

TABLE 2.—Average time served, by offense, for felony prisoners released for the first time on their sentence from State institutions, and from District of Columbia¹ institutions, 1960

[Data excludes the State of New Jersey]

Offense	District of Columbia		State institutions		Rank order of District of Columbia ²
	Number	Average time served (in months)	Number	Average time served (in months)	
All 1st releases.....	645	40.4	64,557	28.3	3
Murder.....	9	167.6	1,659	121.1	18
Manslaughter.....	26	63.7	1,813	37.0	3
Robbery.....	96	50.8	6,819	42.3	10
Aggravated assault.....	65	34.8	3,595	24.8	10
Burglary.....	107	41.1	17,462	24.5	1
Theft, except auto.....	56	25.5	9,296	19.8	9
Auto theft.....	56	26.7	3,059	21.2	5
Embezzlement and fraud.....	15	17.1	1,435	16.7	17
Forgery.....	56	26.4	7,966	20.3	9
Rape.....	31	62.8	1,850	44.5	6
Other sex offenses.....	5	47.6	1,622	35.5	8
Drug laws.....	73	46.7	2,687	30.9	2
Weapons.....	7	19.7	338	22.5	11
Escape.....	1	37.0	1,102	18.5	4
Other.....	42	22.5	3,854	18.1	15

¹ Felony prisoners released from District of Columbia correctional system.² These figures indicate the rank order position of the District of Columbia, when the 50 jurisdictions are ordered, from high to low, by the average time served for each of the several offense categories.

Source: Prisoners Released From State and Federal Institutions, 1960, table 3.

Mr. ACHESON. A few words about S. 486: Section 2 of S. 486 was designed to eliminate duplicity between section 403 and section 3112 of the District of Columbia Code, title 22. In the present form, both statutes prohibit injury or destruction to property. By eliminating those acts from the coverage of section 3112, injury or destruction to property, which defines only misdemeanors, it will be clear that malicious injury or destruction of property may be a felony under section 403.

Section 3 of S.486 was intended to redefine the crime of kidnaping so as to be consistent with the Federal definition of kidnaping in title 18, United States Code, section 2101. Monetary reward is eliminated as a necessary element of the crime.

Section 4 of S. 486 was designed to correct an anomaly in the law, Mr. Chairman.

Under present law the statute provides for a nuisance proceeding, a civil proceeding against the maintenance of a disorderly house, and it also, of course, provides for criminal prosecution, but under the present statute the witness may be given immunity from prosecution only if the witness is called in the civil nuisance action.

This amendment will make it possible to give witnesses immunity in criminal proceedings so that those witnesses may be used to obtain convictions against the main defendants.

At the present time it is very difficult because the participants in a disorderly house usually take the fifth amendment.

Senator DOMINICK. Mr. Chairman, may I ask a question?

The CHAIRMAN. Certainly.

Senator DOMINICK. It is my understanding, from reading the testimony of Mr. Tobriner, that if that charge should be made the prosecu-