

you would be in a penitentiary for a definitely fixed period of time, if that would not deter you.

My own personal view is that it would.

I mean, it would seem to me that that would tend to deter me if I knew I was going to be in there at least 1 year or 2 years or 5 years rather than an indeterminate sentence subject to an earlier parole.

Chief MURRAY. I feel it would be a deterrent; yes, sir.

The CHAIRMAN. Thank you.

Chief MURRAY. It is important to mention, however, for the information of this Senate committee, that three of the criminal offenses affected by title V; namely, the offense of assault to rob, the offense of burglary, and the offense of robbery constitute the major crime problems in this jurisdiction. Both burglary and robbery have more than doubled during the past 6 months and both stand currently at extreme alltime highs.

Senator DOMINICK. Did you mean "6 months" or "6 years?"

Chief MURRAY. Six years, sir.

Did I say "6 months?"

Senator DOMINICK. You said "6 months."

Chief MURRAY. I'm sorry. I meant "6 years."

The CHAIRMAN. You did not completely finish your thought on that particular paragraph, if I understand you correctly, because these are among the three criminal offenses with which you have the greatest problem.

Do I take it then that it follows, as a logical conclusion, that it would be your thinking that if you had a minimum sentence for those crimes it would be helpful, a mandatory minimum sentence?

Chief MURRAY. I think it would be helpful.

I think, too, where there are multiple offenses that if they got some time on each offense—in other words, if we got a man for a series of robbery cases or a series of burglary cases, I have often heard them say, "Well, if I commit one crime I might as well commit crimes until I am caught because I won't get any more time."

Now, I have been working with the U.S. attorney's office for more than 30 years. They can only get indictments on a certain number of cases.

In other words, we have 50 offenses against a man, say. They cannot take 50 cases into court or 50 indictments, and prosecute them because they have found over the years that they get concurrent sentences.

So, therefore, they only put in a few of the best cases and the other cases are not prosecuted.

The CHAIRMAN. In this jurisdiction do the sentences run concurrently or what is the procedure used?

Chief MURRAY. Well, the judge can make a concurrent sentence or he can make it consecutive.

The CHAIRMAN. "Consecutive," that is the word I wanted.

Does a judge do that today if he finds a man guilty of two offenses? Can he make consecutive sentences?

Chief MURRAY. He can; yes, sir, or he can make it concurrent, and where—

The CHAIRMAN. The law does not need to be changed then in that regard?

Chief MURRAY. Sir?