Governor McNair Oral History Project

South Carolina Department of Archives and History

Interview

with

Robert E. McNair

Interviewer:

Cole Blease Graham

Date:

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CBG: This is Tape 23, Side 1, an interview with Governor Robert E. McNair as a part of the McNair Oral History Project of the South Carolina Department of Archives and History. Today's date is June 7, 1983. Governor McNair, on becoming governor what does one do with the chief of the South Carolina Law Enforcement Division [SLED]? Is that an automatic reappointment decision?

REM: Well, that's really one of the first things you had to do at that time because SLED then reported directly to the governor and to the governor only. Since then it's been changed so that he’s appointed subject to confirmation by the Senate. You had to make a decision very quickly on that as well as on assembling a staff. One of the first acts you take is the appointment of someone to head the State Law Enforcement Division because it did run along with the governor's term. Of course, that was one of my first official acts when taking office, even for that interim period when Mr. [Donald] Russell resigned, was the reappointment of [J. Preston] Pete Strom as chief of the State Law Enforcement Division.

CBG: How did you go about that? Did you consider any other candidates at all?

REM: No, I really didn't because, having been in the legislature and having been chairman of the House Judiciary Committee, I was thrown in more with law enforcement people than you would normally be. All legislation affecting them went through the Judiciary Committee, and I had known Pete Strom personally and otherwise for a number of years and like everybody else had great admiration and respect for him. There was never a question, and I think one of the reasons I did it at the same press conference when we were going through the appointment of Mr. Russell to the United States Senate to fill that unexpired term was to emphasize my support and my confidence in Pete Strom. We were in a difficult period, and I wanted to make it clear that he was the chief law enforcement officer of the state and that I fully supported him and was going to put even more responsibility on him as we moved along.

CBG: This may be a bit of a background type of question but when we think of organizations, we often think of the model of a pyramid with an executive in charge at the top. Is law enforcement organized in South Carolina that way? In other words is the governor in a position to be a strong executive in terms of managing the law enforcement activity?

REM: He really is because I suppose there, more than anything else, he is the chief law enforcement officer. He is the chief executive. He is the person who has control of the National Guard, which can be and has been used as an arm of maintaining civil order. So the governor has tremendous authority and thus a lot of responsibility.

CBG: What about the relationship with the highway patrol, going back to the old Governor [Olin] Johnston confrontation with the Highway Department? Does that fold in under the governor's authority?

REM: Well, no, it does not and it depends largely on, I think, the relationship you develop with the Highway Department. The patrol is under the department and reports to the department, and the chief highway commissioner has always maintained control through the head of the highway patrol. Fortunately through the years, we've had commissioners who have used good judgment in selecting people to head the patrol and given them pretty much autonomy and allowed them to function as a traffic safety division within the department independent of politics to a great extent and in the past independent of interference from the commission itself. They have allowed the chief highway commissioner to do that and thus the patrol has always been in this state, once it was divorced from politics, well respected and one of the best organized law enforcement bodies that we've had through the years. Historically, they have done a good job, but they were sort of limited to safety, highway and traffic safety. They didn't get into other phases of law enforcement and did not get into criminal responsibilities like they have in other states or into any investigative work in things other than those directly related to highway safety.

CBG: So, in effect, the highway patrol works outside of the supervision of the governor . . .

REM: Right.

CBG: . . . and of SLED.

REM: That's right.

CBG: What then would SLED do?

REM: Well, SLED, really, originally was the old State Constabulary that was just a pure political organization.

CBG: What is a constable?

REM: Well, it goes way back to, I call it, sort of a quasi-honorary political plum. Under the old system, you could appoint a constable. It was honorary in nature, but he could have a badge and a gun, and it gave him

something there as a sop for political support. The constabulary kind of grew into a State Law Enforcement Division, and I use that term very loosely because they were all based in the local communities. As it developed, you developed a problem with the local law enforcement because the sheriffs were not too happy with that situation. Quite often they looked on that member of the constabulary as a potential opponent for sheriff and/or as somebody meddling in his affairs and taking care of law enforcement in his county.

We moved from there to where the state began to get and assume more responsibility in law enforcement, and that's where SLED came from, to create, I suppose the best way to define it is something somewhat similar to the FBI for South Carolina so that we would have a state law enforcement division supposedly with people who were better prepared, better trained to get into major crimes and to do the investigative work and to come into a county when it was something that was sort of beyond the abilities of the local law enforcement or something that really they couldn't handle for some reason, politically or otherwise. Then you had the state law enforcement division to come in.

I think we have to give credit to George Bell Timmerman when he was governor for really moving it into sort of an independent status because he--of the things that he took an interest in, it was that--and he created the alcohol division within SLED to get rid of bootlegging in South Carolina, illegal 1iquor, and that became a very good force that sort of took over that responsibility and worked with or without the local law enforcement officers. It gave SLED some status, some image, as really a statewide investigative enforcement body, but it was created as a separate division, too, because the law enforcement investigative group didn't want the dual responsibility. They didn't want the stigma of being the alcohol unit, so it was a separate unit and did one fine job of cleaning South Carolina up and of ridding it on a major scale of being a bootleg liquor state.

The Law Enforcement Division under Pete Strom then took on reasonable similarities to the FBI. Pete, you know, is one of those fellows we all said was born to be in law enforcement. He had native, natural ability for it, a talent for it, and though he didn't have the college education, he more than made up for it because of his natural instincts. He's a tremendous leader. He was so respected by everybody that he was able to build SLED into being a super investigative enforcement group at the state level that was called in to handle matters at the local level and also handle most of the state work.

CBG: So as we focus on SLED then, would it be fair to say that what you have is a centralized and professional police force to supplement the old voluntary idea that the . . .

REM: That’s right.

CBG: . . . constabulary represented?

REM: Really, to replace the old constabulary. You recall that Mr. [James] Byrnes came along, and one of the first things he said was, "I'm not going to issue any more of those commissions." He just eliminated the old quasi-honorary commission system, and that left it in good shape for Governor Timmerman to come along and totally eliminate it but build SLED as we know it today. I say that because he's often overlooked, and you don't often hear Governor Timmerman mentioned in this connection and given credit for really, I think, putting it there and putting it in a position and giving it the nucleus from which we were able to build on.

CBG: Did Governor Byrnes do that, do you think, as a matter of principle, or had there been instances of some of these constables using . . .

REM: Oh, there'd been instances. I think Mr. Byrnes came along and determined that he wouldn't issue proclamations, you recall; he would issue statements of support. He didn't like the constabulary and the commissions going out, so he was able to eliminate a lot of things. I think it was a matter of principle with him to some extent.

CBG: Did you find a difference in the perception of SLED by county sheriffs and municipal police chiefs?

REM: Oh, yes. That was one of the things that Pete Strom deserves a lot of credit for. He recognized that to be effective and to really have what he wanted and what we all wanted to see South Carolina have, he had to develop a relationship with the sheriffs--that was first and most important--and then with the municipal law enforcement people. That he was able to do. He developed a strong relationship with the sheriffs. He moved the agents out of the counties and brought them into Columbia. The ones he allowed to stay were people who would move from place to place and work in other counties for that very reason. He wanted them to know that he wasn't developing something to be a thorn in their side but something to make their job easier and to be helpful. Thus he started with the polygraph, which they'd had, but really getting it on a professional basis, with investigative groups, with the arson division, and things of that nature, where there were experts, people who'd been trained in all of those skills and available to the sheriffs and to other law enforcement. It took him a while, but he was able to do that.

It took him a little longer to get in with the municipal people, but, you know, by and large, the working relationship was more essential with the sheriffs at that time, and that's where he concentrated. We also recognized that there had to be more coordination with the highway patrol and with the Wildlife Department. In the past we had, you know, the highway patrol doing a job, the Wildlife Commission doing a

job, SLED trying to do its job, and--not being critical--but with little or no real communications and coordination. This again is where Pete Strom, with his unique abilities to work with people and to get them in and gain their confidence and respect, was able to get the various groups together and to working together and in real harmony actually.

CBG: Did the same kind of relationships develop with federal people, like Alcohol, Tobacco, and Firearms?

REM: Yes, you know in the past, we had had problems because in some instances, with some justification, it was always said if you let the local people know you're coming . . .

CBG: Sent the word out. [chuckles]

REM: . . . yes, the word got out, and the federal people were reluctant to work with state people on it. They had had primary responsibility for bootleg and illegal liquor in the state.

CBG: Yes.

REM: The locals just left that alone. It was politically difficult to deal with, but when SLED moved in, they moved in and established themselves, and you knew they were going to do a good job and work with the federal people. Pete Strom had always had a good relationship with the FBI. I think that was one of the first things he did. He started a policy of selecting and sending some of his top people to the FBI academy and bringing them back and using them as instructors, as teachers, to let them come back and work with the others. There is where I think we began to recognize that we could even do so much more by instituting training programs and developing some of those for all levels of enforcement. We really had had none before. You recall at that time the game wardens were just people who usually were politically recommended and were given a badge and a gun, no uniforms, no training, never brought in really for a day of indoctrination for that matter, given a book on the game laws to more or less go enforce them. The only organized law enforcement body was the highway patrol at that time until SLED came along and really became a well organized division.

CBG: With all of these developments organizationally then, what was the stance of law enforcement people generally at the time you became governor. Was it a political hotbed, or was it quiet?

REM: It was quiet but getting to be something that needed to be focused on. We were getting into the problems that we hadn't had before. We were beginning with demonstrations and civil rights problems, and they were so different from anything we'd had before. Sheriffs had dealt with robbery and murder on a local level and normally by instinct could solve a crime. I can recall the sheriff in Allendale County who had been there for years. Something would happen, and nine out of ten times he could go look at it, investigate a little bit, and say, "I know who did this." He'd send out word, "Tell him if he doesn't turn himself in by tomorrow, we're going to come get him, come looking for him."

CBG: Yes.

REM: Things of that nature. We were moving from that to I call it a more sophisticated criminal, and we were getting, with the interstate highways, the interstate criminal coming through. We had the beginnings of a rash of bank robberies and things of that nature, and the legislature--I think that's when I was Judiciary Committee chairman--had passed the bank robbery act which made South Carolina a bad place to rob a bank, and we passed the habitual criminal act which also sort of gave us more leverage, but it was fairly loose. I think we recognized, when we dealt with problems like that, that we couldn't deal with them with a bunch of untrained, ill-prepared people and expect to have the kind of enforcement that we needed at that time or the kind of relationship that we needed.

CBG: Were you called on by associations of law enforcement officers to speak to them while you were in the legislature?

REM: Yes, I had come along as a friend of law enforcement, again, going back as chairman of the Judiciary Committee. I had sponsored, worked with, and helped get through legislation that they were supportive of. I'd spoken to the municipal people including the municipal association, the sheriff's association, and the state law enforcement association--I don't know whether it was in existence at that time. It sort of came along as a result of pulling people together. You had the sheriffs and the others constantly talking about the need to upgrade enforcement in the state, the fact that we had to improve the qualifications of the officers, that we improve the training programs for them. We had to upgrade, and we had to give them the tools to work with. We were putting them out there with a badge and a gun saying, "Go and enforce the law." Sometimes they weren't prepared to do it, didn't know how to do it, and didn't have the tools and the training to really do the kind of job we expected of them.

CBG: Were events, let's say, moving along in maybe a couple of directions, for example, a growing national awareness of the role of the states in law enforcement?

REM: Oh, yes.

CBG: Maybe a little increased jitteriness over events in the states, like integration of the universities?

REM: Well, sure, that triggered it all when we looked at what was happening in Arkansas, and then we looked at what had happened in Alabama and Mississippi and the federal people coming in, either with the FBI or with the federal troops and/or taking over the National Guard, which they had the right to do. They could nationalize the guard if they wanted to. We saw that coming and I think there was a strong recognition at the national level that local law enforcement couldn't cope with all the problems, really, wasn't prepared to do it, as well as politically couldn't do it. So there was a big move in the Congress to help provide some tools to improve law enforcement in the country and in the states.

There was a big buildup at the national level, of course. The FBI was expanded. All the other federal agencies had grown tremendously, but I think there was a recognition that we couldn't have a federal police force, that that was something we really didn't want in this country and shouldn't have. The only way to avoid that was to beef up local law enforcement, and that's where the LEAP program, as we referred to it, came along -- the Law Enforcement Assistance Act -- to provide planning funds first and then funds to support improving law enforcement. We had already started here by, for instance, taking the game wardens who--I had grown up in the country, I'd grown up on a rather large place, and I can recall my father saying his biggest problem was with the game wardens [chuckles]. He wouldn't allow, back in the old days, game wardens to come on his place because they'd find his turkeys and come back and shoot them.

CBG: Yes.

REM: And so he policed his own place, and that was generally true of the big plantations. The large landowners looked out for themselves, had to, and the game wardens were in civilian clothes. We'd had a few incidents. So I recall getting the opportunity to appoint a chairman of the Wildlife Commission, and I tried to choose somebody whom I thought could help me by his own influence and prestige and that was former senator J.D. Parler from down in Dorchester County. He had been just a stalwart in the Senate in supporting Wildlife and all of that and with his help we were really able to begin trying to professionalize the division.

Then, following his death, we pulled in a fellow who has been criticized a lot, yet deserves all the credit in the world, later Judge Eltzroth, Clyde Eltzroth, who again had sort of the same background in the legislature. I got him in and asked him if he'd serve as chairman to succeed J.D. Parler when he died. His assignment was really to complete and to professionalize and develop training programs, to put them in uniform, to develop some educational qualifications and one of the first classification systems in the state. We had to get it where we could pay people, and we had to classify them. The way that system was set up the game wardens were paid so much, and if you worked thirty years or were hired tomorrow, you got the same pay. So we set that up and had some resistance. He ran into it in his area from some of the old fellows who didn't like wearing uniforms and didn't like having to come to pretty intensive training programs.

Then with the coming of the other programs that made funds available, we were able through SLED to begin to develop training programs for others, the magistrates. That came from an old background, I suppose, of having lived in the country, practiced law in a small county, and seeing the frustrations of a magistrate as well as the problems occasioned by the old system. Then we had, you know, no general election; we had a primary. Although the magistrates were appointed, they were really elected because they all ran in the primary, and whoever won was appointed on recommendation of the delegation to the governor. So you had people who were coming in being given some pretty big responsibility who didn't know a thing in the world about it and had no qualifications, no training, no indoctrination, no nothing. So we determined that we ought to do something, and there we began to pull the magistrates in for something like a one-day seminar out at the old SLED headquarters where we could get them in all day and give them lunch. I'd get the chief justice to go out and speak to them. I'd get a circuit judge to go out and talk to them. I would go myself and talk with them, and we'd try to really talk to them about the basic responsibilities of the magistrates.

I think most magistrates in the country really thought he was the chief law enforcement officer and the chief judge. We had magistrates who would get a complaint, draw a warrant, go serve it, bring the fellow in, try him, convict him, and sentence him [chuckles], not realizing that you couldn't be judge, jury, and law enforcement. He couldn't be the whole thing, you know, the chief witness and the chief everything else. So those kinds of things we tried to get into them, that they really were the first and most important rung on the judicial ladder. I'd like to go back from magistrate to the old justice of the peace because I think we sort of lost something when we changed the name from justice of the peace, and I believe strongly that a magistrate really was just that. The biggest thing he could do is keep peace if he could and settle things amicably in the old style. If he couldn't, then he was the judge.

But all of that was part of it, and, of course, we were in the civil rights thing--it was coming--and the first two or three experiences we had again demonstrated to us that we were totally ill-prepared to handle those kinds of things because the local law enforcement officers didn't know anything about a riot or a

confrontation with a mob or a crowd or anything like that, didn't know how to handle it or weren't prepared to handle it with equipment or anything. So we, then, like everybody else, began to devise training programs, trying to bring everybody in, and put them through rather brief but intensive training programs, and that's when we pulled the highway patrol in because we felt that it was our most professional law enforcement division. You know, they at least had minimum standards, put them through pretty strong training programs. They were in uniform, and they were mobile, and they could be easily controlled. They were accustomed to that. They had a tremendous organizational structure.

So we pulled them in and used them as the immediate core in the riot training, as we called it, and in handling civil disturbances. They were given intensive training in that and the National Guard through the federal government. They developed and devised civil disturbance training programs, and we encouraged them and went into that pretty aggressively because, again, the guard in our judgment was well-organized and could be trained and could be controlled because they were used to control. That's where we got into using the highway patrol and the guard when we had major problems in areas rather than the local law enforcement people.

END OF SIDE ONE; BEGIN SIDE TWO

CBG: This is Tape 23, Side 2, an interview with Governor Robert E. McNair as a part of the McNair Oral History Project of the South Carolina Department of Archives and History. Today's date is June 7, 1983. Governor, we were talking about the differences between control of an established organization like the highway patrol or the National Guard and maybe the lack of control over a local police force. What do we mean by control?

REM: Well, it's probably an organized effort where they are used to working as a group and used to taking signals and orders, rather than working as solely independent, almost on your own, do your own thing, and handle it the best way you can. The patrol, as I say, was extremely well-organized right on up the ladder. The guard naturally was organized because they went from the squads to the platoons, and they were used to taking orders and taking signals.

The local people just weren't accustomed to that. They were accustomed to handling a murder or a robbery or a shooting, a cutting scrape on a Saturday night where one or two officers just went in, wading into wherever it was or went into somebody's house, and got them out and arrested them. They weren't accustomed to handling problems where one little wrong move could incite a crowd and cause a tremendous confrontation. Also, you know, they were in effect civilian people. They weren't in uniform, and you couldn't identify them so easily either. So we had the normal law enforcement which we had to carry on

with the people who had the responsibility for that, and that's the ones we concentrated on giving some training in how to do those jobs. You know, bring them in and really put them through intensive training on how you're to go out and be a law enforcement officer, how you investigate a crime. Most of them didn't. I doubt that there were half a dozen enforcement units in the state that had what you called good training programs. Columbia city police had its own program, I think Greenville and couple of the larger places, but the others were not subjected to anything. So it was a problem of getting them some kind of immediate, basic training with no requirement that they take it.

There wasn't anything there that mandated or anything like that, and what we did was we discovered that through the medium of closed circuit television that we had something nobody else in the country had. You couldn't bring all those people to Columbia because the criminals will take over. So we devised and developed the closed circuit television training programs and put it out in every school and did it so that half of the group could come one evening and half another. We exposed everybody in the state to that as the next best thing to bringing them in. Fleming Mason, who had been a former FBI agent and in the academy training program, took early retirement and came home and headed it up under SLED, working under Pete Strom. That program was well-received, and I really think it was the sort of thing that broke the ice, demonstrated what could be done and the need for it, and people took to it quite well.

CBG: Control is one of the basic things that military field commanders learn, isn't it, that you've got to be able to control your unit tactically to accomplish a mission, to protect the position?

REM: People have got to learn that somebody has to say, you know, when you quit using restraint, total restraint. You can't just let every individual. If every individual can do that, then you're always going to have somebody in the crowd that isn't well trained, that gets caught in a problem; and he's going to react spontaneously, and then you've got a terrible dilemma on your hands.

CBG: Yes.

REM: I think we've got evidences of that. We'll talk about it later, but Orangeburg was a good example of using what was a well-trained highway patrol squad, and yet somebody throwing something, an object hitting an officer and, wham, everything erupted. So even under the best of circumstances--and you can see what it would be like if you had it the other way. The University [of South Carolina] problem is a good example. Columbia city police were well-trained. They were used to handling problems the way I'm talking about . . .

CBG: Yes.

REM: . . . and not accustomed to handling a bunch of university students, half of them out on a lark, half of them I mean, probably ninety percent of the whole group out there with no serious intentions maybe . . .

CBG: Yes.

REM: . . . and ten percent or less wanting to stir up something and wanting to create a confrontation . . .

CBG: Yes.

REM: . . . and the city police responded. When they threw bricks at them and rocks at them, they'd throw them back.

CBG: Yes.

REM: You know, by gosh, they'd had enough of it.

CBG: Yes.

REM: They'd hit them over the head with the billy. Well, the National Guard or the highway patrol or the SLED fellows were well-trained, and you didn't provoke them. They moved back if they had to and all until they reached the point where everybody knew they weren't going to move back anymore.

CBG: Did you ever have a feeling sometimes that you had more to make up for in too short a time? In other words, the lack of training, the lack of organization, the best you could do was . . .

REM: It was all an emergency.

CBG: . . . and hope for the best?

REM: What we were developing, as you recall, were crash programs. We called them that; [they] were sort of crash training programs for this group, that group, and the other. They were emergency-type things. That's why I determined that we had to have something beyond that, and that's where we, under the LEAP program, got the wherewithal. You know, that was the federal money coming in, and having control of that.

It's like I said, you'd love to have been governor when the federal funds were flowing because, you had control of the funds.

We took advantage of that by forming a law enforcement interagency council where we pulled in everybody from the chief justice on down. We took the whole system and pulled it together with the chief justice, SLED, highway patrol, wildlife, local sheriffs, the corrections system. We took that whole group and put them together and sat them around in this official organization--I as governor could create it by executive order--and saying now, "I want you to sit down, and I want you to develop a plan. You come with that plan, and we'll approve it, and then we'll begin to do it." So we developed programs to train correctional officers, put them in uniforms, put qualifications on them, and began to train them from the very beginning, you had to say we had to start from zero almost and come through.

We developed the magistrates' association into sort of a formalized group, and as close as I could required the magistrates to come to these seminars. We took the highway patrol, which had theirs and got them to agree we'd have one central training facility. We used the patrol and the SLED to help train the wildlife officers.

So we began to pull that together, and from that came the concept for what is now the academy. We were able to pull the highway patrol in, to pull everybody together, and we were the first state in the nation that was able to say we want one comprehensive training center for everybody, for the whole system. It was, as you recall, fully funded by federal funds as a national demonstration project. Unfortunately, I broke ground for it just before I left office. So, yes, you feel like you were fighting time, and we really caught ourselves rushing because it was my feeling that having come through that period of time, having seen it first hand, having the problem, having had the good and the bad, that somebody new coming in, no matter how close he was to the scene, would have had to take two or three years or more to get acquainted with the same thing. So we rushed and rushed pretty fast to get into that.

We had no information system. The highway patrol had every violation that a driver had, they only had traffic violations, and nobody had access to that. The law enforcement officers in this state couldn't communicate. They had no way of communicating. The highway patrol had their thing, and nobody else could talk to each other. So the one thing we started again, that finally was implemented, was--we had an officer killed, and so the sheriffs and SLED and the highway patrol could communicate, we had to put a helicopter up and put a radio up there, and that fellow to talk to one, and then he could relay out to the other. It was makeshift, and with the demonstrations and all we had to set up our own communication system because there was no interaction, and the highway patrol radio wasn't such that they could allow the local officers to get on it.

CBG: So you couldn't even crosspatch.

REM: There was no way to crosspatch the sheriffs. If they had a posse out looking for somebody who had shot and killed somebody, there was no way to crosspatch them with the highway patrol radios.

CBG: Or ambulances.

REM: Or with SLED because we put them on with the highway patrol to get a statewide linkup. We were aggressive and very progressive with what we had.

CBG: Compared to other states.

REM: Compared to other places, but it was archaic.

CBG: Certainly compared to what you found.

REM: What we set out to do was, first, to get them together and develop some crash, basic training programs, to get some exchange of information, to get some communications, and then to build this academy out there that was going to serve the highway patrol, corrections, and the locals particularly--because we couldn't get them. They had no where to go--and finally later on, to mandate that they come and that a certain amount of fees go to support that kind of program which came after we started it. Senator, now Judge, [Walter] Bristow was the moving force behind getting that mandated, mandatory training for everybody who was going to wear a badge and some funds to help support the program.

CBG: Could you have put all that together in four years?

REM: I don't know that I could really. We started immediately. We started the program for Wildlife. We started the program of the highway patrol getting better equipment. One of the first things I did was go and sit down with the chief highway commissioner and with the entire commission and recommend strongly that we improve and upgrade the facilities and the salary. They had a captain heading the whole highway patrol at that time, so you had a log jam. You could be a corporal and that is as high as you could go in a county. You know corporal was the head of the county whether he was in Allendale as one man or someplace else. So we recommended and urged them to change that system and to go on up to the colonel system where it gave them room to work within their classification system and to classify the officers so that the pay was

better because we were beginning to lose. Every highway patrolman wanted to go to work for SLED because SLED paid more.

We wanted SLED to be a super group, so we established that it would pay more, and we started back then saying that what we really wanted to start looking for is college graduates now. We want good law enforcement officers, but we were really getting into a sophisticated day with an educated criminal, and we had to have people who could deal with him. So we had to upgrade the patrol, all of that.

The information system was very difficult and delicate to get into. The highway patrol didn't want to open it up, and we finally, again with federal funds, put the central system out at SLED, and we required everybody to report. My concern was that somebody could be caught in Horry County three times for anything but drunken driving and then caught in Greenville, and there was no way to find out unless you call everybody in the state on the telephone to see if this guy had ever been in trouble before. Well, what I wanted was, I wanted, if a highway patrolman--this was my main purpose. We had a highway patrolman killed by hardened criminals, and they didn't know anything until they stopped them and after the fact. I wanted a highway patrolman when he stopped a car that was suspicious to be able to call in and immediately get, not just that the guy had had two traffic violations, but that he'd been charged with or convicted of murder or robbery or whatever. We wanted all of that available to everybody because we wanted to be able to maintain those records, and we finally were able to get that. Later it was connected to the FBI, so ended up with one of the finest criminal information systems in the country. That was developed by a young fellow out there who's a university graduate. We call him Pedro [Carl] Stokes, and he's now the head of law enforcement at the University of South Carolina. He was the guy who really helped develop that information system, and he did one super job.

CBG: Did many of these federal funds come along, let's say, after the fact as you as governor could see it? In other words, you could define a need but then do the best you can with state resources?

REM: They came late.

CBG: Yes.

REM: They came at the end and then into the next term. We were having to get demonstration money. That's why we worked hard with our people to try to come up with a concept that could be classified as a demonstration project. If we could do that, there was funding for it, and we could get enough funding to put that in, for example, the computer for the information system, just like the computer for the educational information system. My thing was that I just couldn't understand having all this wealth of information, this

profile on South Carolina, in boxes, warehouses, and everything else, and we couldn't punch a button and get it, and I wanted it for more reasons than one. I wanted the State Development Board to be able to go into Aynor in Horry County and punch a button and get everything the Department of Education had and everything TEC [Technical Education] had, as a matter of determining how many people were there, ages twenty-one through thirty-one who had an eighth grade or higher education level, and not have to go digging independently for it.

The same thing in law enforcement was to develop a consortium approach to the computer, and we had to change from "computer" to "information system" because we fought the battle that everybody wanted their own computer in their own office because if they didn't have the hardware and didn't have control of it, it just couldn't serve their purpose.

CBG: Is this where, [Robert J.] Bob Alexander played such a key role in doing the grantsmanship?

REM: Yes, Bob Alexander was the fellow responsible for getting the funding, and Bob was the one who helped conceive the approach. Then the [William A.] Bill McInnises and the Steve Mayfields were the master draftsmen, and we found that draftsmanship was probably more important than the idea, that if you had the idea and could put it together and you had people who could really write it up and present it, you stood a good chance. Bob was tremendous with his relationships in Washington and with the people here. He was the coordinator between the state and local and federal people on all of this.

CBG: With all of the things that went on, was it ever necessary for there to be an active federal police involvement in South Carolina? By that I mean like the nationalization of the guard?

REM: We really didn't have it, and we were determined that we would try to avoid it. One of the first, you know, was the Voting Rights Act.

There were some federal registrars sent in, but we took the position that we didn't need them because we were going to do it. We wanted to make it clear that we didn't need them to send them in, and I think Lamar and places like that are good examples of where the marshals stood by and watched the whole thing rather than get involved and help. I was critical of them at one point because we got into a terrible confrontation. Leon Gasque still talks about the time that he got hit with an iron pipe and it dented the helmet he was wearing. When he came to, he saw, he said, what looked like about six marshals standing over there with their arms crossed, looking. It turned out it was one . . .

CBG: Yes.

REM: . . . but being dizzy--and yet in the end, we thought it was wise of them. They were observers, but I think to me that sort of told the story of where we were in South Carolina. They didn't get involved, we didn't need them. We never had any indication of them nationalizing the National Guard and taking it away from us. We kept good communications, I think, with the federal officials, law enforcement people, in every crisis. We always had direct lines of communications with them.

CBG: So that the ability of this state, if we think of a standard of being able to manage itself in the storm over the states, that Governor [Terry] Sanford talked about, was that it was really able to manage itself rather than having federal intervention to achieve federal goals.

REM: Right. I think that's part of one of the things we probably can point to with pride, that we were able to come through and to weather the storms without the federal government having to intervene or having to impose itself or inject itself. They were in Orangeburg. The FBI was there right in the middle of the whole thing observing and watching. My recollection is the FBI reports were all very positive, and that again is evidence of the relationship plus the fact that they felt comfortable that South Carolina could and would handle its problems.

CBG: And they would have been the people to recommend to the attorney general or to the president to move the . . .

REM: Oh, yes, they were there. All they probably would have had to have done is recommend that this thing is out of hand and being improperly done and we ought to move in and take over.

CBG: What did Governor Sanford mean by that phrase, storm over the states? Did you talk with him about that?

REM: Yes, to some extent because we all worked together to form that Education Commission of the States. I'm not sure he was talking about the problems we're talking about.

CBG: Yes.

REM: I think he was talking about the inability of the states generally to cope with the problems of government.

CBG: So the storm is not federal policy.

REM: I didn’t take it to be federal policy.

CBG: Yes.

REM: I took it to be that there was a storm brewing in this country and the storm over the states was whether or not the states were going to be able to cope with the developing problems and particularly with the developing problem of the new federalism. That was my interpretation of it.

CBG: Yes. So at least in this area we could, I think, point with credibility to this standard of being able to cope, and maybe cope is a better descriptor than always foresee and lead because you have to cope to build a base.

REM: And trying real hard to maintain order without overreacting. We used to say that we had to maintain order, but we wanted to do it in a way to avoid any confrontations if that's possible to do it.

CBG: To shift topics for a second and talk about something a little more specialized, what's the connection between uniform traffic tickets, breathalyzers, and automobile insurance for South Carolina drivers?

REM: Well, you know, again, I said I sort of inherited everything. Having been in the legislature, I had labored through all the traffic legislation, all the problems of the drunken drivers, and things of that nature, not really comprehending the full impact of the problem. Then, getting into the Governor's Office and finding us with the worst traffic safety record in the country, the worst fatality record in the country, and having it come home as we were trying to develop industrially and recognizing the economic drain that traffic fatalities and deaths caused us, we determined that we had to do something.

Part of it was beefing up the highway patrol. The highway patrol didn't have enough people, and we didn't have adequate traffic laws, and we had the traffic safety council that was then in its formative stages, and it was my decision that was just as much a part as anything else and that we had to do something about it. So we set out to assault the highway traffic problem in sort of the same way, and we were again able to get federal support, funds to develop various programs. You recall we put in the point system. We really clamped down. They're talking about what they're going to do to the drinking driver today. It was six months for the first offense. I mean, without fail, you lost your license for six months if you were convicted

of driving under the influence. They later came along and said, "Oh, that's too harsh, we don't want to do that." Now they're trying to figure how to get tough again. It worked hardships, no question about it. It was tough, and the point system was tough on the drinking driver.

The breathalyzer, because it was the matter of the patrolman's word against everybody else's whether he was driving under the influence or not, we felt was the way we ought to go. So we were able to get that through and implement it. We were really able to get a pretty comprehensive package through the legislature that had a very dramatic impact on the traffic safety record in the state. It was clamping down, too. We even called on all officers, like the Wildlife officers. If somebody went racing through the back roads, we called on them and had them actually stopping people for those kinds of reckless driving violations that you run into, driving under the influence. SLED never got into that because we really didn't want them into it, but they were called on if they saw a flagrant violation.

So really there was a massive assault on it. We had the presumption speed, but we went to the maximum speed law. We had the traffic safety program. We went into industries with it--you know, if they drive safely going home--and we expanded that later into a total safety program, total safety at work and on the highways.

CBG: Did you see a reduction in number during your administration?

REM: We saw a reduction, yes. We were able to bring it down.

CBG: Both in terms of human injury and property damage?

REM: And property damage because we got into that early and we were able to get some movement on that. Getting the legislation through the legislature was difficult. We had some strong leadership. Senator [Henry] Richardson, Punch Richardson from over in Sumter, was the chairman of the Highway Safety Study Committee, and he did a yeoman's job pushing.

CBG: Was there ever much talk about no-fault insurance?

REM: We had, yes, constant talk. When I was in the legislature--again, I go back because I lived with all of these problems as a legislator and again when I was chairman of the Judiciary Committee--we had the unsatisfied judgment fund proposal before us like Canada has where the state creates a fund and if you've got a judgment and couldn't get it satisfied, you went to the fund. Under no-fault insurance we had everything, and we, after looking at all of it and looking at South Carolina and looking at the population particularly,

determined to go with the system that we had of the uninsured motorists' fund, requiring everybody to have, not mandatory insurance, but the next thing to mandatory. We always felt that compulsory insurance, from what we saw in North Carolina and other states really--that companies just took advantage of it, as hard as you tried. So we went to that in-between, and we continued on with no-fault insurance.

We put in the uninsured motorist's proviso. You buy that. It was automatic and had to be on everybody's policy. Then, if you were an uninsurable driver, you went to the fund and got insured, and those things worked. I really question over the long period of time whether we couldn't have made it work better. I sometimes think we let the companies get by with putting too many people in the fund. It was just so easy to say, "We won't write you. Go to the fund." Everybody has to take his proportion and share that. They were putting, particularly, just almost all the blacks in there, and there was no reason to put them in there when they had no bad driving record. The only reason was they said they made poor defendants in court, and they'd put young people, just a blanket classification, because the young driver was a high-risk driver. We felt probably, looking back, you could have maybe done a better job of policing that. By and large, I really still think that for the time, hindsight today, for the time I would have opted for the same thing under the same circumstances looking at what others have done and all. I wouldn't say we'd do that today, but, of course, times have changed, attitudes have changed, everything's changed.

END OF TAPE