

THE OKLAHOMA HIGHWAY PATROL:
GROWTH AND CHANGE

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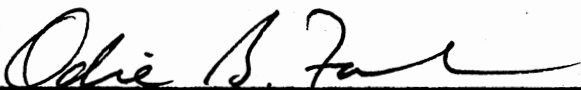
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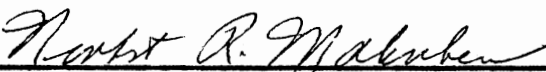
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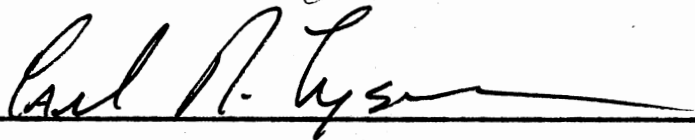
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PREFACE

The purpose of this thesis is to determine and examine the role and nature of the Oklahoma Highway Patrol to 1967. By examining factors which determined the basic nature of the patrol, an understanding of its role in Oklahoma's society and history can be gained. These factors can be examined through several factors including: growth, influence of politics, early history, changes in organization, changes in purposes, and finally by comparing the Oklahoma patrol to other regional patrols which will offer the ability to see more clearly the results of the other factors.

The format will be to briefly trace the history of the patrol to 1955, then to examine the development of the patrol in detail from 1955 to 1967. The period from 1937 to 1955 established the basic character of the patrol, although it was still in the motion of formation in 1955. Then, in that year, a twelve-year period began which decidedly influenced the patrol, ending in basic changes in organization and purpose. By examining the twelve-year period from 1955 to 1967, the modern character of the patrol can be understood.

Throughout this thesis the names Department of Public Safety and the patrol will be interchanged frequently, for the official policy decisions concerning the patrol always

were always made by the governor and the commissioner of the Department of Public Safety. In the department, the patrol has always been the most active and the most visible element; therefore, a discussion of one automatically includes the other. In most cases the Department of Public Safety will be referred to in connection with policy decisions; and, the patrol will be referred to as the actual police agency executing traffic and criminal law enforcement.

Acknowledgements for this work go first to the many highway patrolmen who have risked their lives and spent countless hours on the long and lonely highways of Oklahoma in an effort to protect the lives of the people they serve. Without that devotion and service this work would have no purpose. Individuals who helped me begin this work were my father, Bob Blackburn, Sr., who fired my interest with countless stories of his days as a trooper, and Commissioner Roger Webb, who offered invaluable guidance into pertinent questions concerning the patrol. For encouragement I thank my advisor Odie B. Faulk, who helped much more than he knows.

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CHAPTER I

THE HIGHWAY PATROL, 1937 TO 1955

Introduction

On April 20, 1937, Governor E. W. Marland signed House Bill 26, thereby creating the Department of Public Safety.¹ Of the three divisions comprising the new agency, the Oklahoma Highway Patrol was the largest and most important. State business leaders and old progressives welcomed the new state agency with open arms. A state police force not only would protect lives and commerce on the highways, but also it would lead to more centralization of state government, a goal of both business leaders and progressives.

The basic existence of a statewide law enforcement agency in Oklahoma, however, was a new concept for the traditionally conservative state. Opposition to its creation had centered around rural political groups, who had contested any extension of state governmental control in rural areas. County sheriffs feared that a state police force would infringe on their prestige and responsibilities. That fear was probably justified, for the basic concept of a state police agency entailed duties in areas where local authorities previously had enjoyed exclusive jurisdiction. Oklahoma in 1937, however, needed a state police force to fill a void in

law enforcement caused by new conditions in society which were developing to startling stages by the 1930s. The most important of these new developments was the increased use of automobiles.

Two problems paralleled the growing use of automobiles. One was that new high speed automobiles offered criminals the ability to flee quickly from one county to another. As a criminal crossed a county line, he could leave the restricted jurisdiction of the local sheriff. In 1937 car radios still were not used; thus poor communications between county sheriffs prevented any type of coordinated pursuit. Such technological disparity allowed the lawlessness of thieves and murderers, such as Pretty Boy Floyd and Bonnie and Clyde, to flourish.

The need for a state police force to provide an agency for coordinated pursuit of criminals, however, was not the only pressing issue raised to crisis level by the increased use of automobiles. A laxity in traffic law enforcement on highways had resulted in a mounting traffic fatality rate. The deaths of hundreds of innocent motorists proved a strong incentive to establish a state highway patrol. In 1937 Oklahomans drove approximately four billion miles within the state. Poor traffic law enforcement resulted in fatality rate of 14.2 persons per 100 million miles driven, a highly unacceptable rate that had been increasing each year.² It became obvious to state legislators that local sheriffs could not effectively restrict this slaughter on the highways.

Even if they had been able to patrol their county roads, there was no unified code of traffic laws to enforce.

To meet these several problems, state legislators had attempted to establish a state police force in 1929 and again in 1935.³ Both failed due to rural opposition in the legislature. On June 21, 1935, however, this opposition made a small concession to the advocates of a state police. The legislature organized a force of twelve men and six cars under the command of Jake Hardy Strickler to be operated under the supervision of the stolen car department of the State Highway Commission.⁴ This was the first law enforcement agency in Oklahoma even resembling a state police force; but it still was too small to be considered an effective deterrent to statewide crime and traffic violations.

In mid-1936 Governor Marland, seeing the growing need, instructed the Oklahoma State Planning Board to study the prospects for a state police force. In June of that year, the Board published A State Police for Oklahoma. The committee reported that there was indeed a great need for a state police force on the grounds that present police organizations were inadequate for rural protection and failed to combat crime on a statewide basis. In addition, it cited the inability of sheriffs to enforce safety regulations on the highways, which by this time was the primary factor in the growing fatality rate on the highways. On a different level the Board cited the need for a state agency to aid in keeping order in emergencies such as floods, riots and

strikes.⁵ In the words of the report, a state police force should be a permanent agency "by which the state fulfilled its duties to protect the peace and property of its citizens."⁶

The Planning Board's report not only noted the philosophical necessity for a state police, but also proposed a working plan for its organization. The study suggested such provisions as a commissioner appointed by the governor, statutory flexibility in organization, and the establishment of a highway patrol.⁷ The report included a model legislative act with duties conferred on a state police force to prevent and detect crime, to apprehend criminals, to enforce the criminal and traffic laws of the state, and to have the same powers with respect to criminal matters as sheriffs, constables, and other law enforcement officers in their respective jurisdictions.⁸

With this report as ammunition, Governor Marland called the attention of the Sixteenth Oklahoma Legislature to the fact that the state had no adequate state police force sufficient to cope with law violators.⁹ On January 5, 1937, House Bill 26 was introduced, proposing the creation of the Department of Public Safety.¹⁰ In order to pass a rurally dominated legislature, the bill included limitations protecting the rights and duties of local sheriffs. Section sixteen read, "The powers and duties conferred on the state highway patrol shall be subordinate to and in no way a limitation on the powers and duties of sheriffs or other

peace officers of the state or any political subdivision thereof." Section eleven further specified that the commissioner of the department should cooperate with and render assistance to local peace officers. With the statutory limitations on the powers of the patrol, an amended House Bill 26 passed the house and senate, and the governor signed it on April 20, 1937.¹¹

The Department of Public Safety, under the supervision of a commissioner, was divided into three divisions: registration, highway patrol, and traffic control and regulation. The commissioner of the department would appoint supervisory personnel for all three divisions, including the chief of the patrol.¹² The hierarchy of the patrol was organized along military guidelines descending in rank from chief, to captains, to sergeants, to patrolmen.

Legal duties of each patrolman were similar to those of any sheriff or constable. Officers and members of the patrol were declared to be peace officers of the state of Oklahoma with jurisdiction over offenses against the laws of the state, except in serving or the execution of civil processes. All members of the patrol had the authority to arrest without writ, rule, order, or process anyone violating any law of the state.¹³ Section six of the act creating the patrol extended the legal duties of the patrol beyond those of local peace officers. This flexible provision vested the commissioner with the power "to adopt and enforce such rules and regulations as may be necessary to carry out the provisions of this act and any other laws."¹⁴

This measure seemed necessary due to the absence of an established vehicle code regulating the use of highways. In addition, with the still tense relationship between rural police and the patrol, it was felt politically appropriate to leave an open end to the new state police force since any aggressive assertion of the patrol's power might antagonize county sheriffs. By creating an ambiguous flexibility, the patrol developed a more detailed and uniform code of operations slowly and without alarm.

To appease other fears in rural counties, the act limited the size of the patrol to not more than 125 men, exclusive of the chief and assistant chief.¹⁵ There were to be four captains, eight sergeants, and fewer than 113 patrolmen. The patrol directed these men to enforce the law in a predominantly rural area covering nearly 70,000 square miles with a population of more than 1,500,000 persons. That was more than 620 square miles for each patrolman!¹⁶

To meet the demands of patrolling such a large area, each trooper had to pass a physical and mental examination as prescribed by the commissioner, and only the most fit were to be admitted to the first patrol school. Other qualifications for the patrol included: Oklahoma citizenship for at least two years, good moral character, at least twenty-five years old, and a high school education or its equivalent.¹⁷ More than 500 men applied for the first patrol school in 1937, but only 140 were admitted; of these only 83 graduated.

Within thirty days a second school was held and another forty-two men graduated, making the total number of men in the patrol 125.¹⁸ All graduates were placed on a twelve-month probation subject to removal for behavior unbecoming a member of the new police force. Like most peace officers, all members of the patrol had to be dressed in distinctive uniform and display their badge of office when on duty. The badge had the seal of the state in the center with the words "Oklahoma Highway Patrol" encircling the seal. Below the seal was the designation of the position held by the member to whom it was issued.¹⁹ Such distinctions instilled a certain pride in those early troopers.

After completing the first patrol school, the force was ready to assume its duties of protecting citizens' safety and property, but still to be settled was the intended purposes of the new state police force and general policy guidelines it would follow. These questions faced J. M. Gentry, the first commissioner of the Department of Public Safety. Gentry drew from two sources in developing the basic policies of the patrol. One was the legislative act creating the Department of Public Safety; the other was state police forces in other states. However, both were limited in the help they could offer.

Compared to the usually lengthy statutes established by Oklahoma legislatures, House Bill 26 was short. The act established the basic organization of the patrol, but was brief in its directives for policy. Other state police

forces presented different types of organization and some general alternatives for basic purposes, but such examples had to be adapted to conditions in Oklahoma.

State police forces, such as the Texas Rangers, the oldest in the country, or the Arizona Rangers were mainly intended for border patrol, a duty not required in Oklahoma. States such as Maryland organized state police forces which lacked general police powers and were directed largely to enforcing only motor vehicle and highway laws. Delaware's state police force possessed all police powers, but because it was a subordinate division of the highway department it too was confined to highway safety.²⁰ Pennsylvania, whose organization most states had followed, used its state police force both for vehicle law enforcement and enforcement of other laws such as vice and violence.²¹ As these differences indicated, each state had its own needs and faced different situations calling for varied types of law enforcement agencies. Oklahoma was no different. It too had conditions and problems all its own, necessitating its own brand of state police.

The legislative act creating the Department of Public Safety and statements of the governor and commissioner of the department both indicated that the purpose of the patrol was to act as a state police force with general police powers, but was to focus most of its energies on traffic safety. This policy, however, developed slowly, slightly redirected by each succeeding governor and commissioner.

The act creating the Department of Public Safety contained provisions for prevention of violent and larcenous crimes, such as stopping and inspecting vehicles suspected of carrying stolen goods. However, the act had one section that indicated the patrol mainly should enforce laws pertaining to highway use. Section seventeen directed the commissioner to establish a school for the training and education of all patrolmen. According to the statute, the subjects stressed at the school were to be traffic regulation, promotion of traffic safety, and enforcement of laws regulating the operation of vehicles and use of the highways.²² All dealt with traffic problems, obviously indicating the purposes for the patrol envisioned by the legislature in 1937. By 1957 seventeen out of twenty-five statutes regulating enforcement duties of the patrol dealt directly with vehicle use on state highways.²³ Thus by statutory direction the patrol was predominantly to be a law enforcement body to regulate the use of highways.

Like any governmental agency, however, statutes alone did not prescribe all policies and purposes for the patrol. The human factor that interpreted and applied those statutes to existing conditions was where actual policy originated. Policy making decisions for the patrol oftentimes originated with the governor, to whom the department was legally subordinate. The commissioner of Public Safety usually was controlled by the governor as well. From 1937 to 1955, every incoming governor appointed a new commissioner. By virtue of this political relationship, the

official policy of the commissioner more often than not complied with the policy of the governor.

The first official policy of the patrol in 1937 included the reduction of highway traffic fatalities as the objective, with courtesy and education as the means by which this could be attained. J. M. Gentry, the first commissioner, stated that the main purpose of the patrol was to "educate the public to the proper use of the highways."²⁴ By stressing a basic knowledge of traffic laws, Gentry hoped to reduce fatalities on the highways. Towards this goal Gentry faced a formidable task, for in 1937 traffic laws were so insufficient that Gentry and his staff had to improvise frequently.²⁵

Gentry's means of educating the public about traffic laws initially began by developing a good reputation for the patrol. To achieve this goal, he relied on courtesy and sincerity in encounters with the public rather than mercilessly searching for traffic violators. By creating a favorable image of the patrol in the eyes of the public, the patrol was better able to establish contact with individuals and thus educate them.

At first the troopers concentrated on issuing warning tickets, which indicated a policy of education rather than monetary penalties; in the first nine months of the patrol's existence, troopers issued 288,277 warnings but only 5,518 arrests.²⁶ This compared with 112,434 warnings issued in 1954, a year when the patrol was much larger and

covering more mileage.²⁷ Another form of courtesy was the role the patrol played in assisting drivers in trouble on the highways. From 1937 to 1953 troopers extended more than 2,000,000 assists to motorists in distress.²⁸ That averaged more than 250,000 assists per year, which far exceeded the number of arrests.

Another form of assistance was the patrol's aid to victims of disasters such as tornadoes, floods, and riots. The disastrous tornado which leveled Woodward in 1947 brought a state senate resolution directing the patrol to mobilize and assist the destroyed town.²⁹ Troopers spent days searching through rubble for dead, as well as providing law enforcement in the area. Such service created a public reputation for courtesy, important to the patrol in its early years when lingering objections to its creation reappeared from time to time in the state legislature. At least five bills before 1943 proposed to abolish the Department of Public Safety. The good reputation of the patrol caused those attempts to end in failure.

Reducing traffic fatalities was the patrol's main objective, and educating the public about traffic laws was the first means to achieving that objective. Another means was to remove unsafe vehicles from the highways. By vehicle inspection the patrol could determine if a vehicle was a hazard to safety. House Bill 26 established a separate division of the department for vehicle inspection, but it was the patrol that furnished the manpower to execute

the checks. An example of their effectiveness in accomplishing these checks involved the testing of school busses. After inspecting 1,823 busses in 1938, the patrol condemned 269 of them and rated another 476 busses in fair condition.³⁰ By removing 269 dangerous school busses from the highways, the patrol possibly saved countless children from injury or death. In May of 1950, the patrol initiated a statewide vehicle inspection. Out of 100,118 vehicles checked, the troopers found 22,131 defective in some way.³¹

The policy of vehicle checks and driving tests, combined with educating the public about traffic laws, reduced traffic fatalities significantly. Fatalities dropped during the first nine months of 1938 by 114 over the same period in 1937.³² When the legislature organized the patrol in 1937, the death rate had been 14.2 persons per 100 million miles driven. By 1955 miles driven had doubled from four to eight billion; this increase of miles driven far outdistanced the growth of the patrol, but the fatality rate fell to 6.4 persons per 100 million miles driven.³³ The patrol earned its reputation in those early years.

Although the main purpose of the patrol was highway safety, statutes and governors directed the patrol to exercise its general police powers at the state level. During the early years of the patrol, because it was unique as the only state agency with men in all areas of the state, troopers were used to coordinate manhunts and searches for criminals. The first assignment of the patrol as a group was

to apprehend Pete Traxler, a notorious outlaw who had escaped from prison and was terrorizing southeastern Oklahoma. Cooperation between the patrol and local sheriffs managed to confine the outlaw to one area where he eventually was captured.³⁴ The patrol's role in pursuing bank robbers also was well known in the 1930s and 1940s. The patrol's most celebrated enforcement of general criminal action, however, involved the prohibition laws of the state.

In his annual address to the legislature in 1941, Governor Leon Phillips spelled out the duties of the patrol: "Its goals and ambition is to protect human life, make the highways safe from drunk and reckless drivers, and to destroy the source of many of our evils--the illicit importation and sale of intoxicating liquor."³⁵ Governor Phillips chose his front door secretary, Walter B. Johnson, as commissioner of public safety in 1939. Together, they began a limited practise of using the patrol to crack down on the illegal importation of whiskey into Oklahoma. From 1939 to 1940 the patrol conducted 325 raids against whiskey dealers. As a result, the patrol arrested 421 men, confiscated 49,000 pints of whiskey, and seized thirteen automobiles used for hauling it.³⁶ Under the administration of Commissioner Johnson, the patrol gained the reputation of being an effective agency in limiting the illegal importation of intoxicants.

In 1947 Governor Roy J. Turner selected Paul Reed of Sulphur as commissioner of public safety. Under his tenure

the patrol again assisted the Crime Bureau in raiding the illegal whiskey traffic. Governor Turner favored using the patrol to raid places which flagrantly violated the laws of the state. The next governor felt the same about the liquor laws. In his address to the legislature in 1951 Governor Johnston Murray noted the menace of drunken driving was one of the patrol's greatest problems, saying he felt there was no punishment too severe for such people. This attitude about the relationship between liquor traffic and highway fatalities set precedents for the patrol's efforts to enforce laws not directly related to traffic regulation.

While governors and commissioners developed policy which established the basic purpose of the patrol, the Department of Public Safety grew both in manpower and legislative appropriation. Every governor from 1937 to 1955 recommended a stronger patrol with larger appropriations. In 1939 Governor Phillips recommended that the patrol be continued and granted additional powers. He also requested the legislature to place the patrol under the governor's power to serve as a home guard in event of the withdrawal of the National Guard.³⁷ This clearly was an early attempt to expand both the size and scope of the patrol. Phillips, although known as economy minded, also wanted more money for the patrol. He suggested adding thirty new troopers to the force and ten new units.

In 1941 the legislature complied with this request for thirty additional patrolmen. At the same time it increased the salary of troopers to \$130 a month for the first year, \$140 for the second year, and \$150 for the third and succeeding years.³⁸ Even when the sacrifices of World War Two hampered all agencies of the government, the patrol continued to grow throughout the decade. By 1947 the number of men in the Department of Public Safety had increased from 125 to 295. The patrol had grown to include 135 troopers, ten sergeants, eight lieutenants, two captains, and the chief.³⁹

In his message to the legislature in 1949, Governor Roy Turner recommended the patrol be expanded even further, and to be financed by an increase in driver's license fees. That year the Oklahoma legislature authorized the largest increase in manpower for the patrol up to that time, directing the commissioner to appoint fifty-nine extra patrolmen during 1949 and another sixty-seven during 1950. With this came a substantial salary increase of sixty dollars a month for the first year.⁴⁰ By 1953 manpower increases had brought the patrol to almost 300 men.⁴¹

According to statute, the Oklahoma legislature had to vote on the appropriation for the Department of Public Safety every two years. From 1937 to 1955 the sum appropriated to the department increased from \$300,000 to \$2,445,000. Although that seemed excessive during an eighteen-year period, the increase was necessary if the

state's highways were to be patrolled effectively. In addition to the increased size of the department, many new divisions and duties had been undertaken by the Department of Public Safety and the division of the patrol. These added duties required more funds.

Soon after the creation of the patrol, the legislature became aware that this was its only agency with men spread across the state and in close contact with citizens. Because of the unique position of the patrol, legislators began adding new duties and divisions which extended and sometimes diluted the scope of the state police force. In March of 1939 Governor Leon Phillips signed a bill abolishing the Bureau of Criminal Identification and Investigation, transferring its duties, records, equipment, and property to the Department of Public Safety.⁴² Six years later the Tax Commission, seeing the effectiveness of the patrol, managed to get six of its investigators assigned to the patrol. These two additions entailed new duties for the patrol, one criminal investigation, the other enforcing the laws of size and weight limitations.

In 1947, during Governor Turner's administration, the legislature established the division of size and weights as part of the patrol. Operators of size and weights units became uniformed members of the patrol, another extension of its duties. The division of size and weights main duty was to prevent damage to the state's highways by overloaded trucks, another way the patrol provided for public safety.

In 1948 came yet another addition to the patrol to assist it in enforcing the law. This was the air patrol, consisting of one airplane piloted by Lieutenant Art Hamilton. Oklahoma was the first state to employ an airplane in controlling traffic, and in 1950 Commissioner Goble Gambill put the plane on fulltime duty. From 1946 to 1955 Hamilton logged 6,700 hours in the air, becoming the most efficient traffic watchdog in the patrol.⁴³

Such additions to the patrol's ability to cover more miles became more important in 1953 when enforcement of laws on turnpikes became the exclusive responsibility of the patrol. That year the Turner Turnpike between Oklahoma City and Tulsa opened, requiring enforcement of traffic laws on the toll road. Because the turnpike was not a state highway, the Oklahoma Turnpike Authority contracted the Department of Public Safety to patrol the new road. Although much of the cost for this service was met by the Turnpike Authority, the patrol had to have more men and units, meaning further expansion.

These added duties caused the patrol to top 300 men by 1955. The comradery of the previously small organization of 125 men became strained as numbers increased. As a result, the administration began an effort to improve morale. At the same time, the department found that the post-war economic boom made it more difficult to attract capable men, for these could find better paying jobs in industry. To meet these two personnel problems, the Department of

Public Safety established a series of employee benefits that made the patrol more enticing. This was an important development for the sake of protecting the high degree of efficiency and professionalism maintained since 1937.

In 1947 the legislature created a death, disability, and retirement fund for the benefit of members and dependents in the Department of Public Safety. The state put \$25,000 a year into the fund, and the state treasurer held not more than five percent of a trooper's salary for the fund. Two years later another bill added group medical and hospital insurance for members covered by the plan.⁴⁴ This bill also provided for retirement after twenty years of service, an attractive inducement to young men looking for a job with security. Another employee benefit was a credit union begun in 1953. Members of the credit union could borrow up to \$200 on unsecured loans and up to ten percent of the total assets on secured loans at one percent interest.⁴⁵ Both the retirement fund and credit union helped maintain high morale among troopers and kept the quality of men entering the patrol high.

By 1955 the patrol had an admirable eighteen-year record. Morale among the troopers was high, the patrol was succeeding in reducing fatalities, and the organization had changed as its size and duties increased, therefore avoiding the stigma of bureaucratic inertia. The public and press had a favorable opinion of the patrol, resulting in legislative increases in the department's appropriations.

In 1955 it seemed the patrol was without defeat. However, during the next twelve years not only would come great increases in size and duties, but also changes in organization. Accompanying the growth in size and appropriations for the department was a closer public scrutiny of the patrol. Between 1955 and 1967 the public became more aware of policy and administration of the patrol, resulting in new policies and direction.

FOOTNOTES

¹Oklahoma, Journal of the House of Representatives, Regular Session, 16th Legislature, April 26, 1937, Vol. II, p. 2895.

²Daily Oklahoman (July 10, 1955), p. 16.

³Oklahoma State Planning Board, A State Police for Oklahoma (Oklahoma City: June, 1936), p. 2.

⁴Alva Ray Stevens, "Oklahoma Highway Patrol," (M. A. Thesis, Oklahoma University, 1957), p. 2.

⁵A State Police for Oklahoma, p. 2.

⁶Ibid., p. 1.

⁷Ibid., pp. 6-10.

⁸Ibid., p. 38.

⁹Oklahoma, Journal of the House of Representatives, First Ex. Session, 16th Legislature, November 24, 1936, p. 17.

¹⁰Oklahoma, Journal of the House of Representatives, Regular Session, 16th Legislature, January 5, 1937, p. 158.

¹¹Oklahoma, Session Laws of 1937 (Oklahoma City: Harlow Publishing Corporation, 1937), p. 326.

¹²Ibid., p. 327.

¹³Ibid., p. 330.

¹⁴Ibid., p. 327.

¹⁵Ibid., p. 329.

¹⁶A State Police for Oklahoma, p. 2.

¹⁷Oklahoma, Session Laws of 1937, p. 329.

¹⁸Oklahoma Department of Public Safety, The Safety Signal, Vol. XIX, no. 2 (May-June, 1962), p. 3.

¹⁹Oklahoma, Session Laws of 1961 (Guthrie: Co-operative Publishing Co., 1961), p. 330.

²⁰Bruce Smith, The State Police (New Jersey: Patterson Smith, 1961), p. 43.

²¹Ibid., p. 78.

²²Oklahoma, Session Laws of 1937, p. 331.

²³Oklahoma Executive Department, Executive and Administrative Agencies in Oklahoma State Government, 1958, pp. 146-148.

²⁴Stevens, p. 17.

²⁵Ibid., p. 46.

²⁶Oklahoma, Journal of the House of Representatives, Regular Session, 17th Legislature, January 3, 1939, p. 62.

²⁷The Safety Signal, Vol. V, no. 6 (January, 1954), p. 4.

²⁸Ibid., Vol. V, no. 5 (November, 1953), p. 1.

²⁹Oklahoma, Journal of the House of Representatives, Regular Session, 21st Legislature, April 16, 1947, p. 2114.

³⁰Oklahoma, Journal of the House of Representatives, Regular Session, 17th Legislature, January 3, 1939, p. 42.

³¹The Safety Signal, Vol. 1, no. 7 (June, 1950), p. 1.

³²Oklahoma, Journal of the House of Representatives, Regular Session, 17th Legislature, January 3, 1939, p. 62.

³³Daily Oklahoman (July 10, 1955), p. 16.

³⁴The Safety Signal, Vol. XIX, no. 2 (May-June, 1962), p. 2.

³⁵Oklahoma, Journal of the House of Representatives, Regular Session, 18th Legislature, January 7, 1941, p. 77.

³⁶Ibid., p. 101.

³⁷Oklahoma, Journal of the House of Representatives, Regular Session, 17th Legislature, January 10, 1939, p. 25.

³⁸Oklahoma, Session Laws of 1941 (Guthrie: Co-operative Publishing Co., 1941), p. 203.

³⁹Oklahoma, Journal of the House of Representatives, Regular Session, 21st Legislature, May 8, 1947, p. 3331.

⁴⁰Oklahoma, Session Laws of 1949 (Guthrie: Co-operative Publishing Co., 1949), p. 369.

⁴¹Oklahoma, Session Laws of 1953 (Guthrie: Co-operative Publishing Co., 1953), p. 212.

⁴²Oklahoma, Journal of the Senate, Regular Session, 17th Legislature, March 22, 1939, pp. 893-894.

⁴³Daily Oklahoman (July 10, 1955), p. 10.

CHAPTER II

THE INFLUENCE OF POLITICS ON THE PATROL

The highway patrol should have been above the political maneuvering that was so prevalent in state politics from 1937 to 1955. The contrary proved to be what actually happened. The Department of Public Safety had been established as an agency under the executive department of the state government, giving the governor appointive powers over top officials of the department such as commissioner and chief of patrol. Those officials then would control the internal organization of the patrol, thus making the gubernatorial appointments influential.

Because of this relationship, the new policies instituted by incoming governors and commissioners every four years greatly influenced the personnel of the patrol. For example, if a governor wanted fewer arrests made for political purposes, he could manipulate the patrol leadership through his commissioner and attain that goal. Any captain or lieutenant opposing that new policy could be thrust aside, either demoted, or transferred. This type of political control continued to affect the patrol from 1955 to 1967.

However, influence of politics on the patrol was not confined to administration. Politics also was a major factor in the relationship between the Department of Public Safety and the legislature, from whom the department received budgetary appropriations every two years. The duty of requesting necessary appropriations originated with the governor and the commissioner of the Department of Public Safety, making their relationship with the legislature extremely important. If that relationship was favorable, then they had a better chance of gaining extra money for operating the department.

In the basic organization of the Department of Public Safety, external politics always had been important. In 1937 the Oklahoma State Legislature limited the maximum number of troopers as well as the appropriation for the department every two years. Thereby the Department of Public Safety was subject to the favor or disfavor of the legislative body at the capital. The bargaining agent for the department in that struggle for favor became the governor by virtue of his control over the agency. If the governor could win legislative favor, the Department of Public Safety received a larger share of the state's expenditures.

Between 1955 and 1967 every governor supported increases in size and appropriations for the patrol. Each governor played the role of patrol booster, stressing the importance of its work and the necessity of more money. Governors Raymond Gary, J. Howard Edmondson, and Henry Bellmon

were all successful in gaining increases in manpower limits and appropriations. In 1955 the legislature voted \$2,615,525 to the Department of Public Safety at a time when the size of the patrol was fewer than 260 troopers. Because of the support of the three governors between 1955 and 1967, the patrol grew in twelve years to 419 men with an appropriation of \$4,467,750.¹

Raymond Gary of Madill became governor in January of 1955, soon thereafter choosing Jim Lookabaugh of Stillwater as his commissioner of public safety. Together these two men promoted the patrol and its need for more money. In his first speech to the legislature as governor, Gary emphatically predicted the death toll on the highways would increase several hundred percent if the efficiency of the patrol were curtailed by forcing it to operate on a small appropriation.² Although Gary clearly recognized the crisis facing the patrol, he requested more funds as part of his general plans for stronger state government. In his message he also called for big increases for common schools, highways, mental institutions, and general governmental agencies.³ Because of his excellent relationship with the senate Governor Gary was able to begin his administration in an aggressive manner, much to the benefit of the patrol.

Gary also recognized the urgent need for increased appropriations for the Department of Public Safety because of the rapid pace of highway construction during his administrations. Highway mileage increased at a rapid rate,

with 2,500 miles of new state highway constructed, a twenty-five percent increase in four years. Toll road construction also increased, adding the Will Rogers and G. E. Bailey turnpikes to the roads patrolled by the highway troopers. This increase of mileage worsened the situation for the already overworked patrol, prompting efforts to augment its forces.

Within the first year of Gary's and Lookabaugh's control of the Department of Public Safety the patrol had financial problems. In the early part of 1956 rising gas prices, increased highway mileage, and worn equipment caused Gary to make a supplemental appropriation of \$150,000.⁵ Even this emergency action was not enough, however, for more men and equipment were urgently needed. In October of 1956 the patrol consisted of only 257 troopers. Of these, fourteen were assigned to the turnpike, ten were in the size and weight division, and twenty-five were either so sick or disabled as to keep them off the road, leaving only 208 troopers to patrol state highways.⁶ Besides its shortage of troops, the patrol was using eighty-three cars with more than 100,000 miles of use, and most of the radio equipment was more than ten years old. Responding to this crisis, Governor Gary promised Lookabaugh an increase in appropriations of \$250,000 for the coming fiscal year provided he could get legislative concurrence.

Gary's promise to ask for more money, did not alleviate the financial problems, however. By January of 1957,

Lookabaugh feared he would have to junk many of the patrol cars because there was no money for replacement of worn parts. This forced him to ask for an immediate supplemental appropriation of \$441,419.⁷

In addition to a shortage of money, there were too few troopers to patrol the state's highways effectively. According to statute, the patrol could employ up to 300 troopers, but the shortage of funds prevented the opening of a new patrol school, nor were there funds to pay new men should a school be formed. Thus any new appropriation would have to include enough for a new patrol school; and if a new patrol was called, the additional troopers would need more equipment, also requiring more funds.

Commissioner Lookabaugh and Governor Gary addressed those needs from 1955 to 1957. Their duty was to wrangle money from the traditionally tight-fisted Oklahoma Legislature. This was where political acumen played a decisive role. Gary had been elected to the senate in 1940 and had gained the chairmanship of the powerful appropriations committee; therefore he had a good relationship with the senate, as well as having a thorough knowledge of the legislative process. This political relationship, combined with the excellent record of the patrol, did gain increases in money and men for the Department of Public Safety. From 1955 to 1957 the legislative appropriation for the department increased by \$200,000. The legislature also authorized the commissioner to employ fourteen additional troopers and

one new captain.⁸ This increased the maximum number of men to 315. To train these additional men, the legislature directed the department to conduct its fourteenth patrol school, the first to be held since 1953.⁹ As a result thirty-four cadets graduated on May 18, 1956, augmenting the seriously understaffed patrol.

The political pull of Governor Gary and the patrol's obvious needs thus succeeded in gaining additional funds, partially meeting the growing task before the patrol. By 1958, however, the patrol again was in financial trouble, not so much from overspending as from its increased duties outstripping the size of the patrol. His problem was to convince the legislature to provide more funds. In his capital newsletter Gary stated that his main recommendation for reducing highway fatalities was more spending and more troopers, saying, "A trooper on the side of a busily travelled road does more to reduce speed and recklessness than anything else."¹⁰

To back his opinion, Governor Gary used a survey of traffic safety conducted by the International Association of Police Chiefs. After studying the patrol and what it would require to make it an effective traffic safety force, the survey found that seventy-five new troopers would have to be added to the force and more money be put into its system of communication. According to the survey, a \$10,000,000 expansion program had to be implemented during the next four years, it needed to increase from 261 to

564 troopers, and the number of patrol cars had to be doubled to 305.¹¹

While waiting for funds for expansion, Lookabaugh implemented a new policy of using only one officer in each unit in order to meet part of this recommendation for more units to be on the road. Previously there had always been two troopers in a unit. Financial restrictions forced this move which allowed each unit to be on the road sixteen hours a day instead of the old eight hours a day.¹² Even this move was not enough, however. Though Gary continually supported increases for the Department of Public Safety, appropriations increased only to \$2,400,000 in 1959, and the size of the troop force grew to only 290. Political acumen and the need for increased appropriations had not been enough to bring the size of the patrol quickly to its necessary strength; but at least the safety-conscious governor had begun to emphasize the need for expanding the important agency.

Governor J. Howard Edmondson likewise had to settle for a slow process of growth due to the thrifty legislature. Like Gary, Edmondson wanted more funds for the Department of Public Safety. In his first message to the legislature, Edmondson cited the same survey used by Gary in requesting twice as many men and 150 additional cars. In October of 1960 Edmondson received a study by the National Safety Council which reported that the patrol should be enlarged, recommended manpower be doubled, and suggested each

trooper's weekly workload of fifty-four hours be shortened.¹³ Both surveys had attempted to determine the size of a patrol needed to guarantee traffic safety in Oklahoma, and both reported a serious deficiency.

Increasing the patrol's problems was its use by Edmondson's administration not only for traffic law enforcement but also for criminal law enforcement as well. This new activity away from the highways was a result of the governor's attempts to crack down on bootleggers who were importing liquor into the state, which still was under prohibition. Enforcement of liquor laws by the patrol caused an even more acute shortage of troopers on the highways.

Edmondson saw the needs of the Department of Public Safety during his administration. In 1959 he was considered one of the most popular governors ever elected by the citizens of Oklahoma. With this popular support, Edmondson set about the first ninety days of his administration with energy and reform. All conditions seemed to indicate that he could succeed with the legislature where Gary had failed. He successfully reorganized the house of representatives to his benefit, then overwhelmingly pushed a repeal question through the legislature. It seemed as if he could gain anything, including increases for the Department of Public Safety. Soon after his victory on repeal, however, Edmondson met his match in the rurally controlled senate. He was unable to reorganize the senate, and leaders there

retaliated by refusing to confirm several gubernatorial appointees. During the last three years of his administration, Edmondson found that the solid senate was his main enemy, hindering many of the programs he felt were needed, including an expanded Department of Public Safety.¹⁴

Edmondson had many reasons for supporting an increased appropriation for the department. One was the importance of traffic safety and reduction of highway fatalities. Another was to enforce the state's liquor laws with the use of the patrol. A third reason was to increase the power and scope of the patrol under the control of the executive department, thus giving the governor more power over the counties, for Edmondson wanted to investigate several county governments which he suspected of corruption.¹⁵ A strengthened patrol offered the means to carry out that investigation. The rurally controlled senate naturally opposed such actions, intensifying its opposition to Edmondson's request for more money.

To expand the patrol for these purposes, Edmondson asked for an increase of \$600,000 for 1962 alone, an amount greater than the entire four-year increase gained by Raymond Gary. Along with his request for more money, he asked for new patrol schools in order to expand the number of troopers to the 339 authorized by statute. At the time the patrol had only 227 troopers.¹⁶ To pay for this large increase, Edmondson proposed a one-percent state sales tax. This proposal practically guaranteed opposition from the senate,

which already looked at any increase in the patrol's size with suspicion. To the rural senators, Edmondson not only was trying to gain the power to police rural governments, but also he was attempting to get the rural population to pay for that increase.

Because of his failure to control the senate, Edmondson did not succeed in gaining his requested large increases for the Department of Public Safety. The legislative appropriation for the department increased only from \$2,625,000 in 1959 to \$3,143,000 in 1963, substantially less than the amounts requested by the governor and the national traffic safety organizations. This failure to provide new money led to an economic crisis in 1963 when the financial situation became so bad that the governor had to ask for a supplemental appropriation of \$153,631 to be used by the patrol.¹⁷

One reason for this need for new money was for training new personnel. In August of 1959 the Plans and Training Division of the Department of Public Safety was established to supervise the training and retraining of all personnel.¹⁸ During Edmondson's administration, three patrol schools were held, each adding needed troopers to bring the physical size of the patrol toward minimum requirements. In 1959 there were about 270 men on the patrol; in 1963, about 282, down from 290 the previous year.¹⁹ Although the numbers did not indicate a major victory, Edmondson had laid the foundation for establishing more patrol schools with greater

ease, thus increasing the flexibility of the patrol. Like Gary, however, Edmondson failed to expand the size of the patrol significantly.

Two popular Democratic governors had tried to convince Democratic legislatures that a liberal increase in appropriations for the Department of Public Safety was necessary. In 1963 Henry Bellmon became governor, the first Republican in Oklahoma's history to hold the office. The political scientist would have said a Republican governor in a predominantly Democratic state would have problems in gaining legislative cooperation. Such was not the case, however, for Bellmon enjoyed the general support of both legislative bodies, especially in the house where Speaker J. D. McCarthy became a strong supporter. In the senate only one or two members criticized the governor, but they were not party leaders.²⁰

The political success of Bellmon carried over to the Department of Public Safety. He established a commission to select a new commissioner void of all political considerations. The new leader was Bob Lester, a professional in law enforcement with a background in traffic safety. These two men, working for an increase of the patrol, achieved substantial gains by 1967.

Bellmon and Lester faced a worsening situation as the needs for more money were increasing after 1963. Highway mileage continued to multiply, and the Turnpike Authority constructed new toll roads at a quick pace. In addition,

the modernization of police methods grew more important. Computers, new communication systems, and advanced techniques of crime detection all required more money as law enforcement became modernized.

In 1964 Commissioner Lester announced that construction of highways had outstripped the growth of the patrol's abilities to patrol them, causing him to ask for an appropriation of \$5,000,000 for that year.²¹ Later that same year, Lester again stressed the importance of troop increases; he wanted an additional one-hundred men and a salary increase to insure the recruitment of capable men.²²

To meet this demand for more men, the legislature approved five patrol schools between 1963 and 1967. Approximately 600 men applied for the first school held in 1964, but only thirty-six were accepted. All thirty-six graduated after two months of intensive training.²³ Each of the five schools graduated about thirty cadets, all needed as additions to the size of the patrol and as replacements for retiring troopers, for by the mid-1960s many original troopers were reaching the mandatory retirement limit of twenty-five years of service. Also, these troop increases greatly enhanced the efficiency of the patrol. In 1937 the patrol had begun with eighty-three troopers at a salary of \$150 a month.²⁴ By 1967, with the addition of 107 new troopers during Bellmon's administration, there were 393 troopers, each with a base salary of \$400 a month, increasing to \$450 the second year and \$500 the third year.²⁵

Bellmon thus was successful in gaining legislative increases where his previous Democratic predecessors had failed. Gary and Edmondson had begun the growth of the patrol, but Bellmon accelerated that growth. By 1967 the patrol was serving statewide with better equipment, established traffic code with which to work, and an advanced communication system. A special investigation committee established in 1967 to study the organization and efficiency of the Department of Public Safety reported it was basically patrol oriented and suggested no change in its structure due to a high degree of efficiency.²⁶

That efficiency rating was based on general organization and execution of traffic safety. If the study had dealt with the process of selecting personnel in positions of leadership in the department, a lower rating might have followed. At that level, political manipulation of personnel often slowed growth and harmed the efficiency of the patrol. Internal politics within the patrol were most obvious at two levels: the commissioner of public safety and the uniformed officer hierarchy from chief down to lieutenant.

In 1955 all positions of authority and power were filled by appointment, the commissioner's post by the governor, the others by the commissioner and chief. Before 1967 every new gubernatorial administration brought with it a new commissioner of public safety, for commissioners were generally close political and personal friends of the

governors. With this change in the top position usually came a shake-up in the entire leadership of the patrol. This trend continued in varying degrees until Bellmon's administration.

The effect of politics was quite apparent during Gary's administration. The first two years of his tenure brought a high degree of internal reorganization, resulting in new policies for the patrol. In January of 1955 Gary appointed his old friend Jim Lookabaugh as commissioner of public safety. Few people knew the new commissioner's plans for the patrol and awaited expected changes. While the press and the patrol waited, Lookabaugh announced that any new policies would come out of a round of conferences with his old friend Gene Hoyt, former Stillwater police chief, and T. B. King, the assistant commissioner, another friend of Gary.²⁷

Soon the anticipated changes began to flow from these conferences with his old friends. In early February, Lookabaugh announced that all patrol captains would leave their desk jobs at headquarters in Oklahoma City and return to field duty, working with lieutenants and troopers in the performance of actual duties of patrolmen. According to Lookabaugh, the captains had been taken from field work by Commissioner L. F. Bellatti during the administration of Governor Johnston Murray, making the new change actually a return to established policy.²⁸ This change indicated a possible rift between the commissioner's office and

uniformed officers who ran the daily operations of the patrol. By moving the captains to widespread posts in the state, Lookabaugh removed their direct influence in the formulation of administrative policy.

Two weeks after this move to limit the influence of captains in the administration, Lookabaugh announced a major change in the organization of patrol districts of the state. Instead of two divisions, North and South, with four districts each, the patrol would operate from five divisions with two districts each. This was a move to weaken the powers of the patrol's officer class by decreasing the area of each captain's responsibility. Lookabaugh was successfully reorganizing the patrol to strengthen his position as the formulator of policy. Indicative of the growing breach between Lookabaugh and officers and troopers in the field was Lieutenant Bill Hamilton's promotion to captain; he was to serve as a liaison between headquarters and men in the field.²⁹ Lookabaugh apparently considered an intermediary necessary between himself and the uniformed patrol.

One and one-half years after this transition of power, Assistant Commissioner H. J. Harmon looked back to 1956 and explained that the number of changes in rank and position came because some officers would not go along with changes in policy.³⁰ The erratic professional career of Carl Tyler during this period shows the influence of politics.

Carl Tyler had been an original trooper, which was a mark of distinction among troopers in 1955. As a good

administrator he rose to leadership in 1949 when he organized the patrol's safety responsibility program. For the next five years, Tyler moved from chief of patrol to assistant commissioner under Dixie Gilmer, finally becoming acting-commissioner in 1954 after Gilmer's death. When Lookabaugh became commissioner, he immediately reduced Tyler's rank to lieutenant. Within one month, however, several unnamed senators began requesting that Lookabaugh return Tyler to a position of authority. Lookabaugh retorted simply by saying it was a "great clash of personalities" between Tyler and other persons in the department.³¹ Nevertheless, political pressure continued until Governor Gary intervened in the matter and requested Tyler's promotion and his transfer from the patrol division to the size and weights division.³² Outside political pressure forced a change, but Lookabaugh retained a degree of victory by assigning Tyler to an obscure job in the tax commission checking unlicensed junk cars in salvage yards.³³ Tyler continued to receive a captain's pay, but he was out of the circle of men who determined policy for the patrol. Internal politics had taken its toll on Carl Tyler.

Although internal reorganization rocked the patrol during the first half of 1955, the latter part of the year brought more turmoil because of political maneuvering within the patrol leadership. One incident in March began a series of events that revealed the influence of politics on the patrol and culminated in a senate investigation.

In March of 1955 trooper Bud Williamson of the Lawton district was called to investigate an automobile accident involving a local resident and Lawton's most notorious bootlegger, Lincoln "Step" Wade. When Williamson arrived at the scene a milling crowd directed the trooper's attention to liquor dripping from the cave-in trunk of Wade's automobile. At this time prohibition was still in effect in Oklahoma, making Wade an illegal transporter of liquor. Trooper Williamson, apparently connected with the illegal whiskey traffic, allowed Wade to take his vehicle from the scene of the accident and transfer the liquor to another car. Then the trooper gave a ticket to the local citizen who had been driving the other car involved in the accident. Concerned citizens from the area called for an investigation of this apparent conflict of duty involving the patrolman, opening the incident to political manipulation.

Lieutenant C. T. Raley and Captain Norman Holt were the two officers in charge of the Lawton district, and to them fell the task of checking the incident. Both men began an investigation of a case which by that time was beginning to attract statewide news coverage. Any wrongdoing on the part of a trooper would be bad publicity for the previously untarnished patrol. To meet this crisis, the patrol leadership at the state level called for a hearing on the case and quickly found the trooper not guilty of illegal or unethical handling of the accident. This action, however, did not end the incident. The two officers, Raley and Holt, who had attempted an efficient

investigation, were demoted soon after the commissioner's exoneration of Williamson. In retaliation, Raley blasted Lookabaugh and patrol headquarters, claiming that he and Holt had been demoted and transferred because of their conscientious investigation of a case which the patrol leadership wanted hushed. Raley even claimed that Governor Gary and A. B. Green, Gary's appointee to the Highway Commission, were controlling the policy of the Department of Public Safety and had played a large part in his demotion. According to Raley, Green had political ties in the Lawton area; and because Green had given \$50,000 to Gary's campaign fund the Lawton district was unjustly controlled by Green.³⁴

In addition to the Lawton controversy, Lookabaugh's personnel committee began an extensive plan of demotions, promotions, and transfers which involved almost every section of the state.³⁵ The Williamson case, the Raley allegations, and a wholesale shake-up of the highway patrol resulted in a senate investigation beginning in September of 1955. During the investigation more allegations of cover-ups of corruption emerged, again involving demotions for officers who tried to investigate irregularities in the enforcement of prohibition.³⁶ As the senate investigators gathered the facts about these cases, Assistant Commissioner of Public Safety H. J. Harmon and Chief of Patrol Jack Rollins changed their decision on the innocence of trooper Williamson in the Lawton case. When asked about this change of heart, both replied that new testimony revealed

Williamson's guilt.³⁷ The senate committee agreed with this opinion of guilt, but added that Williamson's case had been badly bungled and might have gone unheeded except for efforts by press and citizens to achieve justice.

After months of investigating the activities of the Department of Public Safety, the senate committee recommended a complete change in the patrol's policies governing promotion and demotion. The committee report also advised the governor to establish a non-political commission to oversee the Department of Public Safety in order to halt abuses and take the patrol out of politics.³⁸

The report criticized the leadership of the patrol, but ended by praising the worth and service that troopers provided. The troopers who actually patrolled the highways were unaffected by the controversy and carried out their duties as usual. During the allegations of corruption and the investigation, the Daily Oklahoman took a poll to determine trooper morale. Most of the answers seemed to agree that although troopers were not happy with their leadership, they were continuing to work diligently to serve the public. Many troopers acknowledged the role of politics in the patrol, but said they accepted this fact and would not allow it to interfere with their service.³⁹

Several changes in the patrol resulted as a consequence of the months of investigation and bad publicity. Governor Gary agreed with the concept of a non-political commission directing the Department of Public Safety and recommended a three-man public safety commission during the remainder

of his administration. In other statements he also strongly recommended a merit system for promotion in the patrol, a move to end some of the criticism about politics in the patrol. By the end of his administration, merit testing was required for promotions in rank from supervisor to captain, removing much of the personal factor in promotion to levels of leadership. In his message of 1957 Governor Gary formally asked the legislature to create a Public Safety Commission and to give it authority to draft rules and regulations for the department's operations.⁴⁰

Under the recommendations proposed by Gary, the patrol would free itself from the political taint caused by the recently publicized troubles. According to the new merit system proposed by Gary, a trooper seeking promotion would be judged on this basis: fifty percent written examination, ten percent interview, thirty percent work record, and ten percent length of service.⁴¹ He hoped this would remove politics from the promotion process, but politics at the top levels still played a significant role in patrol leadership.

Governor J. Howard Edmondson, in his message to the legislature in 1959, echoed Gary by requesting a non-political Public Safety Commission to remove politics from the patrol and the Department of Public Safety. Then, as if saying politics was not a factor--with or without a commission--he asserted that the department's policies were set by career men and uniformed personnel. According to Edmondson the commissioner only made certain those policies were put into effect and carried out.⁴² This statement was

intended to remove suspicion that his commissioner might combine politics and policy. Such an idea was more idealistic than realistic, however.

As Edmondson began to organize his administration, he appointed his old highschool friend Joe Cannon as commissioner of public safety. According to the governor's speech, Cannon would enforce policy in the uniformed patrol, not control it. Five days after he assumed the office of commissioner, however, Cannon began a major reorganization of the patrol's leadership. This made Edmondson's statement seem hollow. When questioned about the apparent gap in intentions and actions, Edmondson denied any knowledge of the shake-up which kept only one previous captain in the new reorganization.⁴³

While Edmondson disclaimed any knowledge of the changes, Cannon said he initiated these in order to "put the highway patrol back to work."⁴⁴ Claiming that too many troopers were sitting in coffee shops watching traffic pass, Cannon said he wanted a new leadership which would push the patrol to more active enforcement of traffic laws even if it required working extra shifts. In one statement to the press, the energetic commissioner alluded to wanting a leadership to carry out the "policies the people want."⁴⁵ Whether or not "the people" meant the public or the new governor, only Cannon knew; but in Cannon's eyes the two probably were inseparable.

Both Cannon and the governor were energetic reformers who wanted to change the old inefficient apparatus of state

government. Edmondson began his administration by advocating reform measures such as repeal of prohibition, a state merit system, and legislative reapportionment. All these measures were intended to change the composition of Oklahoma's government, which in Edmondson's mind were long overdue. He intended aggressively to implement what he considered needed changes. Like his superior, Cannon shared these views about needed changes in many areas of Oklahoma's state government. Cannon's first objective for that reform was the Department of Public Safety and the highway patrol.

Cannon began by reorganizing the officer class of the patrol and changing the nature of certain positions. Beginning in 1959, the assistant commissioner's position was to be held exclusively by someone outside the uniformed patrol. Thus the chief of patrol became the top uniformed official with the rank of colonel. This marked a return to the tradition that all rank was held exclusively by uniformed members of the patrol, while the offices of assistant commissioner and commissioner were held by civilians appointed by the governor.⁴⁶ This change separated the commissioner's office from the uniformed division of the patrol, thereby leaving the actual administration of patrol duties to the chief and his captains, both of whom would be part of the uniformed patrol. This began a change in the commissioner's role, which increasingly was changing to personnel administration rather than actual law enforcement.

Even with the reform-minded leadership, politics still influenced patrol activities in 1959. Administrative

changes brought four new captains, which meant four old captains lost their positions at the top. This shake-up of top officials caused criticism from several senators, the foremost being Senator Leon B. Field of Texoma who felt that Cannon and the governor were taking the reins of the safety department from the people who had created it in 1937.⁴⁷ Senator Fred Harris of Lawton recommended a complete senate investigation into Cannon's operation of the department.

More senatorial criticism ensued in 1959 when Edmondson began using the patrol to enforce prohibition, one of the governor's reform projects. Due to pressure generated by senators and the fact that his strict enforcement of prohibition helped bring about repeal, Edmondson began to retreat on his aggressive utilization of the patrol in his reform movement. After four months of Cannon's tenure as commissioner, the two decided that a new commissioner would be in order. As the urgent need for new directions for patrol policy passed, Edmondson began to search for another commissioner.

By the summer of 1959 Governor Edmondson needed support from a legislature that not only was criticizing his control of the Department of Public Safety, but also was balking at many of his other reform attempts. To quell the opposition, he selected a commissioner once again because of politics, hoping to gain legislative support in the process. This capitulation to political reality was typified by a

letter from Edmondson to Senators Fred Harris and Manville Redman seeking suggestions for a new commissioner.⁴⁸ The process of choosing a commissioner was still a matter of political choice despite intentions to reform the government of Oklahoma.

Politics still influenced much of the internal affairs of the Department of Public Safety when Henry Bellmon became the state's first Republican governor in 1963. Bellmon inherited a state government which largely had been controlled by Democrats and Democratic patronage for more than fifty years. A few weeks after he stepped into the governor's chair, Bellmon established a Council on Highway Safety to study the Department of Public Safety and report on what it found. Martin Garber of Enid chaired the council which conducted a thorough examination of the department, the patrol, and the leadership of both. Most of its findings dealt with administration, reporting that previous commissioner appointments had been based on politics instead of qualifications. According to the report, this political influence in the selection of commissioner almost always brought drastic turnover in top personnel, resulting in a worsened morale in the highway patrol.⁴⁹

Bellmon wanted this council to recommend new policies of gubernatorial direction for the Department of Public Safety. The council complied, stressing that the commissioner be selected on a basis of administrative abilities inasmuch as he would be handling a department of more than

500 employees and a biennial budget of more than \$7,000,000. According to the report, the qualifications for commissioner should be: knowledge of personnel organization and administration, budgetary procedures and control, business administration, and public relations.⁵⁰

Bellmon agreed that these qualifications should come before partisan political consideration, a rule seldomly followed prior to 1963. In that year at Bellmon's direction, the Council on Highway Safety used this criteria to compile a list of candidates for the position of commissioner, trying to avoid the political element which previously had dominated the selection. Eighteen candidates submitted their applications to the council for consideration. From these hopefuls the council selected four of the most qualified to send Bellmon for the final selection. By February, after taking office and giving considerable thought to this important decision, Bellmon chose Bob Lester as commissioner of public safety.

Lester was the first commissioner to have a background in safety education as well as an impressive record in the highway patrol. Lester had been an original trooper but had resigned in 1958 to become chief of police in Norman. In 1963, however, at the urging of Governor Bellmon, Lester returned to his old outfit. Commissioner Lester was the first to climb from trooper to commissioner, deflating claims that he was a political selection.⁵¹ Lester took command of the Department of Public Safety without quick

reorganization or personnel shake-up. Instead, he set about intensifying traffic safety enforcement.

The reality of external politics would never be erased from the Department of Public Safety as long as funds were appropriated every other year by the legislature. Forces in and behind the patrol always wanted more of the state's budgetary appropriations. To that end they used political power whenever and wherever possible. Such was the nature of American politics and government. The internal politics of the department, however, changed from 1955 to 1967.

When Raymond Gary took office as governor in 1955, political patronage and favoritism was normal in the Department of Public Safety. Most preceding governors had chosen political allies as commissioners rather than qualified professionals. Gary did not change that precedent when he chose Jim Lookabaugh as commissioner. Internal politics in the department and patrol became more public during Lookabaugh's tenure, however, due to the scandal involving trooper Williamson.

The seeds of change were planted by a public awareness of political control of the patrol's administration. Politics and personal vendettas continued to control the patrol during J. Howard Edmondson's administration. For four months his personal ally, Joe Cannon, ran the patrol to further the goals of a reform-minded executive, even overturning the patrol's chain of command. When those needs were partially met, the patrol followed the usual pattern of

settling down and absorbing the initial shock of reorganization.

Governor Bellmon in 1963 changed the past pattern of political control in administering the department, for he allowed a committee to study the problem and recommend alternatives. With workable guidelines established, Bellmon selected a qualified man who had been in the ranks of the patrol to be the commissioner. Personal politics were ended in the selection of commissioner; therefore the turmoil associated with transitions of administrations was avoided in 1963 and again in 1967 when Bellmon left office. The Department of Public Safety was well on the road to becoming a more professional organization.

FOOTNOTES

¹Oklahoma, Session Laws of 1967 (St. Paul, Minnesota: West Publishing Company, 1967), p. 382.

²Oklahoma, Journal of the House of Representatives, Regular Session, Twenty-fifth Legislature, 1955, p. 96.

³Daily Oklahoman (January 6, 1955), p. 1.

⁴Stephen Jones, Oklahoma Politics in State and Nation (Enid: Haymaker Press, 1974), p. 229.

⁵Daily Oklahoman (July 12, 1956), p. 1.

⁶Ibid., (October 26, 1956), p. 31.

⁷Ibid., (January 16, 1957), p. 8.

⁸Oklahoma, Session Laws of 1957 (Guthrie: Co-operative Publishing Company, 1957), p. 439.

⁹The Safety Signal, Vol. XIII, no. 6 (February, 1957), p. 1.

¹⁰News and Opinion (July 17, 1958), p. 1. (Raymond Gary's capital newsletter).

¹¹Daily Oklahoman (August 20, 1958), p. 1.

¹²Ibid., (January 15, 1958), p. 1.

¹³Ibid., (October 5, 1960), p. 20.

¹⁴Jones, p. 217.

¹⁵Ibid., p. 219.

¹⁶Daily Oklahoman (June 24, 1961), p. 8.

¹⁷Oklahoma, Session Laws of 1963 (St. Paul, Minnesota: West Publishing Company, 1963), p. 13.

¹⁸Daily Oklahoman (August 23, 1959), p. A:18.

¹⁹Oklahoma Department of Public Safety, "Statistics, 1955-1966", compiled by Special Projects and Analysts Division, August 25, 1966, p. 7.

²⁰Jones, pp. 148-149.

²¹Daily Oklahoman (March 3, 1964), p. 9.

²²Ibid., (December 1, 1964), p. 1.

²³Safety Signal, Vol. XXI, no. 1 (January-February, 1964), p. 3.

²⁴Department of Public Safety, Annual Report of 1967 (Oklahoma City: 1967), p. 16.

²⁵Oklahoma, Session Laws of 1965, p. 845.

²⁶Department of Public Safety, Survey Report, October, 1967, p. 73.

²⁷Daily Oklahoman (January 30, 1955), p. B:1.

²⁸Ibid., (February 1, 1955), p. 6.

²⁹Ibid., (February 12, 1955), p. 10.

³⁰Ibid., (October 26, 1956), p. 31.

³¹Ibid., (February 13, 1955), p. 1.

³²Letter from Governor Gary to Commissioner Lookabaugh, January 31, 1955, State Archives.

³³Daily Oklahoman (February 12, 1955), p. 10.

³⁴Ibid., (September 25, 1955), p. B:1.

³⁵Ibid., (August 3, 1955), p. 1.

³⁶Ibid., (October 6, 1955), p. 7.

³⁷Ibid., (April 27, 1956), p. 2.

³⁸Ibid., (April 27, 1956), p. 1.

³⁹Ibid., (September 27, 1955), p. 3.

⁴⁰Oklahoma, Journal of the House of Representatives, Regular Session, 26th Legislature, 1957, p. 56.

⁴¹News and Opinion (June 19, 1958), p. 2.

⁴²Oklahoma, Journal of the House of Representatives, Regular Session, 27th Legislature, 1959, p. 1.

⁴³Daily Oklahoman (January 14, 1959), p. 1.

⁴⁴Ibid.

⁴⁵Ibid., (January 23, 1958), p. 1.

⁴⁶Safety Signal, Vol. XV, no. 3 (January, 1959), p.1.

⁴⁷Daily Oklahoman (January 16, 1959), p. 7.

⁴⁸Letter from Governor Edmondson to Senator Fred Harris, July 14, 1959, State Archives.

⁴⁹Daily Oklahoman (January 25, 1963), p. 1.

⁵⁰Ibid.

⁵¹Safety Signal, Vol. XXV, no. 3 (May-June, 1967),
p. 1.

CHAPTER III

THE CHANGING ROLES OF THE PATROL

When the Oklahoma Legislature created the highway patrol in 1937, its two main duties were enforcement of traffic laws on the highways and enforcement of Oklahoma's state criminal laws. As it grew, the patrol placed more emphasis on traffic safety and courtesy aid to motorists. From 1937 to 1955 the enforcement of traffic laws varied from one governor's administration to the next, depending on the general policies of the governor and his commissioner of public safety. At the same time the proportion of emphasis varied between criminal law and traffic law enforcement, both changing under the administrations of each governor.

From 1955 to 1967 this change, or evolution, accelerated, resulting in changes in the basic roles of the patrol. Besides changes in the old roles of criminal and traffic law enforcement, the patrol gradually developed a new and expanded role of serving the public in time of emergency or catastrophe. All three roles developed and changed from 1955 to 1967.

The changing emphasis on traffic law enforcement began with Governor Gary. One of his first official proclamations was a call for stricter enforcement of traffic laws.¹

This began four years of stricter enforcement that waxed and waned periodically, but which generally continued to suppress traffic violators. A rising fatality rate caused by increased use of automobiles and more miles of paved highway brought this shift to stricter enforcement. After this brief flurry of strict enforcement, the Oklahoma Legislature, responding to aggrieved constituents who bore the brunt of fines, began trying to limit the effectiveness of the patrol.

In March of 1955 the legislature passed a bill outlawing the use of unmarked highway patrol cars. According to the law every patrol car had to be uniformly marked to indicate to the public the purpose of the car.² Unmarked cars had been used the preceding summer and had proven effective. In fact, they had been so effective that public clamor called for their prohibition. That same month the use of radar was restricted, again due to public opposition because of its effectiveness. This cutback resulted in an all-time low in traffic convictions. The means of arresting traffic violators was curtailed by prohibiting unmarked cars. To inhibit the patrol's effectiveness even further, the means of convicting violators by the use of radar readings as proof was removed.

The preceding October, when both unmarked cars and radar had been used, troopers had made 4,881 arrests and had won 4,116 convictions, a ninety percent conviction rate. In January, after the two bans, troopers arrested only

3,648 violators and won 1,875 convictions, a fifty percent conviction rate.³ To add to this decrease in the patrol's effectiveness on the highspeed highways, Commissioner Lookabaugh ordered patrol units to cruise county and farm roads in order to diminish the growing rate of fatalities on those roads. At that time there were 93,000 miles of state and county roads. This increased duty weakened the power of the patrol even further.

Although the means of arresting and convicting traffic violators had been temporarily limited, the patrol initiated a new deterrent. In July of 1955 the Department of Public Safety implemented a demerit system which used a negative point basis to penalize habitual traffic violators. Under this new system the patrol was able to keep at fingertip the records of more than 1,000,000 state drivers. If a driver violated a traffic law, then it would go on the violator's record as a demerit. If a driver's record showed too many demerits, his license could be revoked. Demerits could be removed from a driver's record only by a twenty-four-month period without an accident or arrest. After five years of safe and lawful driving, the violator's record would be wiped clean.⁴

The department devised this system to remove habitually dangerous drivers from the highways, thus making Oklahoma's roads safer, which was the primary goal of the patrol. The demerit system was one of the basic changes in traffic enforcement forced by the multiplying numbers of drivers and miles of super highways.

Even with this new deterrent to traffic violators, the patrol's enforcement powers were so curtailed that the traffic fatality rate increased at an intolerable rate. By October, when the first nine days were marked by twenty-seven tragic highway deaths, the governor and commissioner ordered the patrol to intensify its traffic enforcement. The specific objectives of the new drive included speeders, reckless drivers, and drinking drivers. To aid the troopers in this crackdown, the commissioner once again ordered radar used. With radar readings as proof, troopers were ordered to issue tickets, not warnings, in an effort to end slaughter on the highways.⁵

Stricter enforcement in the latter part of 1955 resulted in a good record for the patrol. Violators arrested by troopers paid a total of \$915,592 in fines and costs to the treasuries of the seventy-seven counties in the state. The average cost to each violator was \$20.80, while the average cost to drinking drivers, who were the main enemies of troopers, paid an average of \$37.50 plus seventeen days in jail.⁶ Thus by monetary penalization and a new demerit system, the patrol hoped to suppress willing violation of Oklahoma's traffic laws.

Stricter enforcement and new technological changes helped the patrol in its penalization of violators. These actions constituted reactions to violations, but Gary and Lookabaugh recognized the possibilities of positive enforcement, stressing highway safety to motorists before

violations occurred. Lookabaugh thought people drove the way they wanted and that it was the responsibility of the patrol to "persuade the public to drive the way they should."⁷ The governor agreed, saying that a new public attitude toward traffic violations was needed. He wanted motorists to consider a traffic violation as serious as breaking any other law. In his own words, "Maybe we need to get away from the idea that traffic violations are not major infractions." Gary wanted to change that attitude. Until that change occurred, however, stricter law enforcement on the highways would be used to penalize violators.⁸

With orders to crack down on traffic violators, troopers issued 59,678 tickets and 188,716 warnings during 1957, both records for the patrol.⁹ By stricter enforcement the patrol forced public awareness of traffic laws and safety. The plan worked, for during the first four months of 1958 the number of accidents decreased 641 from the same period a year earlier despite a major increase in road mileage and number of vehicles registered in the state.¹⁰ One factor for this record, besides stricter enforcement, was a new policy of using only one trooper per automobile, thereby allowing each unit to be on the highways more than sixteen hours a day. More troopers on the roads and stricter enforcement proved to be effective deterrents to traffic violators.

In April of 1959 the Department of Public Safety launched a new program to inhibit traffic violators. Lookabaugh

entitled the new program "selective enforcement." The selective enforcement program determined certain points along highways which had proven dangerous and then assigned extra units to patrol that specific area. Often one county with a high accident rate would be chosen for selective enforcement. Then as many as eight units would patrol all areas of that county which normally would have been patrolled by only one unit. Thus by intensive patrolling and enforcement of the laws, accidents caused by violators would be decreased. In four weeks of selective enforcement in Muskogee County, no deaths from automobile accidents were reported.¹¹

Another means of intensified patrolling during this time was the use of the patrol plane piloted by Art Hamilton. In October of 1957 Lieutenant Hamilton spotted fifty-seven traffic violators in one day. That was a record for any trooper. In one three-hour period flying over the Stillwater area, Hamilton clocked twenty-one violators. Without the plane, probably only one or two of the speeders would have been detected.¹² The intensified use of the air patrol aided the new drive to crack down on traffic law violators.

Between 1955 and 1959 Governor Gary and Commissioner Lookabaugh improved the effectiveness of the patrol in promoting highway safety. This goal was achieved by stricter enforcement of traffic laws, a new demerit system as a deterrent, a new system of selective enforcement, and

increased use of the air patrol. During this period the number of arrests increased from 56,676 in 1957 to 74,458 in 1958 due to stricter enforcement.¹³ The most important index of the patrol's success, however, was the death rate. Using a scale of number of deaths per 100,000,000 miles driven, the death rate dropped from 7.2 in 1956 to 6.2 in 1959. This decrease occurred even as Gary's high-powered highway expansion program moved ahead.¹⁴ Gary's and Lookabaugh's attitudes toward traffic safety achieved the goal of fewer deaths on the highways.

During Governor Edmondson's administration the policies established by Gary and Lookabaugh were continued, consisting of more traffic safety education for the public and stricter traffic law enforcement. When Cannon was before a senate inquiry in 1959, he said the Department of Public Safety should carry out the wishes of the public and that those wishes were to decrease the death on highways and enforce the laws of the state. In Cannon's mind, traffic safety was foremost.¹⁵

For the next four years Edmondson directed the patrol to maintain a constant pressure on the driving public. The only diversion from this pattern came in 1962 when he announced a new intensified safety program of "public awakening" combined with yet stricter enforcement of traffic laws. Possibilities for the program included unmarked patrol cars, using markers at the sites of fatal accidents, and improved highway markings for danger zones.¹⁶ Thus he

combined tough enforcement with attempts to educate the public.

The legislature cooperated with Edmondson's plans for stricter enforcement of traffic laws. In 1961 the legislature passed the 182-page Uniform Traffic Code. The code clarified old laws, added many new ones, and gave more power and flexibility to the patrol in dealing with violators. The patrol distributed extracts from the code to troopers in order that they might understand the changes and fully utilize the benefits of the new laws.¹⁷ Also, with a clarified and organized traffic code, the public could understand and comply more easily with laws controlling highway use. With this new code the patrol during Edmondson's administration succeeded in further reducing the fatality rate on the highways to 5.9 per 100,000,000 miles driven.¹⁸

The patrol under Bellmon's administration differed in the emphasis it placed on designated operations to limit certain types of offenses. Commissioner Lester's first move was establishing a state-wide system of cooperation between the patrol, municipal police officers, sheriffs, and constables.¹⁹ If he could coordinate all law enforcement officers in the state, then he would supplement the number of troopers available.

In November of 1963 Lester created a new patrol task force to lower the death toll on the highways. It consisted of ten new, unmarked patrol cars capable of speeds in excess of 125 miles per hour. Lester activated this special

task force in December, moving it to areas where extra enforcement seemed necessary to ensure traffic safety.²⁰

The cars were various colors with only the Oklahoma Highway Patrol emblem on the sides. The absence of clear markings was used once again to prevent violators from being warned of trooper's presence.

In March of 1964 Lester organized another new operation to supplement this task force. "Operation Lifeguard" was a concentrated effort by troopers throughout Oklahoma to take a given time period and look for specific traffic violations during that short period.²¹ The first phase of the operation was termed "Phase Shortcut." On one day all officers specifically watched for improper turns and failures to signal. This plan resulted in eighty-five arrests in three hours and 489 courtesy warnings. The main objective, however, was to make the public aware of traffic safety regulations such as these two seemingly minor details rather than monetarily penalizing citizens.

The second half of "Operation Lifeguard" was termed "Phase Red Dog." This operation concentrated officers' enforcement on stop sign runners and right-of-way violators. According to Chief Lyle Baker, these two types of violations resulted in 1,542 accidents, 90 deaths, and 518 injuries in 1963. The intensified enforcement of these two infractions resulted in seventy-four arrests and 190 warnings in three hours. Over the Easter vacation in 1964 "Operation Lifeguard" programs resulted in 316 arrests and 605 warnings for speeding, the main target for that period.²²

An enlarged air patrol supplemented these operations. In August of 1964 a new plane and a third full-time pilot joined the aircraft division. The new plane worked the entire western half of the state, another worked the eastern half, and a plane piloted by veteran Art Hamilton flew out of Oklahoma City, handling manhunts, roadblocks, and traffic assignments. Hamilton's role freed the other two pilots to focus their attention on traffic violators, thus improving the efficiency of the patrol in traffic safety.²³

Governors Gary, Edmondson, Bellmon, and their commissioners all placed emphasis on traffic safety. During the twelve-year period new programs and innovations appeared occasionally, helping the under-funded patrol effectively enforce the state's traffic laws. Stricter enforcement of traffic laws was the most important development between 1955 and 1967. The patrol used various means to effect stricter enforcement, all of them establishing precedents for later commissioners.

The role of the patrol in enforcing traffic laws changed slightly from 1955 to 1967. The role of the patrol concerning criminal laws, however, changed drastically, especially during the administration of Governor Edmondson. The main change, occurring in 1959, involved the enforcement of the state's liquor laws. The change did not last long, but it raised many questions concerning the role of the patrol in law enforcement, forcing answers to those questions.

Enforcement of the state's liquor laws long had been a problem for sheriffs and police in the state. When Oklahoma became a state in 1907, the country and state were in the middle of a progressive reform movement that included prohibition of liquor. The anti-saloon forces were so strong in Oklahoma in 1907 that a prohibition statute was directly incorporated into the state constitution. From that time to 1959 Oklahoma was a dry state because a majority of the state's citizens believed prohibition was good for society. This did not mean, however, that they believed sobriety was good for the individual. Thus a double standard developed where prohibition was good for society but unnecessary for the individual.²⁴ When individuals wanted liquor, bootleggers seemed to appear with the spirits for that appetite despite laws penalizing such illegal liquor importation.

From 1920 to 1933 liquor importation into Oklahoma was limited by federal statute. In 1933, however, with the repeal of national prohibition, a steady flow of whiskey began into still dry Oklahoma. By 1939, when the patrol was only two years old, Governor Phillips and Commissioner Walter B. Johnson found bootleggers running liquor across the border in such numbers that they initiated the patrol's enforcement of liquor laws. In two years the patrol conducted 325 raids against whiskey dealers. This action, however, was the exception rather than the rule as far as the patrol was concerned. The patrol usually was more

concerned with traffic safety than with enforcing prohibition. Even if patrol leadership had wanted to enforce the liquor laws strictly, they would have been unable owing to inadequate numbers and the heavy task of patrolling the highways.

Although every Oklahoma governor strongly supported prohibition, little was done to enforce it until the 1950s. To that time sheriffs, local authorities, and a few federal agents were the only men capable of ending the illegal whiskey trade in the state. Because there was no central agency to coordinate a crackdown, bootleggers could avoid counties where sheriffs were known to be unfriendly.

In 1955 the illegal liquor business in Oklahoma began to assume serious proportions. By this time the business was so lucrative that gangland wars occasionally erupted, sometimes involving innocent citizens who happened to be in the area. Liquor dealers in Texas would sell whiskey to runners who would transport the contraband to Oklahoma. The wholesaler in Texas, meanwhile, would send his own agents to hijack the runner, thus making a profit from sales plus retrieving the liquor. All this action took place on public highways, for cars or trucks were the common carriers. Occasionally innocent travelers were mistaken for runners, leading to needless violence.²⁵ O. K. Bivins, the State Crime Bureau chief whose duty it was to suppress such action, could only answer that he did not have enough men to patrol the highways, which was what was necessary to end the

violence.²⁶ It appeared that the only state agency capable of ending the violence and smuggling would be the patrol.

The proportions of the illegal importation of liquor can be determined by the federal government's issuance between 1956 and 1957 of 1200 retail liquor licenses to Oklahomans. The bootleggers, by acquiring federal licenses for fifty dollars, would not antagonize federal excise tax agents.²⁷ That left only local sheriffs to enforce prohibition. With only unorganized local sheriffs to fight the inflow of liquor, the well-organized bootleggers had little trouble supplying hard-drinking Oklahomans with their whiskey.

Before 1958 all governors had supported prohibition but had failed to enforce the law strictly. The election of 1958 changed that political situation. Edmondson ran not as an advocate of repeal, but on a platform calling for a special election to allow the people to decide for themselves whether or not they wanted legal liquor.²⁸ Edmondson won the election, and in his message to the legislature listed the issue of prohibition repeal among the foremost problems besetting Oklahoma.²⁹ Quickly he and his commissioner of public safety began strict enforcement of the state's prohibition laws.

Two factors were behind Edmondson's policy of strict enforcement of prohibition. One was his aversion to half-hearted enforcement of the law. If prohibition was the law, then it would be strictly enforced. The other reason was

to force a special election for repeal. As long as the state's drinkers could get taxfree liquor with ease, they would tolerate official prohibition. However, if that source of illegal whiskey dried up due to stricter law enforcement, drinkers would encourage their legislators to put repeal to a vote.

Personally Edmondson could not tolerate unequal enforcement of liquor laws by state officials. If so many people wanted liquor, he decided to let them vote a repeal of prohibition. If they rejected repeal, then prohibition would be strictly enforced. If repeal was passed, then the wishes of the public would be met.³⁰ The key to this problem, however, was convincing conservative legislature to pass a resolution calling for a special election.

To speed legislative action, Edmondson appointed his energetic friend, Joe Cannon, as commissioner of public safety. Cannon made it clear that he took the position as commissioner at the request of the governor only until the election on repeal was over. Cannon stated his duty was to carry out strict enforcement of prohibition.³¹ The "anathema of bootleggers," as observers called Cannon, quickly began his campaign to enforce prohibition. He started by ordering all state lodges either to cease sales of liquor or else run the risk of being raided and closed.³²

Cannon organized road blocks, raided taverns and clubs, and intimidated bootleggers. Commissioner Cannon used the patrol in these raids, although this raised the ire of many

citizens and lawmakers, especially the chairman of the Senate Committee on Public Safety, Everett Collins.³³ Collins claimed that using troopers as liquor agents would take them away from their main duty of enforcing traffic laws. In response, Cannon said he was not sacrificing the safety of the highways because he used only captains, lieutenants, and off-duty personnel in the raids; thus he did not diminish the number of patrol cars on the highways.³⁴

According to statute the patrol had the legal power to conduct raids on bootleggers. Article eleven in the statute defining the functions of patrol enforcement read: to "stop and inspect the contents of all motor vehicles to ascertain whether or not the provisions of all general laws are being observed."³⁵ Legally Cannon had the power to proceed as he was doing.

Critics in the senate did not agree with Cannon. Senator Basil Wilson of Mangum asked the senate to pass immediate legislation forbidding troopers being used in raids. Senator George Miskovsky of Oklahoma City, who had lost the primary governor's race to Edmondson, lashed out at Cannon's use of the patrol. He claimed a trooper could not work his normal fifty-four-hour week and then another eight hours raiding bootleggers.³⁶

Such criticism, however, only seemed to invigorate Cannon's use of the patrol in the raids. Whereas troopers previously had been ordered to ignore the liquor traffic, they now were told to act aggressively to stop the traffic

of illegal liquor. Partially trying to placate the howling senators, Cannon rationalized aloud that if liquor could be intercepted before it reached potential drivers, then the number of drivers under the influence of alcohol would be reduced, thus leading to safer highways--the goal of the patrol.

In the face of twelve senators objecting to using troopers in the raids, Cannon and Edmondson repeatedly responded that only supervisory personnel were being used. Cannon said, "Not one single, solitary trooper will be taken off from patrolling the highways."³⁸ Slightly more than a month later, however, Assistant Commissioner of Public Safety Ray Page told a senate investigative committee that approximately fifty nonsupervisory troopers had been used in four major whiskey raids.³⁹ Cannon had used both supervisory and nonsupervisory troopers in the raids even with threats from the senate looming over his head.

For four months Cannon used the patrol successfully to enforce prohibition in Oklahoma.⁴⁰ As liquor sources disappeared, legislator's mail increasingly favored repeal. The special election for repeal came on April 7, 1959, and passed by a vote of 396,845 to 314,380.⁴¹ The small majority made Cannon's raiding very important to the outcome. By removing most illegal liquor from the market and driving the price of an illegal fifth to twenty dollars, Cannon forced drinkers to vote for legal liquor. Indirectly the patrol should have been given partial credit for repeal in 1959.

Edmondson's and Cannon's use of the patrol to enforce prohibition temporarily changed the basic character of the organization from that of traffic safety to criminal law enforcement. However, the patrol quickly returned to its previous role after the successful vote on repeal, and Cannon resigned to tackle other duties for his friend, the governor. Had repeal failed, the role of the patrol might have been changed permanently. Thus Edmondson temporarily changed the patrol by using it as an agency to enforce prohibition, moving it from traffic safety to criminal enforcement and service to the public. Of course, any project the size of the patrol's role in Cannon's raids would have changed any agency, even if slightly. The marks of raiding to enforce criminal laws remained long after troopers returned to their units and their districts.

Further attempts to change the role of the patrol involved the selection of new leaders for the Department of Public Safety after Cannon retired. Ray Page, who became commissioner, was more a criminologist rather than a traffic control expert. He had been an agent for criminal investigation in the army and a detective for the State Crime Bureau and the Tulsa Police Department. In addition, all his degrees were from criminology schools.⁴² This background of criminology undeniably influenced the patrol while Page was commissioner. The assistant commissioner, Norman Hunter, also had a background in criminal investigation.⁴³ Together these two men ran the Department of

Public Safety for more than three and one-half years.

While Edmondson controlled the reins of the Department of Public Safety, the patrol increasingly became more involved in duties not expressly concerned with traffic safety. The role of criminal law enforcement has already been cited. However, a change just as important occurred in 1959 when Cannon announced the creation of a "special detail and rescue division" of the patrol. Ex-trooper R. E. Gene Frusher became the leader of a six-member rescue squad trained to combat such disasters as riots, prison breaks, floods, tornadoes, marine disasters, major fires, and manhunts. Four-wheeled vehicles with rescue and medical supplies were provided the unit.⁴³ In 1960 the rescue squad answered forty-three calls to drownings, recovered twenty-four victims, worked snow storms, tornadoes, and plane crashes.⁴⁴ Because of new patrol activities in these special services, Governor Edmondson had to ask for a \$70,000 supplemental appropriation for the patrol in 1960.⁴⁵ This was an indication of the new emphasis Edmondson placed on services as well as traffic safety.

Emergency services had long been the duties of troopers, but those duties grew in importance for the patrol as the force expanded. Services rendered by troopers at disaster sites became so frequent that finally the patrol established a special unit for such occasions. That basic role of public service became a permanent characteristic of the patrol. In 1965 Commissioner Lester addressed the nine-

teenth highway patrol school, stressing that the duty of the patrol was not only traffic safety and courtesy but also services such as eye bank runs, emergency assistance, blood relays, and other assists as well.⁴⁶ Lester continued the new intensified service and expanded it as its benefits to public safety became more important.

In 1967 the role of the highway patrol had expanded. Traffic safety still was foremost, growing in scope and enforcement as the growth of society demanded. The role as enforcer of criminal laws wavered between active participation under Edmondson and passive necessity under Bellmon. Another change was the new concentration of public service into a specialized rescue squad. Altogether the role of the patrol expanded as the complexity of modern society continued in the 1960s. The basic nature of the patrol allowed it to grow with society, encompassing a variety of new duties and thereby changing the basic role of the patrol.

FOOTNOTES

- ¹Daily Oklahoman (January 15, 1955), p. 1.
- ²Ibid., (March 2, 1955), p. 1.
- ³Ibid., (March 3, 1955), p. 1.
- ⁴Ibid., (January 30, 1955), p. 1, (July 28, 1955),
p. 1.
- ⁵Ibid., (October 11, 1955), p. 24.
- ⁶Safety Signal, Vol. III, no. 9 (February, 1956),
p. 1.
- ⁷Alva Ray Stephens, p. 54.
- ⁸News and Opinion (January 9, 1958), p. 1, (January
16, 1955), p. 1.
- ⁹Daily Oklahoman (January 23, 1958), p. 13.
- ¹⁰News and Opinion (June 19, 1958), p. 1.
- ¹¹Daily Oklahoman (April 15, 1959), p. 1, (April 18,
1959), p. 2, (May 22, 1959), p. 3.
- ¹²Ibid., (October 7, 1957), p. 1, (December 14, 1958),
p. A:6.
- ¹³Ibid., (February 4, 1959), p. 6.
- ¹⁴Department of Public Safety, Annual Report of 1960
(Oklahoma City: 1961), p. 21.
- ¹⁵Daily Oklahoman (January 23, 1959), p. 2.
- ¹⁶Ibid., (February 15, 1962), p. 1.
- ¹⁷Safety Signal, Vol. XVIII, no. 4 (1961), p. 1.
- ¹⁸Department of Public Safety, "Statistics, 1955-
1966", compiled by Special Projects and Analysts Division,
August 25, 1966, p. 2.

- ¹⁹Daily Oklahoman (November 21, 1963), p. 1.
- ²⁰Safety Signal, Vol. XXI, no. 1 (January-February, 1964), p. 1; Daily Oklahoman (November 21, 1963), p. 1.
- ²¹Ibid., (March 7, 1964), p. 13.
- ²²Ibid., (August 8, 1964), p. 13, (April 19, 1965), p. 18.
- ²³Safety Signal, Vol. XXI, no. 4 (August, 1964), p. 3.
- ²⁴Jimie L. Franklin, Born Sober: Prohibition in Oklahoma, 1907-1959 (Norman: University of Oklahoma Press, 1971), pp. 150-200.
- ²⁵Daily Oklahoman (February 17, 1955), p. 2.
- ²⁶Ibid., (February 18, 1955), p. 1.
- ²⁷Tulsa World (November 2, 1957), p. 1.
- ²⁸Stephen Jones, p. 124.
- ²⁹Oklahoma, Session Laws of 1959, p. 95.
- ³⁰Franklin, "Introduction" by J. Howard Edmondson, p. VIII.
- ³¹Safety Signal, Vol. XV, no. 6 (April, 1959), p. 1.
- ³²Daily Oklahoman (January 14, 1959), p. 1.
- ³³Franklin, pp. 187-188.
- ³⁴Daily Oklahoman (January 14, 1959), p. 2.
- ³⁵Oklahoma Statutes Annotated (St. Paul, Minnesota: West Publishing Company, 1962), p. 68.
- ³⁶Daily Oklahoman (January 16, 1959), p. 7.
- ³⁷Ibid., (January 17, 1959), p. 4.
- ³⁸Ibid., (February 16, 1959), p. 1.
- ³⁹Ibid., (February 26, 1959), p. 30.
- ⁴⁰Franklin, p. 189.
- ⁴¹Ibid., p. 194.
- ⁴²Daily Oklahoman (January 9, 1959), p. 2.

⁴³Safety Signal, Vol. XV, no. 3 (January, 1959)
p. 1; Daily Oklahoman (January 14, 1959), p. 20.

⁴⁴Annual Report of 1960, p. 13.

⁴⁵Daily Oklahoman (May 7, 1960), p. 5.

⁴⁶Ibid., (May 24, 1965), p. 23.

CHAPTER IV

REGIONAL COMPARISON OF THE PATROL

A comparison of Oklahoma's patrol with that in surrounding states' gives a clearer understanding of developments here. In addition, a comparison shows alternatives for future changes or improvements in the Oklahoma patrol as well as spotlighting past mistakes. The patrols in Texas, Missouri, New Mexico, Kansas, and Arizona show the regional characteristics which have influenced the development of the patrol in Oklahoma, especially in the areas of organization, including both divisional organization and internal organization of the patrol, and the purpose, or role, of the patrol.

The Texas Department of Public Safety varied markedly in organization from Oklahoma's. In 1930 the Texas state legislature created the highway patrol to provide better enforcement of highway laws and to meet new problems raised by modern society, much the same as in Oklahoma during the same general time period. A statewide criminal law enforcement agency already existed, the Texas Rangers, which had been organized in 1935. Although originally intended as a border patrol, the state finally had granted

all powers of peace officers to Rangers in 1874. In 1935 the patrol and the Rangers were merged under the Department of Public Safety.¹

Historical differences, however, did not end the dissimilarities. Although the Texas Department of Public Safety was subject to control by the governor just as in Oklahoma, but there the commission was established along different lines. In Texas a three-man commission appointed by the governor with consent of the senate controlled the operation of the department.² The governor appointed a new commissioner every two years, each commissioner serving a six-year term. By staggering the selections this way no governor could completely control the commission.

This apparent attempt to remove the shock of transition every two years (the governor of Texas is elected for a two-year term) contrasted with Oklahoma's system of each new governor appointing a new commissioner. Such gubernatorial transitions often resulted in personnel shake-ups or quick changes in policy. Many attempts have developed in Oklahoma to go to the multi-membered public safety commission, but all have failed due to legislative opposition.

The commission of Texas' Department of Public Safety had the duty of formulating policy and plans to enforce criminal, safety, and traffic laws. Between the commission and division heads, however, was a director, chosen by and

subject to the commission. Statute required the director to have at least five-years experience, preferably in police or public administration.³ The duties of the director corresponded roughly to those of Oklahoma's commissioner of public safety. The director in Texas had the duty of appointing chiefs of the various divisions, but with consent of the commission, thus limiting his powers over the department.

The legislature intended this provision to curb a director's personal control of personnel and policies. In Oklahoma the commissioner had a free hand, answerable only to the governor. To further limit the discretion of the Texas director, any trooper suspended or demoted had the right to a public hearing before the commission. This guaranteed just treatment, for a director had to have due cause to demote or promote a trooper.⁴

This same guarantee existed in Oklahoma. In fact, it might have been more effective in Oklahoma, for the public hearing was held in front of the State Personnel Board which was completely removed from the Department of Public Safety.⁵

Below the level of director were three divisions, the Texas Ranger Division, the Highway Patrol Division, and the Headquarters Division.⁶ This differed from Oklahoma's Department of Public Safety which had six divisions: the patrol, drivers license, safety responsibility, technical services, administrative, and records, research and

statistical.⁷ The last three would have correlated roughly with the Texas division of headquarters. In addition, the Texas Department of Public Safety did not have the duty of issuing drivers licenses, thus removing that responsibility. These basic changes explain the apparent differences in size.

The Texas patrol division, limited to not more than 336 officers and troopers in 1966, had all powers to enforce laws relating to highway use plus all powers and authority given to the Texas Rangers, who had all powers of peace officers in all areas of the state. In effect, the Texas patrol was a true state police force committed chiefly to traffic law enforcement but with general police powers.⁸ Troopers in Texas possessed more authority than their counterparts in Oklahoma, however, due to a provision allowing them to serve criminal and civil processes, a power denied troopers in Oklahoma.⁹ The role of the Texas patrol differed only in that one respect; otherwise it seemed to fulfill the same basic function of highway safety.

The Missouri Highway Patrol, on the other hand differed in both respects. The Missouri patrol's organization was simpler, consisting not of one division of a larger state agency such as in Oklahoma, but of an autonomous department called the Missouri State Highway Patrol.¹⁰ By such organization, appropriation requests could be more specific, for the legislature would be scrutinizing only one division instead of six.

In Missouri the governor appointed a superintendent of the patrol with the consent of the senate. The superintendent then had the power to appoint all officers and troopers according to merit examination guidelines, as did the Oklahoma commissioner of public safety. The only obvious difference at this level was in the comparative sizes of the patrols. In 1967 the Missouri patrol could commission up to 750 officers and troopers.¹¹ At that time the Oklahoma patrol had 419 troopers.

After the Missouri legislature created the patrol in 1931, it slowly developed its main purpose and role by experimentation and actual practise.¹² In 1957, however, the legislature amended the bill creating the patrol, saying that the "primary purpose" of the patrol was to "enforce the traffic laws and promote safety upon the highways."¹³ According to other statutory provisions, all duties of the patrol dealt with highway use except when otherwise requested by sheriffs, chiefs of police in cities, or the superintendent. In those situations the patrol received all powers vested in peace officers. This same provision, however, indicated that such action would be extraordinary, for funding criminal law enforcement in such circumstances did not come from the patrol's revenue, but rather from the general revenue fund of the state treasury. Also, any amount for these purposes could not exceed ten percent of the total amount appropriated for the patrol.¹⁴ The legislature wanted to make sure the patrol did not evolve into

a criminal law enforcement agency.

A report commissioned by the Missouri state government reported that the patrol's powers to enforce criminal laws included only requests from local officers, crimes committed in the presence of a trooper, and operations incidental to regular patrol duties. These last two reasons for criminal law enforcement, however, were hindered by a restriction of search and seizure.¹⁵ Although the power to enforce criminal laws was weak, the patrol nevertheless had that power. That fact was enforced by an opinion of the attorney general in 1934 confirming that the patrol possessed criminal law enforcement duties.¹⁶

Whereas in Oklahoma the patrol's role as criminal law enforcer evolved with each succeeding governor, the Missouri patrol had its duties well defined by statute. Perhaps this provided a high degree of established guidelines for policy, but ambiguity in the Oklahoma statute relating to criminal law enforcement provided policy flexibility to meet the changing needs of society, an important characteristic for a progressive state.

Like Missouri, Kansas had a highway patrol organized as a separate state agency not under another department. After this discrepancy, the Kansas patrol was similar to Oklahoma's with only a few minor differences. In Kansas the governor appointed a superintendent with the consent of the senate, a provision not required in Oklahoma. The superintendent's position also differed because in Kansas

he held the rank of colonel; in Oklahoma the commissioner held no rank. The superintendent held appointive powers over all officers and troopers in the patrol, limited only by merit examination qualifications and a clause prohibiting promotion of any trooper to the officer class before completion of five years' service in the patrol.¹⁷

As in Missouri the stated principal function of the Kansas patrol was "enforcement of the traffic and other laws of this state relating to highways, vehicles, and drivers of vehicles."¹⁸ The role as enforcer of criminal laws, however, was granted by statute with no limitations. This differed from Oklahoma where the patrol was denied the power to execute civil and criminal processes.

Such limitations were not imposed on the state police in New Mexico. Founded in 1933, the New Mexico State Police was controlled by the New Mexico State Police Board. The board provided the same function in New Mexico that the commissioner did in Oklahoma and the commission and director had in Texas. In Texas the commission appointed the director who would appoint the chiefs. In New Mexico, however, the directorial level was omitted, for the police board actually administered the state police and appointed all personnel. The police board consisted of five members appointed by the governor with the consent of the senate. As in Texas, their six-year terms were staggered in an attempt to avoid political control of the state police.¹⁹

The state police board divided the organization into two divisions, one the uniform division, the other the criminal division. The board appointed one chief to supervise the operations of both departments, giving him sufficient flexibility to use the two divisions to the highest efficiency. This differed from Oklahoma's Department of Public Safety which assigned a chief to each division to work independently except for the common factor provided by the commissioner. The chief had the authority to appoint any officer or trooper to either division according to the individual's qualifications.²⁰

Duties given to the New Mexico state police were far-ranging. The first provision of the statute defining its duties stated, "They shall be conservators on the peace within the state of New Mexico, with full power to apprehend, arrest and bring before the proper court all law violators within the state of New Mexico."²¹ Another provision granted the power to enforce all laws regulating the use of highways. These two clauses granted all police powers to the force.

It was the duty of the chief and the police board to determine what laws each division of the state police would enforce. Criminal law enforcement duties usually went to the criminal division with the patrol concentrating on highway law enforcement. Nevertheless, the uniform division, which roughly corresponded to the Department of Public Safety's line patrolmen, possessed a wide range of

law enforcement authority.

The statute creating the New Mexico state police gave the governor the power to use the force in case of emergency or for any need to "bring about proper law enforcement" or to "investigate specific law violations."²² This specific provision granted the governor broad powers over the state police. This differed from Oklahoma where rural legislators so distrusted gubernatorial power as not to include such a provision.

In New Mexico the control granted the governor and the broad powers given the state police made it an effective and useful tool for law enforcement. Perhaps this was needed in a sparsely populated state where a large percentage of the population did not inherit the Anglo-Saxon system of sheriff's and constabularies prevalent in states outside the Southwest.

Another difference from Oklahoma's patrol was the existence of a reserve state police force, composed of qualified men who were not members of the state police but who were subject to call by the chief of the state police during periods of emergency. When called upon, this reserve unit took the oath of a trooper and was subject to control by the chief.²³ At one time Oklahoma had such a reserve but had dissolved the unit in the 1940s. In New Mexico, however, such a force offered even more power to the state police and to the governor, who retained control of both.

In Arizona a completely different system developed. In 1931 the Arizona legislature created the Arizona Highway Patrol as a division of the highway department. All appropriations went through the highway department. Although the governor directly appointed the superintendent of the patrol, because he was in the highway department (which the governor controlled), the patrol's intended purpose was geared to law enforcement on the highways.²⁴

Nowhere in the statute creating the patrol was any reference to criminal law enforcement made. The stated Primary duty was to "patrol the highways of the state, both day and night, and enforce the laws relating to the use of the highways. The highway patrol shall also investigate accidents which occur upon the highways, procure the names of drivers and descriptions and license numbers of the motor vehicles involved and transmit forthwith to the vehicle superintendent a copy of the report of the investigation."²⁵ This was the entire provision for duties of the patrol, indicating the purpose of the patrol was to furnish aid and assistance to the highway department, under which the patrol operated. This lack of criminal law enforcement power and the concentration on traffic law enforcement differed from the Oklahoma highway patrol.

There were basic similarities between all patrols in these states. All highway patrols or state police forces originated in the 1930s. This was due to general social and economic conditions prevalent in American society,

such as the expanded use of highways and the resultant death rate, the rapid expansion of the number of automobiles on the highways, and the need for statewide law enforcement in a society which had outgrown the effectiveness of local sheriffs.

Even the primary purpose of each patrol had a basic bond. That similarity was to protect lives on the highways by enforcing traffic laws. The basic premise of highway safety was always mentioned in statutes creating the patrols. The differences in highway safety enforcement appeared in sizes of the patrols, the position of the patrol in their prospective state government, and a few statutory denials such as search and seizure.

The major differences were in organization and use in criminal law enforcement. Oklahoma's patrol had the power to enforce all state criminal laws except serving civil and criminal processes. The actual role of criminal law enforcement, however, developed erratically, depending on the policy of each governor and commissioner. In states such as Texas and New Mexico, statutory provisions for criminal law enforcement were more specific. But, as in Oklahoma, much of it depended on the personal policies of leadership.

The influence of personal leadership varied due to organization. On one extreme was Texas' Department of Public Safety. Due to its system of governor, multi-membered commission, director, chief, and officer rank,

the Texas patrol was not affected by personal policies as much as in Oklahoma where the line of authority went only through the governor and commissioner. On the other hand was New Mexico where the police board actually ran the department with no intermediary between it and the patrol. Organizational difference played a key role in the development and effectiveness of these western patrols.

In comparison Oklahoma's patrol had more direct organization and was under more control of the governor than the other patrols. Of course such a system allowed a higher degree of political influence, but it also meant more direct action on a given objective without the dissension often found in multi-membered commissions. Besides a high degree of effectiveness due to these factors, the Oklahoma patrol enjoyed a favorable comparison of sizes. By 1967 Oklahoma's patrol numbered 419, equal to or more than most in the region, and only greatly exceeded by Missouri's patrol.

The Oklahoma highway patrol compared favorably to other regional patrols. A comparison of all factors shows that Oklahoma's patrol had the same basic functions, was average in its physical size, and differed only in organization.

FOOTNOTES

¹Chester Alva Evans, "State Police Jurisdiction in the United States" (M. A. Thesis: University of Missouri, 1947), p. 44; Weldon Cooper, "The State Police Movement in the South," The Journal of Politics, Vol. I, no. 4 (November, 1939), p. 424.

²Vernon's Annotated Revised Civil Statutes of the State of Texas (Kansas City, Missouri: Vernon Law Book Company, 1966), p. 120.

³Ibid., p. 123.

⁴Ibid., p. 122.

⁵Oklahoma Statutes Annotated (St. Paul, Minnesota: West Publishing Company, 1962), p. 53.

⁶Statutes of the State of Texas, p. 125.

⁷Oklahoma Statutes, p. 50.

⁸Statutes of the State of Texas, p. 129.

⁹Oklahoma Statutes, p. 67.

¹⁰Vernon's Annotated Missouri Statutes (Kansas City, Missouri: Vernon Law Book Company, 1963), p. 122.

¹¹Ibid., p. 123.

¹²Richard A. Watson, Law Enforcement in Missouri State Highway Patrol (University of Missouri, Columbia, Missouri: Bureau of Government Research, 1960), p. 13.

¹³Missouri Statutes, p. 122.

¹⁴Ibid., pp. 125-126.

¹⁵Watson, p. 22.

¹⁶Ibid., p. 16.

¹⁷Kansas Statutes Annotated (Topeka, Kansas: State of Kansas, 1972), pp. 365-366.

¹⁸Ibid., p. 364.

¹⁹New Mexico Statutes, Annotated (Indianapolis, Indiana: Allen Smitt Company, 1972), p. 167.

²⁰Ibid., p. 173.

²¹Ibid., p. 175.

²²Ibid., p. 176.

²³Ibid., p. 174.

²⁴Arizona Revised Statutes (St. Paul, Minnesota: West Publishing Company, 1974), pp. 289, 291.

²⁵Ibid., pp. 290-291.

CHAPTER V

CONCLUSION

From 1955 to 1967 the Oklahoma highway patrol developed into an organization with less control by politics with an expanded role of service and law enforcement, and with a basic organization sufficiently flexible to adapt to changes in society.

Political influence had pervaded the patrol from the date of its inception. Such was the nature of Oklahoma's government. Between 1955 and 1967, however, political pressures changed. Under the administrations of Gary and Edmondson the policies guiding the patrol were equated with the personal wishes of the governors and their commissioners who were political allies. This influence affected not only general policy, but also the lives of the officer class within the patrol leadership, for a change in personnel leadership often followed changes of governors and commissioners.

Such influence had an adverse effect on the patrol. For example, gubernatorial manipulation often changed the objectives of the patrol. Erratic objectives hindered attempts to focus on one problem and to proceed with determination until that objective was accomplished. If

the patrol had been controlled by a purely professional board or commission free from political patronage, then important objectives could have been determined and systematically attacked with the constant pressure afforded by continuity of leadership.

Another adverse effect of politics was the manipulation of patrol personnel to enforce those changing objectives. This phase of political control gradually was removed between 1955 and 1967 with the increased use of merit examinations. Merit tests never were, and probably never should be, used as a 100-percent guide for promotion. Promotions have been based only partly on merit examinations, the remaining criteria resting on the judgement of the personnel committee, usually consisting of other patrol personnel. By this nature personal politics will never be removed from personnel affairs in the patrol. The best policy would be complete objectivity based on standards established by patrol policy and statutory provision.

The role of the patrol expanded by 1967, causing basic changes by sheer weight. It is impossible to say any role of the patrol has definitely been established by the patrol for all time, for the concept of role is a constantly changing process subject to the needs of society. In 1959 Governor Edmondson believed the patrol should be used to bring about necessary changes in society. That resulted in repeal of prohibition. Commissioner Lester

believed society demanded stricter enforcement of traffic laws to reduce deaths on the highways. That resulted in new traffic law enforcement programs and avoidance of criminal law enforcement. A close examination of the roles of the patrol revealed this flexibility.

The only definite, long-lasting change in its role was the move to special rescue services. Although the patrol had always fulfilled this role of service in time of crisis, after 1961 it expanded into a specialized service with specially trained troopers working full-time with recently purchased rescue gear. In time this service would expand even farther to include service at lakes, rivers, and all natural disasters.

A comparison of the Oklahoma patrol to others in the region reveal varied possibilities for organization and purpose. This contrast makes Oklahoma's organization seem more important. By stressing the importance of these facets of the patrol's composition, more attention will be given to growth and change. This attention will always be needed if the patrol continues to respond to society and remains active in service to the public. This ability to serve the public should remain above all else, including politics and personal opinions by state leaders. If the public understands the role and character of the patrol, this service will be maintained.

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