

MALLORY AND DURHAM RULES, INVESTIGATIVE ARRESTS AND AMENDMENTS TO CRIMINAL STATUTES OF DISTRICT OF COLUMBIA

THURSDAY, OCTOBER 10, 1963

**U.S. SENATE,
COMMITTEE ON THE DISTRICT OF COLUMBIA,
Washington, D.C.**

The Committee met, pursuant to notice, at 10 a.m., in room 6226, New Senate Office Building, Senator Alan Bible (chairman) presiding. Present: Senators Bible, Beall, and Dominick.

Also present: Chester H. Smith, staff director; Fred L. McIntyre, counsel; Martin A. Ferris, assistant counsel; and Richard Judd, professional staff member.

The CHAIRMAN. The committee will come to order.

This is the time we have regularly set and noticed for the commencement of our hearings on H.R. 7525. This bill is hereby made a part of the record of this hearing and the reporter will, likewise, make as a part of the record of this hearing the official reports received, one from the Department of Justice on this overall bill, the official report of the District of Columbia Commissioners dated September 13; a letter and enclosure from Mr. Acheson, Chairman of the Council on Law Enforcement in the District of Columbia, dated September 12; a letter from Mr. Franklin L. Orth, executive vice president of the National Rifle Association of America, dated September 20, 1963, requesting permission to testify if the subject of registration of handguns is heard by the committee. Each of these official communications will be made a part of the record at this point.

(H.R. 7525 and the reports referred to follow:)

[H.R. 7525, 88th Cong., 1st sess.]

AN ACT Relating to crime and criminal procedure in the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. (a) In the courts of the District of Columbia, evidence, including, but not limited to, statements and confessions, otherwise admissible, shall not be inadmissible solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

(b) No statement, including a confession, made by any person during an interrogation by a law-enforcement officer made while such person is under arrest shall be admissible unless prior to such interrogation the arrested person had been advised that he is not required to make a statement and that any statement made by him may be used against him.