

Superintendent WILSON. The procedure will be the same.

We are not required by law to tell him, "You do not need to reply to our questioning." But this information is contained in posters that will be on the walls of the lockup so that he will have an opportunity to read it.

All of his rights are outlined in the section of the code relating to his rights.

The CHAIRMAN. This poster, advising him of his rights, has been brought about by the enactment of a law in the State of Illinois?

Superintendent WILSON. That is correct.

The CHAIRMAN. Now, under the law can you hold an accused until the next convening of the court?

Superintendent WILSON. That is correct.

The CHAIRMAN. Is that written specifically into the law of Illinois?

Superintendent WILSON. Not in those terms. We are required to bring him before a magistrate within a reasonable period of time.

The CHAIRMAN. That follows pretty much the general law, requiring law-enforcement officers to take an accused before a committing magistrate without unreasonable delay—

Superintendent WILSON. Yes.

The CHAIRMAN. Or words to that effect?

Superintendent WILSON. That is right.

The CHAIRMAN. Thank you, Superintendent.

Superintendent WILSON. Should I continue with my statement?

The CHAIRMAN. If you would, please.

Superintendent WILSON. All right.

I do not contend that the police should violate the civil rights of an accused in investigating a crime but only that they must have authority to conduct in-custody investigations of persons whom they have reasonable grounds to believe have committed crimes.

I believe that in the *McNabb* and *Mallory* cases, reasonable grounds did exist for believing that both McNabb and Mallory had committed the crimes with which they were subsequently charged and convicted. It boils down to a question of the quantum of evidence needed by the police to take various steps in the law-enforcement process which leads toward the trial of a suspect.

The law-enforcement process in a municipality consists of three progressive steps, each being preceded by a decision as to whether it should be taken, based on facts which constitute some measure of probable cause or proof of the commission of a crime by a suspect. Each step in the series requires, for its justification, a greater degree of proof than the preceding one. The decision to take each successive step is based on the quantum of evidence at hand at that time. Each step may add to the quantum of evidence and thus justify the succeeding step.

The steps in chronological sequence are: first, the street stop and questioning of a suspect; second, taking the suspect to the police station; and third, booking the suspect on a definite charge.

The adjudication of the case similarly involves a progression of steps, each preceded by a decision requiring a greater quantum of proof than the preceding one. First, the decision of the prosecutor to present the suspect for prosecution; second, the decision at a preliminary hearing to bind over or to release; third, the decision by the grand