

Letter to Senator Bible

March 14, 1963

Honorable Alan Bible
Committee on the District of Columbia
United States Senate
Washington 25, D. C.

DEAR SENATOR BIBLE:

Some months ago the decision of the United States Court of Appeals for the District of Columbia Circuit in the case of *Killough v. United States* intensified public attention to what has become known as the Mallory Rule, an interpretation of Rule 5(a) of the Federal Rules of Criminal Procedure.

Believing that the legal profession owes to the public the duty of giving to this matter—and to the related problem of “arrests for investigation”—its best and most mature attention, the Board of Directors of this Association authorized me to appoint a special committee of outstanding lawyers charged with the duty of considering whether the rule in *Killough's* case required legislative modification; and, if so, the nature of such legislative action as they deemed to be required. The committee was established, not for research, but rather for deliberation and conclusion as to an effective statutory rule within constitutional limits relating to arrests, interrogation and confessions.

The committee has reported; and I enclose copies of its report, a brief statement prepared by its Chairman and of the three Bills drafted and recommended by the majority of the committee. I also enclose a copy of the single dissent.

The Board of Directors of this Association has considered the report and has unanimously recommended to the Association that the majority report be approved in principle. Until the Association acts, after publication to its members, at a meeting of the membership, neither the report of the committee nor the dissent is the recommendation of the Bar Association of the District of Columbia. However, the Board has authorized me to transmit the enclosures to you now because the subject