

HE
371
.N8
N67
1965
c.2

**Report To The
GENERAL ASSEMBLY
of
NORTH CAROLINA**

STATE HIGHWAY PATROL

LEGISLATIVE LIBRARY



LEGISLATIVE COUNCIL

1965

Library
State Legislative Building
North Carolina

N8-0006
C.2

FINAL REPORT

COMMITTEE FOR THE STUDY OF
THE NORTH CAROLINA STATE HIGHWAY PATROL

LEGISLATIVE LIBRARY

LEGISLATIVE COUNCIL

JANUARY 1965

TABLE OF CONTENTS

	<u>Pages</u>
Committee Information	1
Duties of the Highway Patrol	4
The Proper Marking of Patrol Cars	7
Supervision	11
Retirement	13
Production Pressure	16
Merit Pay Raise System	20
Footnotes	22

* * * * *

Recommendation Index

Increase of Force	6
Marking of Cars	10
Supervision	12
Retirement	15
Production Pressure and Merit Increment System.	21

LEGISLATIVE COUNCIL STUDY NO. 8
(By House Resolution ratified 25 June 1963)

COMMITTEE FOR STUDY OF
THE STATE HIGHWAY PATROL

Chairman : Senator Irwin Belk
400 Eastover Road
Charlotte, North Carolina

Ex-Officio : T. Clarence Stone, President of the Senate
H. Clifton Blue, Speaker of the House of Representatives
Hugh S. Johnson, Jr., Chairman of the Council

Members From: Senator R. E. Brantley, Vice-Chairman of the Council
the Council : Senator Jyles J. Coggins
Representative Gordon Greenwood
Representative L. Sneed High
Representative Hollis M. Owens, Jr.
Senator Thomas J. White
Senator Sam L. Whitehurst
Senator Staton P. Williams
Senator Cicero P. Yow

Others : Representative R. D. McMillan
Representative James E. Ramsey
Representative Liston Ramsey

Legislative Council Study No. 8

Introduced by: Reps. Ramsey of Person,
Efird, Harding, High,
Venters and Hicks
Adopted : June 25, 1963

A RESOLUTION DIRECTING THE LEGISLATIVE COUNCIL TO STUDY AND INVESTIGATE THE STATE HIGHWAY PATROL AND ITS OPERATIONS AND TO MAKE A REPORT CONCERNING SAME TO THE 1965 GENERAL ASSEMBLY.

WHEREAS, a sub-committee of the Highway Safety Committee has made a study of the operations of the State Highway Patrol, which study has resulted in the following findings of fact:

- (a) There is no direct arrest quota system within the Patrol, but there does exist indirect methods of production results, such as comparing patrolmen, which encourages competition in the number of arrests made;
- (b) Production pressure leads to frivolous or borderline arrests, made in order to qualify for merit pay raises;
- (c) There is insufficient personal supervision over an individual patrolman's work, since approximately 75% of a Sergeant's time is used to make up reports, and seldom, if ever does a superior officer give personal supervision to an individual patrolman;
- (d) Too much emphasis is placed on efforts to obtain national ratings with the International Association of Chiefs of Police, with whom the big measure of accomplishment is number of arrests and percentage of convictions;
- (e) There is wide dissatisfaction with the present retirement system because some patrolmen that should be retired cannot do so because of insufficient retirement pay;

(f) There is much dissatisfaction with the merit pay raise system because no consideration is given to longevity, and the merit pay system leads to competitive production quotas between patrolmen to the detriment of the motoring public and highway safety; and

WHEREAS, the foregoing findings of fact were approved by the Highway Safety Committee; NOW, THEREFORE, Be it resolved by the House of Representatives:

Section 1. The Legislative Council is directed to make, or cause to be made, a study of the State Highway Patrol and its operations, and to make a report concerning the same to the 1965 General Assembly.

Sec. 2. The study and report required by Section 1 shall include, but not be limited to, the following matters:

(a) The proper marking of all patrol cars, including staff cars;

(b) The present retirement system, including the method of recommending pay raises, and longevity;

(c) Supervision on the part of the Commissioner, and commissioned and non-commissioned officers over patrolmen below their respective ranks, including schools for sergeants, and relieving sergeants of clerical duties;

(d) Elimination of borderline arrests made to obtain pay raises, or to compete with other groups;

(e) The use of more discretion in making arrests in the interests of highway safety, and without regard to a competitive quota or salary increases.

Sec. 3. This resolution shall become effective upon its adoption.

COMMITTEE ACTIVITIES

The Chairman mailed questionnaires and announcements of a public hearing on March 1, 1964 to officials and associations¹ concerned with or vitally interested in traffic problems. These letters requested the individual or association to suggest methods of improving State Highway Patrol operations.

The public hearing, held on March 11, 1964, was well-publicized and well-attended.² At a meeting held immediately after the close of the public hearing, the Committee voted to form sub-committees for the purpose of interviewing individual³ patrolmen.

On December 3, 1964, sub-committee reports were received and a sub-committee appointed to draft the final report. The final report was approved and accepted by the Committee on January 13, 1965, and by the Legislative Council on January 14, 1965.

The Committee would like to express its appreciation to all members of the Highway Patrol for their competent and able assistance and for their genuine desire to cooperate in this study so that it might be accomplished.

GENERAL STATEMENT OF THE COMMITTEE

The State Highway Patrol performs a vital service for the citizens of North Carolina. Its operation necessarily invites criticism because it attempts to change public attitudes. It also generates resentment and dissatisfaction because it represents the State's enforcement power in applying restraints and controls. Under these circumstances, only an ineffective Highway Patrol would fail to generate some criticism and resentment.

There are many areas covered by North Carolina law, but only in the traffic law violator do responsible citizens fail to acknowledge an infamy in guilt. This observation points to a need for a vigorous public education program in the field of traffic safety. Yet, public traffic safety education is still in its infancy, not only in North Carolina but in the nation.

While it is safe to say that probably no individual will find the payment of a traffic penalty a pleasure, it might be hoped that through more widely-used traffic safety programs, we might create better attitudes and a more acute awareness toward traffic problems.

Problems associated with the motor vehicle and its use have developed at an accelerated pace while our capacities to contain these problems have moved at a much slower rate. The members of

the State Highway Patrol are aware of this situation and feel a deep responsibility to the people of North Carolina in helping to close the gap.

Critical analysis of any state agency necessarily produces a critical report. However, this Committee is convinced that North Carolina has an outstanding Highway Patrol, staffed in the field and in its administrative offices by highly trained, efficient, and dedicated men.

This report is predicated on a genuine interest in the Highway Patrol. It reflects better knowledge and understanding of the Patrol's activities and problems than we as members of this Committee possessed prior to the commencement of this study. Any criticism which appears as a result of this inquiry should be viewed as constructive criticism. Its intent is to assist, not impede the further progress of the Highway Patrol in its effort for safety and order on our public roads and highways.

* * * * *

Therefore, after careful deliberation, the Highway Patrol Committee of the Legislative Council respectfully submits the following report and recommendations to the Legislative Council.

THE DUTIES OF THE STATE HIGHWAY PATROL

General Statutes Section 20-188. Duties of Highway Patrol.

"The State Highway Patrol shall be subject to such orders, rules and regulations as may be adopted by the Commissioner of Motor Vehicles, with the approval of the Governor, and shall regularly patrol the highways of the State and enforce all laws and regulations respecting travel and the use of vehicles upon the highways of the State and all laws for the protection of the highways of the State. To this end, the members of the Patrol are given the power and authority of peace officers for the service of any warrant or other process issuing from any of the courts of the State having criminal jurisdiction, and are likewise authorized to arrest without warrant any person who, in the presence of said officers, is engaged in the violation of any of the laws of the State regulating travel and the use of vehicles upon the highways, or of laws with respect to the protection of the highways, and they shall have jurisdiction anywhere within the State, irrespective of county lines.

"The State Highway Patrol shall have full power and authority to perform such additional duties as peace officers as may from time to time be directed by the Governor, and such officers may at any time and without special authority, either upon their own motion or at the request of any sheriff or local police authority, arrest persons accused of highway robbery, bank robbery, murder, or other crimes of violence.

"The State Highway Patrol shall be required to perform such other and additional duties as may be required of it by the Commissioner of Motor Vehicles in connection with the work of the Department of Motor Vehicles, and such other and additional duties as may be required of it from time to time by the Governor.

"Members of the State Highway Patrol, in addition to the duties, power and authority hereinbefore given, shall have the authority throughout the State of North Carolina of any police officer in respect to making arrests for any crimes committed in their presence and shall have authority to make arrests for any crime committed on any highway."

With the growth in the complexity of managing the highway and traffic problems of this State, the duties of the Highway Patrol have also grown. It is proper and wholesome for the members of the General Assembly to know how this growth has affected the activities of the members of the Patrol.

There are 648 patrolmen who are assigned to thirty-six districts throughout the State as equally as possible for the flow of traffic.⁴

Reports received by the Committee indicate that approximately two and one-half days of each patrolman's week of forty hours is spent actually patrolling the highways.⁵

The question arises often: Why do I drive so many miles each month and rarely see a patrolman on the highway?

In an attempt to answer this question, we present below an estimate of the number of patrolmen it would have taken to accomplish non-patrol tasks if they had been assigned only these duties during a year's period.⁶ It should be pointed out that these activities are spread among the various patrolmen. We use the below method only because it may be more simply explained.

<u>DUTY</u>	<u>NO. OF PATROLMEN YEARLY IF ON CONTINUOUS ASSIGNMENT</u>
1. Inspection of out-of-state vehicles	5
2. Inspection of school buses	10
3. Traffic control surveys at origin and destination for Highway Commission	6
4. Monitoring of questionable activities involving scores of people	25

5.	Issuing of financial security notices, serving processes against violators of financial responsibility law, serving suspension and revocation notices (includes all suspension and revocations), observe compliance with suspensions	25
6.	Court appearances in the listed courts: criminal, civil, justice of the peace, recorders, municipal, Superior, federal mayor's, and juvenile	36
7.	Conduct driver improvement clinics	4
8.	Directing traffic at special events	10
	TOTAL PATROLMEN	<u>121</u>

It should be noted that the Highway Patrol is charged with those responsibilities listed in Item 5 whether the individual being sought lives in a city or in a rural area.

Basing our conclusion on the above information, the Highway Patrol Committee urgently makes the following recommendation.

* * * * *

Recommendation

That the Highway Patrol be increased by the addition of 100 to 150 men in order to provide for more adequate protection and safety on the highways of North Carolina.

THE PROPER MARKING OF PATROL CARS

FINDINGS:

The 1961 General Assembly provided that at least 79% "of the vehicles operated on the highways of the State by members of the State Highway Patrol shall be painted a uniform color of black and silver." ⁸ Thus, the additional 21% may be unmarked.

The State Highway Patrol has 648 patrol cars, one for each patrolman. 552 (85%) have been conspicuously marked since January 1, 1961. 96 are unmarked and distributed as ⁹ shown below.

36 vehicles are mounted with radar devices and are distributed equally to the 36 districts. The car is moved about within the district for the specific purpose of speed control on those highways which have high violation experience and/or high accident rates resulting from excessive speed.

36 vehicles are assigned within the districts to selected patrolmen who normally use it in patrol work. However, this vehicle's use remains flexible so that the assigned patrolman may be sent to another problem area or the car may be assigned for a specific enforcement purpose

to another patrolman in a problem area. Use of this vehicle is controlled by the District Sergeant as the traffic problems indicate.

24 vehicles are assigned to Commissioned officers, including headquarters staff. Assignment of these vehicles is as follows:

- 1 is assigned to each Troop Commander : 6
- 1 is assigned to each Troop Executive Officer : 6
- 2 are assigned to the Director of Transportation and Communications, Major W. B. Lentz, State Fairground Office : 2
- 2 are assigned to the Governor's office : 2
- 1 is assigned to each of the following members of the headquarters staff:
 - Col. David T. Lambert
 - Maj. C. Raymond Williams
 - Maj. Charles A. Speed
 - Capt. E. W. Jones
 - Lt. C. B. Pearce
 - Sgt. J. S. Powell
 - Sgt. D. R. Emery
 - Cpl. W. B. Haskins : 8

The use of marked and unmarked cars is justifiable and consistent with the thinking of leading traffic law enforcement officials throughout the nation. The conspicuously marked patrol vehicle moving with the predominant flow of traffic within clear sight of motorists has a greater immediate impact

on the motorists' awareness than any other type of vehicle used. These vehicles have a greater deterrant effect on the over-all violator element than an entire fleet of unmarked vehicles.

On the other hand conspicuously marked patrol cars prove ineffective against persistent violators such as drag racers, drunk drivers, persistent day-to-day speeders and reckless drivers. These violators obey traffic laws only when an officer is physically present to arrest or to deter violation. Thus, the unmarked patrol car has become an effective weapon in apprehending persistent and willful violators. In addition to their specific patrolling duties, unmarked automobiles moving about unpredictably provide an illusion of force which is not possible with marked cars only. ¹¹

Some evidence of dissatisfaction was found in one troop regarding the number of unmarked cars assigned to officers there-¹² by removing the vehicle from patrol duty. The Committee believes that some use of unmarked vehicles by officers is consistent with good management practices. This use of unmarked vehicles provides an opportunity to observe the work of individual on-duty patrolmen and permits two of about 100 men to observe the frequency of traffic violations, thereby enabling the two Commissioned Officers in each troop to evaluate the existing violation problems and the degree of compliance to operating procedures by motorists.

* * * * *

Recommendation

That unmarked cars be of different colors, that the time spent in them be divided as equally as possible among individual patrolmen, and that unmarked cars be distributed as equally as practicable among the various districts.

SUPERVISION

FINDINGS:

The Committee has established and is satisfied that proper supervision is given the activities of the patrol by its administrative officers, including the Commissioner of Motor Vehicles. The Highway Patrol provides ample training to all members at its recruit school and at annual in-service training sessions. Both types of schools are held under the auspices of the Institute of Government in Chapel Hill. In addition, it has conducted two specialized courses for all supervisory personnel since the results of the 1963 investigation were revealed. These courses covered such fields as leadership, personnel relations, and supervision of personnel.

However, it appears that there is room for improvement in the supervisory activities of Sergeants over troopers. Following the aforementioned 1963 investigation, the Highway Patrol conducted a survey of time spent by its Sergeants and Corporals in the office for report writing, etc. As a result of this survey, the responsibilities of district Sergeants and Corporals have been redefined as follows:

The district Sergeant is primarily assigned to a program of directing district activities and maintaining contact with the general public.

The district Corporal has been committed to a program of field supervision including regular attendance in court while troopers are testifying.

The duties of a Sergeant are necessarily heavy since he must supervise an average of about fifteen troopers. He is also responsible for an average of 67,500 drivers, 54,000 vehicles and about 1,925 miles of highway. ¹⁷ The above are the figures for 1963. He must also interpret and explain administration policy decisions, answer area complaints, prepare and submit activity reports, deal with personnel problems, etc.

* * * * *

Recommendation

That there is a need for more supervision of the men at the District and County levels. This could be accomplished by the addition of one Corporal in each District.

RETIREMENT

FINDINGS:

Prior to the action of the 1963 Session of the General Assembly, the Highway Patrol's retirement program did not provide sufficient retirement benefits so that older men could retire and live in reasonable comfort. This situation developed because of the low salaries paid to members of the Highway Patrol from the time of its organization in 1929 until about 1951,¹⁸ plus the fact that the retirement benefits were inadequate under the provisions of the Law Enforcement Officers' Benefit and Retirement Fund. Patrolmen who have joined the force since 1951 will have accumulated more substantial funds in retirement benefits when they reach the proper age or tenure provided the improved benefits are made permanent.

In an effort to correct the above situation, Chapter 1133 of the Session Laws of 1963 provided an adjustment of retirement allowances for the 1963-65 biennium. However, the Patrol has not retired many men under this program though about forty-eight members are eligible.¹⁹ Until the present retirement program is made permanent, these patrolmen will remain reluctant to retire since the benefits may drop back to the previous lower level.

Testimony received by the Committee indicates that if the program begun in 1963 should be continued and the benefits are made permanent, retirement benefits are adequate.²⁰

Highway patrolmen are subjected frequently to hazardous duty. The Committee is in unanimous agreement that to continue to use older patrolmen in the more hazardous duties, such as high speed pursuit, is to reduce the effectiveness of the State Highway Patrol.

To be effective in hazardous duty, a patrolman needs his full share of youth with its qualities of alertness, quick and prompt reaction, decisiveness, and zeal. All of these attributes tend to mellow and become sluggish with advancing age.

In making the above observations, this Committee does not intend to infer that older patrolmen are no longer useful. There are some senior administrative and supervisory positions in the organization of the Highway Patrol which do not demand youth primarily, but do require experience and knowledgeable judgment. In addition there are other positions such as radio operator, clerk, driver improvement instructor, inspection of the motor vehicles on our highways, etc. The use of older men in these positions should be made without prejudice to current pay status. In addition consideration might be given to a program of optional retirement with full benefits for patrolmen who have reached the age of fifty-five years with thirty years continuous service and who cannot be phased into less hazardous duties.

In addition, however, this plan would necessarily entail the enlargement of the State Highway Patrol.

* * * * *

Recommendation

That older patrolmen who have not been advanced to supervisory positions by the time they reach fifty-five years of age be assigned to duties which are not of a hazardous nature or that they may be granted an optional retirement program at fifty-five years of age with thirty years of service.

PRODUCTION PRESSURE

FINDINGS:

There is no evidence that an "arrest quota" exists or has ever existed in the North Carolina Highway Patrol. However, it does appear that "production arrest pressure" was experienced by many troopers.

The Committee's conception of the nature of this type of production pressure is shown in the following analysis of its beginnings and development.

In 1955 the administration adopted the "Employee Performance Rating". Two of the items included for grading purposes called for the "Work Produced" and "Industriousness". Unfortunately, these items were particularly vulnerable to distortion since they indicated a tangible result of the patrolman's activities and did not reflect an opinion of his superior. A base for competition thus resulted in which some patrolmen competed with others for the highest number of arrests. In some areas this competition began to pyramid. As this pyramiding gained momentum, borderline or "frivolous" charges may have been charged against one individual when one charge would have sufficed. Perhaps most frequently these charges were made by less active patrolmen whose records indicated too few arrests in comparison with others. It

must be remembered, also, that work produced and industriousness were items which appeared on the grading sheet.

This apparent pressure for production resulted in repercussion during the 1963 General Assembly. Consequently, an investigation into these charges was launched. ²⁵ Shortly after the commencement of this investigation, several district and individual arrest records ceased to be posted for comparison ²⁶ purposes.

At the time of this study, troopers interviewed across the State report that production arrest pressure has been virtually eliminated.

With the apparent cessation of a problem of "frivolous" or borderline charges, this Committee would like to offer the following information for the consideration of the General ²⁷ Assembly.

<u>Year</u>	<u>Total Number of Highway Fatalities</u>	<u>Total Number of Charges Preferred</u>	<u>Total Number of Registered Automobiles</u>	<u>Deaths/100,000,000 Miles of Travel</u>
1955	1,165	191,075	1,601,357	7.3 %
1956	1,108	226,477	1,672,440	6.6 %
1957	1,064	245,944	1,720,162	6.2 %
1958	1,083	239,695	1,708,324	6.3 %
1959	1,193	240,016	1,820,166	6.5 %
1960	1,226	210,290	1,907,988	6.5 %
1961	1,258	210,900	1,984,233	6.3 %
1962	1,320	244,399	2,056,888	6.5 %
1963	1,386	192,607	2,156,444	6.4 %
1964	1,600 (Est.)	196,695 (Est.)	2,289,590 (Est.)	6.8 % (Est.)

This decrease in patrol activity as opposed to the increase in the number of registered vehicles may be attributed in part to several causes, among them:

28

1. Reduction of multiple charges, wherein greater emphasis is placed on consolidating several minor charges to form a greater charge (reckless driving is an example of this).
2. Diversion to special assignments which consumed 49,568 man hours of the patrol's time in 1963.
3. The extension of city limits, thus reducing the total miles of highway to be patrolled.

Nevertheless, it does not appear that the above conditions should have caused such a large decrease in the volume of charges when the number of automobiles increased.

* * * * *

Since the problems related to production pressure are closely aligned with those of the merit increment plan, the recommendation shown at the end of the next section applies equally to the foregoing material.

MERIT PAY RAISE SYSTEM

FINDINGS:

In the minds of many Legislators the merit pay raise system has been closely linked with the problem of production pressure. Apparently, this coupling is at least partially the result of the old "Employee Performance Rating" form on which "work produced" was listed as one criteria for grading. The present "Trooper Performance Report" which replaces the "Employee Performance Rating" form was first used in revised form in November 1962 and is secured semi-annually, then becoming the basis on which raises are allotted. An "Activity Report" submitted weekly by each patrolman lists numerous items related to production. Some of these activities may be substantiated by documents such as the "Accident Reports". From the information contained in the weekly "Activity Report", the superior is able to grade the individual patrolman on the items listed in the "Trooper Performance Report".

Therefore, the number of arrests made is indeed one measure of a patrolman's effectiveness in enforcing traffic or other laws; however, as the "Activity Report" and "Trooper Performance Report" forms indicate, it is not conclusive since it neither notes the quality of an arrest nor accounts for other activities.

Funds are available for the purpose of providing raises for approximately 2/3 of the employees of the Highway Patrol. Until

July 1, 1964, patrolmen were awarded raises solely on the basis of the "Trooper Performance Report". A new method of awarding merit increases has recently been instituted. Both of these are examined below.

A. Merit Raise Based on Trooper Performance Reports:

Beginning at the top grade received, irrespective of rank, troopers were awarded merit increments until the funds were exhausted. This yielded a group of about two-thirds of the members. The group was then divided into troops and increments awarded as equally as practicable among the troops so that differences in Commander's ratings would not affect the money allotted.³¹

B. Merit Raise Rotation Plan:

The Committee is satisfied that the new increment pay raise system for members of the Highway Patrol is a just system and will relieve many problems of production pressure as discussed earlier in this report. The new plan consists of the following basic steps:

- (1) Patrolmen who did not receive merit increment raises in the fiscal year 1962-63 and in 1963-64 are scheduled for a merit increase in 1964-65.
- (2) Following the initiation of the merit increment pay raise a new rule was established whereby in subsequent fiscal years, patrolmen who do not receive a merit increment during the past fiscal year will be granted an increment raise in the following fiscal year. In other words, a patrolman will receive a merit increment raise two years out of three unless his Troop Commander dis-qualifies him on the grounds of an unsatisfactory 32 performance or unless it is mathematically impossible.

* * * * *

Recommendation

That in order to relieve the pressure for production, the Highway Patrol retain the present merit increment pay raise plan, adopted July 1, 1964.

FOOTNOTES

1. Officials:

Governor Terry Sanford
Commissioner Edward Scheidt
Colonel D. T. Lambert
Mr. John Sanders, Director, Institute of Government
Mr. Phil Ellis, Executive Director, N. C. Traffic
Safety Council, Inc.
Mr. Ed Pickard, Executive V. P., Carolina Motor Club,
Charlotte
Mr. Henry L. Bridges, State Auditor
Mr. Quinn Tamm, Executive Director, International
Association of Chiefs of Police, Washington, D. C.

State-wide Agencies:

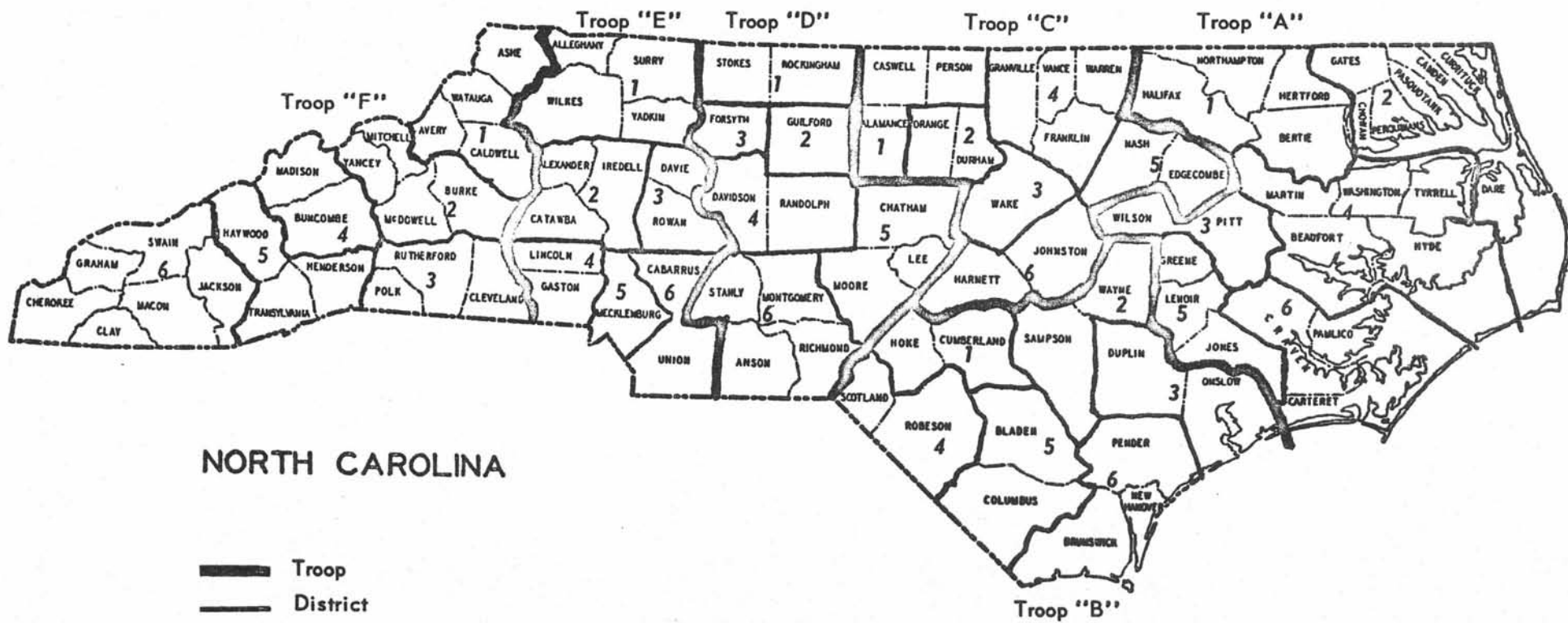
N. C. Association of County Commissioners
N. C. Association of Chambers of Commerce
N. C. Association of Insurance Agents
N. C. Association of Qualified Restaurants
N. C. Automobile Dealers Association
N. C. Bar Association
N. C. Bus Association
N. C. Citizens Association
N. C. Congress of Parents and Teachers
N. C. Hotel Association
N. C. League of Municipalities
N. C. Merchants Association
N. C. Motor Carriers Association
N. C. Railroad Association
N. C. Rural Safety Council
N. C. Service Stations Association
N. C. State Junior Chamber of Commerce

2. Mr. Edward Scheidt, Commissioner of Department of
Motor Vehicles
- Mr. Quinn Tamm, Executive Director of the International
Association of Chiefs of Police
- Mr. James E. Civils, Regional Director of the National
Traffic Safety Council
- Captain E. W. Jones, North Carolina State Highway
Patrol
- Mr. Phil Ellis, Executive Director, North Carolina
Traffic Council
- Mr. John Sanders, Director of the North Carolina
Institute of Government
- Mr. Henry L. Bridges, Chairman of the Law Enforcement
Officer's Benefit & Retirement Fund

3. Troop "A" Senator Thomas J. White
 Senator Sam L. Whitehurst
- Troop "B" Senator Cicero P. Yow
 Representative Hugh S. Johnson, Jr.
 Representative R. D. McMillan
- Troop "C" Representative Sneed High
 Representative Hugh S. Johnson, Jr.
 Representative James E. Ramsey
- Troop "D" Senate President T. Clarence Stone
 House Speaker H. Clifton Blue
- Troop "E" Senator Irwin Belk
- Troop "F" Senator R. E. Brantley
 Representative Gordon Greenwood
 Representative Hollis M. Owens, Jr.
 Representative Liston Ramsey

4. District map is included on the next page for your
information.

North Carolina Department of Motor Vehicles
STATE HIGHWAY PATROL



NORTH CAROLINA

5. Statement of Colonel David T. Lambert at meeting of the Highway Patrol Committee on December 3, 1964.
6. Estimate based on information contained in 1963 "Activity Reports".
7. See General Statutes 20-311.
8. See General Statutes 20-190.
9. This information is based on a memorandum from Colonel David T. Lambert dated 2 December 1963.
10. Based on statements from the International Association of Chiefs of Police and the North Carolina Traffic Safety Council.
11. Statement of Captain E. W. Jones at Highway Patrol hearing March 11, 1964.
12. See report of sub-committee investigating Troop "F" dated December 3, 1964.
13. Summary of statements of Mr. John Sanders from Highway Patrol hearing March 11, 1964:

Basic school for new recruits is held at the Institute Building in Chapel Hill each summer. Enrollment averages about forty and sometimes includes three or four representatives of military enforcement agencies or city police

departments. The school runs for thirteen weeks, 5½ days a week. Recruits receive daily eight hours of classroom instruction on field problems and three hours are devoted to study. The students live and attend classes in the building and use the fire arms range near Chapel Hill. The schedule and instructional program for this school are planned jointly by the representatives of the Patrol and the Institute.

The standard curriculum of the basic school totals 680 hours, 160 hours being devoted to supervised study and review, twenty hours to examinations and about 500 hours to instruction in the classroom and the field. Approximately 130 hours of instruction are devoted to legal topics, including court organization and procedure, law of arrest, law of search and seizure, law of evidence, and rules of the road. Examples of subjects covered in basic school and number of classroom hours devoted to each include these:

accident investigation (including a field problem)	20 hours
defensive tactics	10 hours
driver education (including field instruction)	40 hours
law of evidence	14 hours
fire arms	20 hours
first aid	30 hours
law of arrest	12 hours

law of search and seizure	10 hours
public speaking	10 hours
pursuit driving	44 hours
rules of the road	40 hours

The 1963 school began late in April and ended late in July.

Twelve in-service schools are held annually and are attended by all uniformed Patrol personnel and by radio operators. Each school offers approximately 21 hours of instruction. Topics covered in the 1964 in-service school included changes in motor vehicle laws, investigation and report writing, patrol techniques on the road, psychology of crowd control, physical fitness, supervision communication and administration of the financial responsibility act of 1957. The topics may vary from year to year according to which subjects are most in need of coverage at the time.

14. In 1963 identical schools were held during four different weeks so that attendance could be staggered. Dates of these schools were as follows:

School No. 1	-	September 3-6, 1963
School No. 2	-	September 9-12, 1963
School No. 3	-	September 16-19, 1963
School No. 4	-	September 23-26, 1963

Dates of the schools for 1964 were as follows:

School No. 1	-	September 14-17, 1964
School No. 2	-	September 21-24, 1964
School No. 3	-	September 28-October 1, 1964
School No. 4	-	October 5-8, 1964

Detailed information on the content of these schools is available in the Council office.

15. The following is a summary of the time spent on various duties by the Sergeants and Corporals prior to the redefinition of their duties which occurred in 1963.

	Hrs./Wk.	% of 40 hr. week - 50.8
A. <u>All Office Functions of Sergeants</u>	<u>20.3</u>	
* (1) Planning work for Enforcement Personnel	3.9	9.7
* (2) Counselling Enforcement Personnel	3.3	8.2
* (3) Reviewing Reports from Enforcement Personnel	4.7	11.9
(4) Report Writing	2.6	6.6
(5) Public Information	1.8	4.6
* (6) Supervision of clerk, prisoner, building and grounds	.7	1.8
(7) Interviewing applicants	.6	1.5
(8) Processing Mail	.4	1.1
(9) Answering Complaints	.6	1.5
(10) Interviewing news media and other miscellaneous duties	1.4	3.6
*Supervisory in nature.		
B. Hours riding with patrolmen.	7.6 average	
C. Number of personal contacts with troopers per week assigned to same station.	7.2 average	
D. Number of personal contacts with troopers per week stationed elsewhere.	2.5 average	
E. Sergeants spend a substantial amount of time moving (patrolling) over the district in making personal contacts, investigating applicants, complaints, etc. They drive an average of 469 miles per week in traffic law enforcement duties including supervision, investigation, etc.		

- L. District Sergeants and assigned personnel are responsible for the traffic safety of 2.7 per cent (average) of the following:

<u>Problem Factors</u>	<u>2.7 per cent</u>
2,500,000 Drivers	67,500
2,000,000 Vehicles	54,000
4,500,000 Population	121,500
71,312 Highway Mileage	1,925

16. Pages 55-62 - "Policy and Procedures - Forms and Reports Manual".

17. Based on 1963 averages.

18. In reviewing available documents at the Highway Patrol office the following information on patrolmen's salaries is presented for your information:

"The starting monthly salary for a Junior Patrolman in 1945 was \$125; this was increased to \$150 at the end of two years.

"The starting monthly salary for a Junior Patrolman in 1949 was \$210; this was advanced to \$240 at the end of two years.

"The starting monthly salary for a Patrolman in 1955 was \$245; this amount was increased to \$272 at the end of two years. On 1 July 1957 a \$40 subsistence per month was added.

"The starting monthly salary for a Patrol Recruit is \$377. At the end of six months he is automatically promoted to Highway Patrolman I with a salary of \$415. At the end of two years it automatically increases to \$457."

F. Virtually every sergeant works substantially over 40 hours per week in traffic law enforcement.

G. The 36 district corporals report that of a 40 hour week they spend their time as follows:

<u>All Office Functions of Corporals</u>	<u>Hrs./Wk.</u>	<u>% of 40 hr. week - 40.7</u>
*(1) Planning work for Enforcement	3.1	7.7
*(2) Counselling Enforcement Personnel	2.1	5.4
*(3) Reviewing Reports from Enforcement Personnel	4.7	11.2
(4) Report Writing	2.1	5.4
(5) Public Information	1.2	2.9
*(6) Supervision of clerk, prisoner, building and grounds	.6	1.6
(7) Interviewing Applicants	.6	1.4
(8) Processing Mail	.5	.5
(9) Answering Complaints	.3	.7
(10) Interviewing news media and other miscellaneous duties	1.1	2.9
*Supervisory in nature.		

H. Hours riding with patrolmen. 11.7 average

I. Number of personal contacts with troopers per week assigned to same station. 8.1 average

J. Number of personal contacts with troopers per week elsewhere. 2.8 average

K. Corporals spend a substantial amount of time moving (patrolling) over the district in making personal contacts, investigating complaints, etc. They drive an average of 504 miles per week in performing their duties.

19. Based on information contained in Highway Patrol files and obtained from Colonel David T. Lambert.
20. Statement of Colonel David T. Lambert at Highway Patrol hearing, March 11, 1964.
21. Administrative positions with the Highway Patrol are:
 1. Commander
 2. Director of Enforcement Division
 3. Director of Communications and Transportation Division
 4. Director of Highway Safety Division
 5. 6 Troop Commanders
 6. 6 Troop Executive Officers
 7. Supervisor of Communications Section
 8. Supervisor of Transportation Section
 9. 4 Administrative positions in Patrol Headquarters
22. This conclusion is established after interviews with numerous patrolmen across the State.
23. A majority of the patrolmen interviewed expressed dissatisfaction on this point.
24. A copy of the "Employee Performance Rating" form is included on the next page for your information.
25. Pages 34-36 contain a report of the 1963 Legislative Committee investigating Highway Patrol arrest quotas.

NORTH CAROLINA DEPARTMENT OF MOTOR VEHICLES
STATE HIGHWAY PATROL

EMPLOYEE PERFORMANCE RATING

Period Covered
From _____
To _____

Type of Rating
Regular _____
Special _____

Name of Employee	Classification	Agency, Department or Commission		
Items to be Rated				
Check Appropriate Rating for Employee			Check Most Applicable Statement	Rate
OUTSTANDING <input type="checkbox"/> COMMENDABLE <input type="checkbox"/> STANDARD <input type="checkbox"/> IMPROVEMENT NECESSARY <input type="checkbox"/> UNACCEPTABLE <input type="checkbox"/>				
L. ORGANIZATION OF WORK				
A. Consistently organizes work in an exceptionally efficient manner			A	
B. Organizes work efficiently			B	
C. Usually organizes work well			C	
D. Often fails to organize work properly			D	
E. Fails to organize work properly for this job			E	
2. KNOWLEDGE OF WORK				
A. Knows and consistently applies broad phases and/or details of work exceptionally well			A	
B. Knows and applies broad phases and/or details of work			B	
C. Has and applies adequate knowledge of work			C	
D. Is unfamiliar with some required phases of work			D	
E. Has failed to acquire sufficient knowledge of the work for this job			E	
3. WORK PRODUCED				
A. Consistently and exceptionally high production			A	
B. High Production			B	
C. Standard production			C	
D. Often fails to meet expected production			D	
E. Fails to meet expected production for this job			E	
4. ACCURACY				
A. Work is exceptionally and consistently accurate			A	
B. Work is accurate with relatively few errors			B	
C. Work is usually accurate with average number of errors			C	
D. Work is often inaccurate and must be checked closely for errors			D	
E. Errors are made so frequently that it indicates employee is not adapted for this type of work			E	
5. NEATNESS				
A. Work is exceptionally and consistently neat and presentable			A	
B. Work is very neat and presentable			B	
C. Work is usually neat and presentable			C	
D. Work is often unpresentable			D	
E. Work fails to be as neat and presentable as this job requires			E	
6. MEETING TIME LIMITATIONS				
A. Meets due dates and time limitations and often finishes ahead of time			A	
B. Meets due dates and time limitations and occasionally finishes ahead of time			B	
C. Usually meets due dates and time limitations			C	
D. Often fails to meet due dates and time limitations			D	
E. Fails to meet due dates and time limitations set for this job			E	
7. FOLLOW-UP AND SUPERVISION				
A. Consistently carries out instructions exceptionally well			A	
B. Carries out instructions with very little follow-up required			B	
C. Usually carries out instructions with occasional follow-up required			C	
D. Often has difficulty in grasping instructions and close follow-up required			D	
E. Fails to grasp instructions and too much follow-up required for this job			E	
8. JUDGMENT				
A. Consistently exercises unusually keen sense of judgment, sound in decisions and conclusions			A	
B. Exercises keen sense of judgment			B	
C. Judgment is usually sound			C	
D. Often arrives at wrong conclusions			D	
E. Fails to exercise the independent judgment required for this job			E	
9. INDUSTRIOUSNESS				
A. Consistent and exceptional application of time, interests and energies to duties and responsibilities of job			A	
B. Applies time, interests and energies to the job			B	
C. Usually applies time, interests and energies to the job			C	
D. Often fails to apply time, interests and energies to the job			D	
E. Fails to apply time, interests and energies necessary for this job			E	

Sub-Committee Report on Highway Patrol Arrest Quotas.

TO: R. D. McMillan, Jr., Chairman, Highway Safety Committee

Your Sub-Committee made approximately 579 contacts and the Committee report is as follows:

FINDINGS

(a) There is no direct quota system as such but there does exist indirect methods of production results, such as comparing patrolmen within a division, or with other divisions, which encourages competition among patrolmen in the number of arrests made during a particular grading period.

(b) It is believed production pressure leads to a number of frivolous or borderline arrests in order to qualify for merit pay raises which is unfair to the patrolmen, the public and the Highway Safety Program.

(c) There is insufficient personal supervision over the patrolman's work in their districts. It was learned that approximately 75 per cent of the Sergeant's time consists of making up reports. Seldom, if ever, does a superior officer give personal supervision to an individual patrolman. Closer personal supervision would develop better relations and understanding between superiors and those under them.

(d) It is the opinion of the Committee that too much emphasis is placed on national competition resulting in an endeavor to a rating in the I. A. C. P. (International Association of Chiefs of Police, Inc.). The yardstick for measurement in this competition is-----number of accidents plus number of fatalities should result in X number of arrests. Miles of highway, type of highway, flow of traffic-----constant or periodic--is also a part of the yardstick used in measuring competitive standards. However, the number of arrests and percentage of convictions is the one big measure of accomplishment.

(e) Although not within the scope of our investigation, it is found that there is wide dissatisfaction with the present retirement system because there are some patrolmen that should be retired but cannot retire because of insufficient retirement pay.

(f) There is also much dissatisfaction with the merit pay raise in that at the present time no consideration is given to longevity and also the merit pay within the State Highway Patrol leads to the competitive production quotas between individual patrolmen to the detriment of the general motoring public and highway safety.

CONCLUSION

(a) All Highway Patrol cars should be properly marked, including staff cars.

(b) A detailed study should be made of:

(1) Present Retirement System

(2) Method of recommending pay raises

(a) Longevity should be considered

(c) Commissioner, Commissioned and noncommissioned officers should give more time to supervision and personal contact with patrolmen below their respective ranks. A school for sergeants should be held by high-ranking patrol officers with the idea of enabling him to better supervise and train the patrolmen under him. Sergeants should be relieved of clerical duties.

(d) We recognize certain number of arrests will and should be made. However, patrolmen should not be forced to make borderline arrests in order to get a pay raise or compete with another group.

That public relations by the highway patrol and the motoring public could be and would be improved by the patrolmen being authorized and encouraged to use more discretion in making arrests which should only be made in

the interest of highway safety and without regard to a competitive quota for the purpose of being considered for a salary increase.

(e) We believe that the interest of highway safety as well as the interest of improving the relationship between the public and the highway patrol will be best promoted by the continuance of this or a similar committee to report back to the 1965 General Assembly regarding the recommendation contained in this report.

Respectfully submitted,

Hoyle T. Efird
F. D. B. Harding
L. Sneed High
James E. Ramsey
Carl V. Venters
Ernest L. Hicks, Chairman

26. Statement of Major C. Raymond Williams, Highway Patrol hearing, March 11, 1964.
27. This material gathered with the cooperation of the Department of Motor Vehicles and the North Carolina Traffic Safety Council.
28. Statement of Highway Patrol staff at hearing on March 11, 1964.
29. A copy of the "Trooper Performance Report" is included on the next page for your information.
30. The Highway Patrol is currently revising its "Activity Report" to eliminate duplication and to consolidate related items. A copy of the "Activity Report" is included on Page 39 for your information.

(Rating)

TROOPER PERFORMANCE REPORT

Period Covered

From _____

To _____

Name of Employee _____

INSTRUCTIONS

The rating officer will determine which work assignments the member should be rated upon and any alternate weights selected will be substituted on the form by the rating officer in the rating interview. (The adopted collective weights must add up to 100). The rating officer will then assign an appropriate numerical rating (ranging from "0" up to the maximum) on each selected work assignment in the column headed "Rating". The rating must be done in the presence of the member being rated, and the improvement plan should be mutually agreed upon by the member and the rating officer prior to the signing of the completed form. The form must be made up in triplicate.

	WEIGHT	RATING
<p>1. SELECTIVE ENFORCEMENT PATROL TECHNIQUES</p> <p>A. Devotes full time assigned by Supervisor to patrolling designated highway(s) or area(s)</p> <p>B. Major efforts are consistently directed toward hazardous accident-producing violations</p> <p>C. Closely observes and is alert to highway conditions, vehicles, and users for evidence of danger to and potential obstruction to the safe expeditious flow of traffic</p> <p>D. Provides approved impartial service to highway users</p> <p>E. Adheres to safe driving and pursuit practices which command respect</p> <p>F. Regularly reviews the accident-enforcement experience and diligently applies enforcement efforts at the assigned time and place</p> <p>G. Consistently acquaints himself with problem drivers and pedestrians and directs major efforts toward control of their traffic behavior</p>	35	
<p>2. KNOWLEDGE OF LAWS AND DUTIES</p> <p>A. Familiar with pertinent motor vehicle laws, criminal laws, laws of evidence, laws of search and seizure, and Patrol policies and procedures</p> <p>B. Applies knowledge in performance of duties</p>	10	
<p>3. INVESTIGATIONS AND REPORTS</p> <p>A. Listens to and answers radio consistently, takes all assignments, and makes thorough investigations</p> <p>B. Investigations are conducted with initiative, resourcefulness, and diligence</p> <p>C. Prepares and promptly submits complete, legible, and accurate reports in accordance with regulations</p>	10	
<p>4. COURT PERFORMANCE</p> <p>A. Cases are well prepared, and evidence is properly identified and preserved</p> <p>B. Member appears in court promptly and conducts self and business with dignity which commands respect</p> <p>C. Presents evidence audibly, accurately, courteously, and impartially</p>	10	

	WEIGHT	RATING
5. APPEARANCE AND PHYSICAL FITNESS A. Maintains personal cleanliness at approved level B. Maintains physical fitness, and weight is within the established limits C. Wears complete uniform which is clean, pressed, and tailored D. Metal and leather goods are clean and polished	10	
6. PUBLIC AND DEPARTMENTAL RELATIONS A. Consistently supports departmental programs and policies B. Maintains good relationship with other employees, public officials, and the general public C. Participates in civic improvement programs D. Voluntarily assists other employees in investigations and in solution of enforcement problems E. Accepts constructive criticism and improves operational procedures	15	
7. CARE OF EQUIPMENT A. Exercises proper care of all equipment and supplies under his control B. Seeks to keep operational costs and expenditures to a minimum C. Avoids waste and maintains supplies and equipment safe and available for immediate use	10	
8. SPECIAL ASSIGNMENTS A. Proficient in the training of assigned recruits B. Carries out assignments in Driver Improvement Clinic commendably C. Effectively conducts safety promotional programs D. Performs special assignments and other related activities with initiative and diligence		

IMPROVEMENT PLAN

I hereby certify that this rating was discussed with me prior to being signed by the reviewing official.

Comments:

_____ Trooper _____ Date

_____ Sergeant _____ Date

This rating has been reviewed and accepted by me, with the exceptions noted:

_____ Captain _____ Date

_____ Major _____ Date

Arrest Reports Nos.

Form HP-201
(Revised 2-64)

DAILY ACTIVITY REPORT AND PERFORMANCE RECORD FOR THE WEEK BEGINNING MONDAY

196

NORTH CAROLINA DEPARTMENT OF MOTOR VEHICLES
STATE HIGHWAY PATROL

DATE

TROOP _____ DIST. _____ NAME _____ CALL NO. _____ STA. _____

TOTAL PERSONAL EXPENSE ACCOUNT FOR MONTH \$ _____
TO BE ENTERED ON THE 25TH OF EACH MONTH

DAY OF WEEK	DUTY HOURS															Meal Hr.	
	Assigned patrol	Began shift	Ended shift	No. hrs. on patrol	No. hrs. in court	COURT ACTION - SENTENCES									Total hrs. on duty	From	To
						Total amt. fines assessed	Total amt. bonds forfeited	Total amt. costs assessed	No. yrs.	No. Mos.	No. days	No. found guilty	Charges Not. Prossed	No. not guilty or dismissed			
MON.																	
TUE.																	
WED.																	
THU.																	
FRI.																	
SAT.																	
SUN.																	
Total																	

DAY OF WEEK	GENERAL ACTIVITIES															Revenue Collections								
	No. Courtesies rendered	No. First-aid rendered	No. fires extinguished	No. vehicles inspected	No. lights corrected	No. driver license inspected	No. D.L. notices served	No. accidents investigated	Veh. weighed-overloaded	HP 308 tickets issued	No. vehicles stored	No. stolen cars recovered	Total value property recovered	School Busses			SAFETY EDUCATION			No. persons attending	No. bad checks collected	No. receipts issued	Total collections today	
														No. inspected	No. found faulty	No. routes checked	Name of group	Name of place	No. persons attending					
MON.																								
TUE.																								
WED.																								
THU.																								
FRI.																								
SAT.																								
SUN.																								
Total																								

DAY OF WEEK	WEEKLY ARREST RECORD—MONDAY THROUGH SUNDAY																											
	D. D.	R. D.	Speed Violations			Yield	Follow too closely	Passing Violations				Equip. Violations			D. L. Violations			Transporting liquor	Larceny of auto	Ped. Viol.	Traffic violations	Drunk on highway	No. all other vio.	Vio. Chgd.	Per. Arstd.	Warnings		
			Below 65 MPH	From 65 to 75 MPH	Over 75 MPH			Curve	On hill	Sch. bus	Other	Stop sign violations	Lights	Brakes	All others	Driving on wrong side	No license									Expired license	Suspended or revoked	Hit & run
MON.																												
TUE.																												
WED.																												
THU.																												
FRI.																												
SAT.																												
SUN.																												
Total																												

DAY OF WEEK	COST OF PATROL CAR OPERATION																		
	No. gals. gas pfl. station	Total cost gas. pfl. sta.	No. qts. oil pfl. sta.	Total cost oil pfl. sta.	No. gals. gas comm. sta.	Total cost gas comm. sta.	No. qts. oil comm. sta.	Total cost oil comm. sta.	Total cost washing	Total cost greasing	Total cost tires	Total cost parts	Total cost labor	Total misc. cost	Total car cost	Speedometer Reading	Miles in other car	Total mileage today	Cost per mile
MON.																			
TUE.																			
WED.																			
THU.																			
FRI.																			
SAT.																			
SUN.																			
Total																			

31. The following was stated in the "Policy and Procedures - Forms and Reports - Manual" published March 1, 1962.

"Merit Increments. In accordance with state personnel rules not more than two-thirds of the employees of the Patrol whose annual salaries are at or above the third step in the salary range may receive a merit increment in any year. To be eligible for a merit increase an employee:

- (1) Must not be receiving a salary above the maximum for the salary range,
- (2) must have completed twelve (12) months continuous service in full-time permanent status, or
- (3) must have completed six (6) months service and be performing his work in an exceptional manner.

"If unused merit increment funds are available, six-month merit increases or unscheduled annual merit increments may be granted. Unused merit increment funds become available when an employee scheduled to receive a merit increment does not receive an increment because (1) of promotion or demotion, (2) of termination of services, or (3) the merit increment is denied.

"Some of the factors to be considered in awarding merit increments are work performance, industry, initiative, length of service, and date of last individual increase.

"If an employee's salary is near the maximum for his class, he can receive only that portion of the last increment which will bring his salary up to the maximum for his class of position.

"State Personnel Department regulations provide that a state employee may be recommended for a merit increase if he is performing his work in an exceptional manner and if he has served at least six continuous months in his present classification or since his last salary increase."

32. The material shown in footnote No. 31 was amended on February 1, 1964, as follows:

After the last paragraph the following was added.

"Employees whose annual salaries are at or above the third step in their salary range will normally, upon recommendation of troop commander, receive merit increments two out of every three years."

This paragraph was clarified in the "Highway Patrol Training Bulletin" No. 42 dated November 27, 1964, as follows:

"For many years the State Highway Patrol, in accordance with personnel regulations, awarded merit salary increments on the basis of performance ratings established by Troop Officers with the approval of the Director of the Enforcement Division and the Commanding Officer. In 1964, this system was modified and merit salary increments were awarded in accordance with the following:

"Rule 1. All Patrolmen now in the merit bracket and who did not receive an increment in both of the two preceding fiscal years were awarded a merit increment for 1964-65. These men were awarded the increment irrespective of the general re-classification which was effective 1 June 1964.

"Rule 2. Members who did not receive an increment through the general re-classification on 1 June 1964, who are in the merit bracket were awarded an increment for 1964-65.

"Rule 3. The remainder of the available merit funds was used to award merit increments on the basis of length of service in their respective troops.

"Troop Commanders were given the authority to recommend withholding an increment where an employee has failed to meet his responsibilities. As an example, an employee who was consistently tardy for assignments, unpunctual in submitting reports, or careless and extravagant with his equipment would be subject to having his increment withheld provided his Troop Commander recommended such and this office concurred."