

the possession of handguns and requiring their registration. Such legislation is essential to the safety of the law-abiding population of the city for we have a most dangerous situation of serious proportions resulting from the opportunity for virtually unrestricted possession of handguns by irresponsible and criminally motivated individuals. Shootings repeatedly occur in which the weapon used was kept in readiness at the home of the defendant. In the 7-month period from September 1, 1962, through March 31, 1963, the Metropolitan Police seized 334 handguns in connection with arrests for criminal assaults, the carrying of dangerous weapons, and robberies.

H.R. 5608 is a bill which would accomplish this objective. It was strongly supported in oral testimony before the House Committee of the District of Columbia by the District of Columbia Commissioners and the U.S. attorney for the District of Columbia. We therefore urge the committee to use H.R. 5608 as a basis for the needed corrective legislation. This legislation need in no way interfere with the lawful use of rifles or shotguns for sporting purposes or the lawful pursuits of collectors, nor need it unduly restrict our law-abiding citizens with respect to the possession of such dangerous weapons.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

SEPTEMBER 13, 1963.

HON. ALAN BIBLE,
*Chairman, Committee on the District of Columbia,
U.S. Senate, Washington, D.C.*

MY DEAR SENATOR BIBLE: The Commissioners of the District of Columbia have for report H.R. 7525, 88th Congress, a bill relating to crime and criminal procedure in the District of Columbia, passed by the House of Representatives on August 12, 1963.

TITLE I

Title I is intended to qualify and amend the rule of the Supreme Court as enunciated in the case of *Mallory v. United States* (354 U.S. 449 (1957)), so as to provide that in the courts of the District of Columbia, evidence, including, but not limited to, statements and confessions, otherwise admissible, will not be inadmissible solely because of delay in taking an arrested person before a Commissioner or other officer with power to commit persons charged with offenses against the laws of the United States. The title also provides that no statement, including a confession, shall be admissible in evidence against an accused unless prior to the interrogation of such person he had been advised that he was not required to make a statement and that any statement made by him may be used against him.

The Commissioners favor the admissibility of confessions and statements which are made freely and voluntarily. However, they believe that the title should be amended in several respects, to expand its coverage and to afford certain safeguards to the person making such confession or statement. The changes proposed by the Commissioners are the following:

1. Insert before the period at the end of line 9 of the first page the phrase "or of the District of Columbia".

2. Insert before the word "prior" in line 2 on page 2 the word "immediately".

3. Insert between lines 5 and 6 on page 2 the following new subsections:

"(c) Each arrested person shall, after his arrest and prior to his being interrogated for the first time by any law-enforcement officer, be plainly advised by the officer or officers having him in custody of his right to be afforded reasonable opportunity to communicate with counsel or with a relative or friend, and shall in fact be afforded such opportunity.

"(d) Each interrogation of an arrested person and the warning and advice required by subsections (b) and (c) of this section shall, whenever reasonably possible, (1) be witnessed by a responsible person who is not a law-enforcement officer, or (2) be transcribed verbatim, or (3) be recorded by a wire, tape, or other sound-recording device, or (4) be conducted subject to other comparable means of verification.

"(e) This title shall be construed in the light of its limited purpose of governing the admissibility of certain evidence in criminal trials in the District of Columbia. Nothing herein contained shall be construed as modifying the right