

sions with respect to criminal law, and to the care of criminals which is bound to be read, and it is bound to affect the opinions of the intelligent people in the District.

The CHAIRMAN. I agree with you.

Mr. ROBERTS. In that article I notice the Chief of Police said, concerning insanity—this is all a great discussion on the subject of the *Durham* rule about people who have never read it and about the whole treatment of this problem, and he says merely:

Question. Have court decisions on insanity here affected law enforcement?

He answered: We think they did at first but after they got the law amended, so that anyone pleading insanity would be committed and then brought back for trial if they recovered, the number of cases dropped off.

I don't think it is a real big problem now.

One single question and answer directed toward something that is occupying or has occupied hundreds of columns of newspapers and editorial comments, which has agitated and disturbed citizens and which, I am sure, has affected the courts.

It seems to me that the publication of such articles on a nationwide basis, together with uncensored statistics therein contained, may account to a degree for the uncertainty of public opinion, and they certainly should not overaffect the determinations of the Senate and the Congress in applying criminal laws to the individual.

The CHAIRMAN. Well, I could not agree more with the section to which you have just referred.

I happened to read it before we started our hearings on Tuesday, and I specifically asked the Chief of Police the following question about the section to which you have just referred.

Now, does that statement in the U.S. News & World Report correctly reflect your views on the present handling of insanity cases in the District of Columbia?

Chief MURRAY. Yes, sir, it does, plus the fact that there was a change about a year ago in the *McDonald* decision, and in talking to Mr. Acheson, he says that has modified the *Durham* decision a good deal.

The CHAIRMAN. The answer attributed to you says, "After they got the law amended." I assume you meant by that, after the law was modified by case law?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. By the decision in the *McDonald* case?

Mr. MURRAY. Yes, sir; that is what I meant.

The CHAIRMAN. Now, in view of what you have said in the U.S. News & World Report, would it be your judgment that there is or is not a need for a statutory provision such as is contained in title II of the House bill now before us?

Chief MURRAY. No, sir: I am willing to go along with Mr. Acheson, that the present court decisions do not make it as difficult as when the *Durham* case was handed down.

The CHAIRMAN. Yes. I am limiting myself entirely to the *Durham* problem, that is title II.

But what you have said here is, "I don't think it is a real big problem now."

That is the way you feel?

Chief MURRAY. That is correct; yes, sir.

The CHAIRMAN. On questions dealing with insanity, that the decisions in the District of Columbia do not hurt law enforcement?

Chief MURRAY. No, sir; not like they did when the *Durham* decision first came out.

The CHAIRMAN. I understand that the *Durham* decision was modified by the *McDonald* decision.

Now, in the light of the *McDonald* decision I understand you to be saying that you do not think that the decisions on insanity pose any big problem as far as you are concerned, as a police officer. Is that correct?

Chief MURRAY. That is correct.