

1944

## Questions and Answers

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# QUESTIONS AND ANSWERS

David Geeting Monroe (Ed.)<sup>1</sup>

Interesting inquiries came to this editor's desk during the past month. "I should like an up-to-the-minute account of salaries presently paid municipal patrolmen," was the inquiry of one reader. A member of a state police department called at the office to discuss a tragic automobile accident case and possible ways and means of fixing responsibility for the accident. How a member of the armed forces can transfer title to his automobile was a third inquiry. How much a municipal police department in Canada pays to employ the services of a provincial police officer for local enforcement, was a fourth. "What is a 'diometer?'" was the question of a fifth. "I should like a brief account of the type of instruction given in one of our more progressive traffic violators' schools," inquired a sixth. "Where can I find a book of instructions relating to the training of prison guards?" asked a seventh. "To what extent may a police officer use compulsion in requiring an accused person to submit to a drunkometer test?" was the important question of an eighth. Another reader desired a review of state legislation during 1943 affecting the state police and state highway patrols. Also came an inquiry regarding the recent conference on social protection held at Decatur, Illinois last November. And lastly, is this question: "What persons are eligible to take training at the Canadian Police College, how much is the tuition and what courses are covered in the curriculum?" This issue of *Questions and Answers* is devoted to answer to these significant inquiries.

*Question 1: I should like an up-to-the-minute account of entrance salaries and the maximum salary earnable by municipal patrolmen.*

*Answer:*

This is a large order. The most recent study of salary and working conditions of police department members, so far as I am aware, is a survey made by the United States Conference of Mayors entitled: *Salary and working conditions of police patrolmen in 214 major cities*, and is dated November, 1943. Summarized, the average salary, according to a number of population classifications, is as follows:

<i>Population classification</i>	<i>Number of cities<sup>2</sup> in classification</i>	<i>Average entrance salary</i>	<i>Average maximum salary</i>
Over 1,000,000 .....	5	\$2,163	\$2,765
500,000-1,000,000 .....	8	1,923	2,435
300,000- 500,000 .....	15	1,903	2,284
200,000- 300,000 .....	10	1,896	2,163
150,000- 200,000 .....	11	1,884	2,224
100,000- 150,000 .....	33	1,883	2,219
75,000- 100,000 .....	25	1,832	2,092
50,000- 75,000 .....	52	1,836	2,212
21,000- 50,000 .....	50	1,850	2,171

For individual data for the various cities write to the *United States Conference of Mayors*, Washington 6, D. C., for their Report No. 235. By comparing data in

<sup>1</sup>Director of Research and Information, Northwestern University Traffic Institute, Evanston, Illinois.

<sup>2</sup>Data on five cities not included as only daily wages were mentioned.

this report with that listed in the Municipal Year Book for 1943 (pp. 453-463) some interesting factors regarding salary trends can be observed.

*Question 2: A traffic accident problem of gravest consequences was described by a state police officer in my office. Facts are these: A youth (whose driving irresponsibilities had already caused trouble) got into his uncle's car, picked up a girl friend and another couple. The four started on a round of taverns. Hours later they turned back for home. Came a turn in the road and the car, hurtling along at a high rate of speed, left the road, crashed into an abutment and turned over several times. Passers-by rushed in to remove the injured and in the excitement little note was observed as to where the bodies were found in the car. A precursory police investigation had no information on who was the probable driver. The irresponsible youth escaped with minor injuries; his girl companion was killed. When the police sought to fix responsibility for the accident, the youth defended on the ground that the dead girl was driving at the time of the accident and was therefore liable. Singularly enough, the wrecked car was sold to a junkman a very short time after the accident thus destroying possibility for further investigation. "Now," said the officer, "the youth is on the loose again and has already been involved in driving infractions. The community demands action and wants to know why the youth is, at least, prevented from driving. How, therefore, can the youth be identified as the driver, so that he can be punished for his wrong-doings, for we are sure he was at fault?"*

*Answer:*

Here is another prime example of the consequences which ensue from lack of systematic accident investigation. Had searching investigation been made at the scene by trained accident investigators and had trace-back been made to some of the taverns visited by the couples, some facts would in all probability have been disclosed which would assist in identifying the driver. Long conversation with the police officer in my office evidence a complete lack of witness testimony or other evidence pointing to the fact that the youth was driving. For this reason some other channel of investigation is mandatory. I suggested, therefore, that inasmuch as the girl (accused by the youth as the driver) was only about seventeen years of age, that immediate check should be made to see if she had a driver's license. If she did not, then substantial charge could be made that she was *not* the driver. This on the basis of a dictum laid down in a recent Pennsylvania case which held that in an action for wrongful death arising out of an automobile accident to which there were no witnesses, evidence that passengers in the automobile at the time of the accident did not possess drivers' licenses warranted verdict that the automobile was being driven at the time of the accident by the owner. This is the case of *Flick v. Shimer*, 340 Pa. 481, 17 A. (2nd) 332 (1941).

*Question 3: An Indiana reader now in the armed service advises that he wishes to transfer title to his motor vehicle and asks: "What procedure should I follow in having the title transferred?"*

*Answer:*

On March 5, 1943, an act of the Indiana Legislature went into effect which provided in substance that any motor vehicle title, held by a resident of Indiana serving in the armed forces, may be transferred by a letter from the holder addressed to the Bureau of Motor Vehicles. Such letter should authorize the bureau to make transfer to a particularly named person. See *Senate Bill 192, Chapter 152 Indiana Statutes*.

*Question 4: I understand that in Canada, municipalities in some of the provinces may purchase police protection from the provincial police department. What is the cost of such protection?*

*Answer:*

My only information on this point on file is an excerpt from the June, 1943, issue of the *Canadian Police Bulletin*. The notation is a reference to a new police agreement recently placed in effect in British Columbia. By the agreement, policing can be supplied to municipalities in the province of British Columbia at a basic cost of \$1,700 per policeman per annum. The sum includes cost-of-living bonus, uniforms and equipment. For further information I suggest you write to the Commissioner, British Columbia Provincial Police, Vancouver, B. C., or to the Attorney-General of British Columbia, Vancouver, B. C.

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*Question 5: In a recent lecture mention was made of a "diometer" as a device employed in testing motor vehicle drivers. Would appreciate further information concerning it.*

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*Answer:*

When blackouts and dimouts were put in force in many jurisdictions during the present war emergency, there occurred a marked upsurge in the number of pedestrian accidents. Under varying lighting and weather conditions extant in dimmed-out areas, normal driver visual acuity is reduced very considerably. Such reduction came to be a contributing cause of the rising pedestrian accident rate. As a means of testing the perceptive powers of a driver under dimout conditions, the Research Department of the *Center for Safety Education, New York University*, designed and constructed an instrument for this purpose. It is called a "diometer." For a description of the instrument, see the booklet, "The Diometer—an educational device for use in pedestrian accident-prevention programs." Copy can be secured by writing to the *Center for Safety Education, Division of General Education, New York University, New York, N. Y.*

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*Question 6: I should like a brief description of the type of instruction given in one of our more progressive traffic violator schools.*

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*Answer:*

In Kansas City, Missouri, much attention has been devoted to the instruction of traffic violators. The traffic violators' school in that city was established some three years ago with the cooperation of the Traffic and Safety Division of the Police Department, the Municipal Court and the Kansas City Safety Council. Sessions are held once a week at the Municipal Court from 7:30 to 9:00 p. m. Normally, the traffic violator sent to the school by order of court is required to attend two sessions. The first is opened by an officer of the police department who discusses the causes of accidents. Then follows a movie entitled "Speed plus carelessness equals death," which, in turn, is succeeded by a demonstration of the Drunkometer. The session concludes with an open forum in which the "student" participates. At the second session, attention is directed to a discussion of driving weaknesses and driving practices which contribute to accidents. Time is then spent on an explanation of the decelerometer and other speed checking devices. Instruction concludes with a discussion of public safety and is usually given by one of the judges of the municipal court. There is, of course, a proverbial "final examination." For a brief account of the school see the November, 1943, issue of *Public Management* (p. 334).

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*Question 7: Where can I find a book of instructions covering the training of prison guards and officers?*

*Answer:*

About three years ago, the *Federal Securing Agency, U. S. Office of Education*, Washington, D. C., published an 81 page study designed to serve as an introductory course of instruction for prison officer training. The study is by Howard B. Gill, consultant, Public Service Training, and the title is *Prison Officer Training*. Publication number is Misc. 2309. Essentially, the study is designed for in-service training purposes. As the foreword points out, the outlines were prepared primarily for the use of officers in state prisons for men. However, belief was expressed that they may also furnish the basis for similar training courses in state prisons for women, reformatories and juvenile institutions.

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*Question 8: A police officer telephoned this very significant inquiry: "To what extent can I as a police officer use compulsion in requiring an accused person to submit to a Drunkometer test?"*

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*Answer:*

One of the interesting thoughts on this very significant issue is to be found in a letter written by the Attorney General of Indiana, Samuel B. Jackson to Mr. Don F. Stiver, superintendent of the Indiana State Police, under date of October 5, 1940. The Attorney General first reviews the situation with regard to admissibility of other types of identificational evidence and points out that all these types (as, for example, fingerprint and photographic evidence, evidence relating to the physical examination of wounds) had to hurdle the constitutional barrier of self incrimination before their ultimate uses could be accomplished. For many years, as he said, the privilege against self incrimination was extended far beyond its historical bases and became a shield for the defense of criminals. But little by little, the practical requirements of crime detection and criminal prosecution have narrowed self incriminational provisions so that now a variety of scientific devices can be employed for purposes of determining guilt without violation of the privilege. In the apt words of the court in *State v. Graham* (160 La. 779, 41 So. 90): "The tendency of the more modern cases is to restrict the constitutional privilege against compulsory self-incrimination to confessions and admissions proceeding from the accused, and to open the door to all kinds of real evidence or proof of physical facts which speak for themselves." These and other considerations account for the statement of the Attorney General of Indiana in his letter to Mr. Stiver that drunkometer evidence is admissible in Indiana courts for the reason that it does not amount to a testimonial utterance. Let us now view the attorney general's opinion in regard to use of compulsion. I quote from his letter:

"The constitutional provision against self-incrimination is directed largely against a certain kind of evidence, the character of which we have commented on before as relating only to testimonial utterances. There is no legal impediment which would prevent the use by the State Police of any reasonable force or compulsion in making an accused person take such a test. I think the use of force or compulsion to require the taking of the drunkometer test, falls into the same category as the slight and reasonable physical force which is used sometimes in taking fingerprints or in making physical examinations of accused persons. I think it is my duty, however, to point out to you that although there is no legal impediment which would prevent the use by the State Police of force in giving drunkometer tests, yet is obvious that the conduct of your Police Force and the gathering of such evidence, is not only a legal but an administrative problem, so public policy demands in your case that your Force be instructed to use only the most reasonable means in the compulsory use of the drunkometer as a test for intoxication. To elaborate this point, I think it is necessary to draw a clear

distinction between the force that a peace officer may use in making an arrest or in restraining a person in custody and the force that may be used in compelling an arrested person to take the drunkometer test. In the first situation, a peace officer may use all the reasonable force necessary even to the point of killing a person if he rebels against arrest. This rule, of course, cannot be used in compelling an accused person to take the drunkometer test. In compelling a person to take the drunkometer test, only a reasonable amount of force, such as might be employed in fingerprinting or photographing or making a physical examination, can be used."

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*Question 9: I should appreciate a brief review of legislation passed in 1943 by the various state legislatures relative to highway enforcement by state police and state highway patrols.*

*Answer:*

In the 1943 *Laws Bulletin*, which is a digest of new legislation affecting highway users and is published by the *National Highway Users Conference*, National Press Building, Washington, D. C., is listed a number of items relating to the subject of your inquiry. These (and they will be found on pp. 28-9 of the Bulletin) indicate that enactments were passed in eight states: Arizona, Arkansas, California, Kansas, Nebraska, New Mexico, South Dakota and Washington. The enactments related to a variety of subjects of which the following are of principal interest from the viewpoint of enforcement:

The Arkansas legislature transferred important enforcement functions from the State Highway Department to the State Revenue Department. Among the transferred responsibilities are those relating to the sale of motor vehicle licenses and controls over the unlawful operation of motor vehicles on such grounds as overloading, insufficient tire sizes, etc. In California, a section was added to the penal code providing that theft of automobile tires shall be a public offense and punishable in the state prison not to exceed five years or by imprisonment in the county jail not to exceed one year, or by fine or both. The Kansas legislature by resolution directed the legislative council of the state to make a study of the possibilities of separating the state highway patrol from the state highway commission for purposes of determining whether or not such a separation would make for a more efficient operation of the patrol. And the Washington state legislature by its House Bill 347, Chapter 205 of the statutes provided methods of procedure to be followed in discharging, demoting or suspending officers of the Washington State Patrol.

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*Question 10: I understand that a special war conference on the subject of Social Protection was held recently in Illinois. Can you advise where and when it was held, who were the principal speakers and whether or not printed materials covering the meeting are available?*

*Answer:*

The meeting you have in mind was the *War Conference on Special Protection* held November 5, 1943, at Decatur, Illinois. The conference was opened by Governor Green and included addresses and discussions on a number of vital subjects. Mr. Charles P. Taft, Director, Federal Community War Services, spoke on the subject "Social Protection in Wartime." Then followed an address by General John F. Davis, Chief of Staff, Sixth Service Command on the subject "The Army and Venereal Disease," one by Captain I. B. Polak, Senior Assistant Medical Officer of the Ninth Naval District on the subject: "The Navy and Venereal Disease," and one by Dr. John R. Heller, Jr., Assistant Surgeon General, U. S.

Public Health Service on the subject: "Venereal Disease—Ally of the Axis."

Consideration of social protection programs by the states was the subject of several other speakers. The Honorable George F. Barrett, Attorney General of Illinois spoke on the subject: "Police Power in Venereal Disease Control." This was followed by discussions of: "The Coordination of Health and Police Activities in Venereal Disease Control," by Dr. H. M. Soloway, Director of Venereal Disease Control Program, State of Illinois, Dr. Alfred P. Bay, Superintendent of the Alton State Hospital, and Dr. Roland R. Cross, Director, Department of Public Health, State of Illinois.

Printed materials covering the meeting have been issued. I suggest that you write Janet S. Burgoon, Regional Social Protection Representative, Office of Community War Services, Federal Security Agency, 105 West Adams Street, Chicago 3, Illinois, for copy of the pamphlet entitled: "Proceedings of the War Conference on Social Protection, Decatur, Illinois, November 5, 1943."

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*Question 11: What persons are eligible to take a training course at the Canadian Police College at Ottawa, Canada, how much is the tuition, and what subjects are included in the instruction?*

*Answer:*

The Canadian Police College is an affiliate of the Royal Canadian Mounted Police. With respect to eligibility, fees and curriculum, announcement No. 6302 appearing in the *Royal Canadian Mounted Police Gazette* (the official publication of the Royal Canadian Mounted Police) had this to say concerning one of the spring courses offered at the College: (1) Any member of a police force is eligible, provided that the application is made by the senior officer of the force to which the member belongs. (2) No formal tuition is charged but a nominal fee of 75c per day is made for board and lodging. (3) The course is designed for approximately three months duration. (4) The more than fifty subjects offered emphasized the criminal phases of policing with especial attention being given to such war-created problems as sabotage, civil security, enemy aliens and so on.

The syllabus of training indicated in the announcement listed the following subjects: arson and fire sabotage, espionage, explosives, enemy aliens, civil security, subversive organizations, incendiary agents, ballistics and firearms, identification, document, examination, fingerprints, criminal psychology, juvenile delinquency, criminal law and procedure, foreign exchange control, Defense of Canada regulations, firearms control, drill, physical training, police holds, firearms training, first aid, air raid precautions, forensic chemistry, forensic medicine, toxicology, stains, examination of paints and textiles and metals, police dogs, footprints and other impressions, plaster casts, moulage, lock picking photography, plan drawing, glass fractures, modus operandi, portrait parle, narcotics, observation and memory development, police witnesses, public relations, practical criminal investigation, burglary, safe blowing, counterfeiting, vice investigation, tear gas, handling of riot and demonstrations, and lastly municipal police forces. For full information relating to the various training programs offered by the College, I suggest that you write to the Commissioner, Royal Canadian Mounted Police, Ottawa, Canada.