated on those violations if maximum results are to be obtained.

Obviously such a system of enforcement cannot be set up without good accident records and it is clear that good records are not available unless accidents are investigated. In a well rounded police program every detail is essential to the rest of the plan. It is integrated.

Once an analysis is made it cannot be used forever. Accident experience changes with the seasons, with improvements in streets and highways, and with the movement of population. In large places like Detroit, selective enforcement analyses are made each month. In small cities, perhaps such analyses need be made only four times a year. Certainly there is no city where such an analysis should not be made at least annually. Accident experience is not a static thing. It is constantly changing and police effort to combat it must change likewise.

Selective enforcement is an example of a technique used in police traffic work about which nobody has the final answer. Take the matter of assigning officers in a large city. Should they be assigned on the basis of the accident experience of the previous month or should they be assigned on the basis of the accident experience of the same month of the previous year? Or should both of these records be considered together?

Is there some practical way of rating the efficiency of the enforcement work of the patrol officers? One city experimented with a credit system but had difficulty because officers tended to concentrate their attention on those violations and those places for which they would get the most credit, often to the neglect of equally serious violations which would yield lesser credit.

It now seems unwise to concentrate selectivity too greatly. Areas of cities and lengths of streets should be considered rather than individual intersections. When a city is properly engineered—when regulatory devices and informational signs are properly installed—a violation at one location is just about as serious as the same violation at another location.

For measuring the adequacy of the enforcement effort of the police department in relation to the accident problem we have what we call the enforcement index, which is a very fancy title for something which may be of no value at all.

The enforcement index of a city is the relationship between the accident problem of a city and the police effort to combat or to solve that problem. The index is expressed by a numeral, which is arrived at by dividing the convictions for moving violations in

the city during a given period of time by the personal injury and fatal accidents which occurred in the city during the same period of time. Thus, if in a given jurisdiction, 500 convictions for moving violations are obtained in a given month and during that month 50 personal injury and fatal accidents occur, then we say that the city had an index of 10—about the ideal index. But the index can be misleading, and so, worthless.

A practical measure of enforcement work is badly needed and nobody has as yet suggested a satisfactory substitute for the present enforcement index, even though the index has important weaknesses.

Here is an episode which occurred in a mid-western city not long ago. A civic organization which interested itself in safety was alarmed over the bad accident experience of the town. They heard about this thing called "enforcement index" and discovered that the index for the town was only one and a fraction. A meeting was held, a committee was formed, and soon the committee made an appointment with the chief of police. Respectfully but firmly they pointed out to him that the index of the town was far too low and recommended that it be raised to the ideal index of ten. This meant, of course, that he should increase convictions for moving violations to the point where there would be approximately ten times as many such convictions during any given period as the number of personal injury and fatal accidents occurring during the period. In other words, they urged that the enforcement program of the police be made adequate to cope with the accident experience of the town. The chief, as it happened, was not particularly interested in safety nor did he believe that anything much could be done to prevent accidents. There are plenty of officers like this. They do not believe that accidents are caused; they think they come about like tornadoes, floods, and earthquakes—Acts of God. Moreover, he did not want to offend taxpayers and voters by arresting them; he cherished his reputation as a popular chief. On the other hand, he did not want to seem uncooperative with this group which included some influential citizens; so he readily agreed to raise the enforcement index. The next month the committee discovered to its delight that the index was exactly ten—that the chief had complied with the request to the letter. They waited several months and still the index remained at ten. They were on the point of congratulating the chief of police for his sterling work, when one committee member noted that even though convictions

for moving violations had increased monthly, this seemed to be having no effect at all on accidents. Therefore he studied the arrests made and found out that they were quite meaningless from the point of view of safeguarding the streets of the city. He discovered that the chief had assigned officers to a highway which cut across one unsettled portion of the municipality where prevailing speeds exceeded the legal limit and where arrests were both easy to make and utterly valueless. Yet the index was perfect.

There are other ways an index may seem to be high and yet represent only mediocre enforcement work. In some cities a great many convictions are officially secured but they do not mean anything in the way of deterring drivers from illegal operation, because after sentence is imposed the judge suspends the sentence. In other places big fines are levied for serious offenses but the court remits all but costs to the wrong-doers. In many cities violators are paroled to traffic violators' schools and sometimes one will see violators convicted of serious charges, such as reckless driving at high speed on busy thoroughfares, being "sentenced" to spend a single hour in a traffic violators' school. In scores of cities fines are consistently too low. Courts fine drunken drivers \$25 and costs, or speeders \$2 and costs.

Such court practices as these keep the enforcement index up to a deceptively high level; of course the convictions do not carry the weight of bona fide convictions. In many other cities the enforcement index is high because the reporting system is poor. Since in computing the index the number of convictions for moving violations is divided by the number of personal injury accidents, if personal injury accidents are not all reported then an artificially and falsely high quotient results from the computation. Thus a city with actually a low index is made to appear more efficient than a city with a really high index just because the latter city has a complete and consistently reliable reporting system.

More work needs to be done on the enforcement index before it will become the reliable guide to enforcement officers which it should be. More work needs to be done on pretty nearly every technique used by the traffic policeman today.

Scores of police departments in recent years have adopted warning tickets as a substitute for arrest tickets in certain types of violations. One of the fellowship students at the Northwestern University Traffic Safety Institute has completed a study of warning tickets and ticket systems. He wrote to more than a hundred

departments asking for a sample of whatever types of warning ticket they issue and also for a copy of the general order of the department prescribing the particular use to which the tickets be put. He received more than a hundred tickets, but copies of only a half dozen or so general orders. Obviously in most places officers are given such tickets without any specific instructions as to how they are to be used.

Warning tickets have a definite place in traffic control work but nobody is just sure as to how they should be used. A lot of more or less blind experimentation is going on from which, however, one can draw few conclusions. Here is another place where we enforcement officers are by no means sure of our ground.

Vehicle defects have been engaging the attention of cities and states particularly in the past few years. Municipal testing stations have been established and ordinances passed making periodic inspection mandatory. At least two cities have adopted a means of supplementing these periodical inspections. When an officer sees a car without a tail light or with only one headlight or with some other defect, he gives the operator a tag. The operator is then required to have the defect repaired within forty-eight hours and within twenty-four hours after that to report to any police officer, show him that the defect has been repaired, and have that officer sign the card. Then he mails it to headquarters. The system has been very well-received and has assured better observance of the equipment regulations without the need for arresting people and requiring them to pay a fine. The tickets are issued even to out-of-town and out-of-state drivers and a high percentage of these drivers (even though there is no chance of their being arrested), have their cars inspected as stipulated and return the cards to the original police department by mail. In the city where this has been in operation longest these defects dropped from 20% of all cars to 3% in three years, without even one arrest.

There are, without doubt, many other experiments in police techniques in traffic handling going on about the country. We wish that there were more.

We do not have a perfect enforcement program now and we will not have one which even approaches perfection until a great deal more intelligent, thoughtful experimentation is done, with careful records of results maintained. Even the basic techniques which we know to be good need development and refinement. This is

particularly true of accident investigations, selective enforcement, and methods of record analysis.

If one were to make recommendations now for any city or state, he would say that they should first put their whole department on an efficient basis. The traffic division of that department should adopt the basic techniques mentioned in this paper. And then, if there are enterprising men with a flair for research in the department they should be given a free hand.

When this is being done in many places we can expect to approach the development of a really sound traffic law enforcement program.

While it is true that none of the techniques of accident prevention and traffic control are perfected, it is also true that some cities are producing a very marked reduction in accidents by the use of one single device.

Here is a question to consider. What could a city accomplish if it adopted whole-heartedly the educational program of Milwaukee, the selective enforcement program of Detroit, the compulsory inspection program of Memphis, the use of the "drunkometer," and the police training program of Wichita? If one city were to do all these things the results in accident reduction would without doubt be phenomenal. The reason this does not happen is that too often the men in charge of the traffic program of a city are convinced that they can do the job with one activity. This is like attempting to build a house with a single tool—a hammer. A far better job can be done if saws, chisels and drills are used too.