

A comparable fallacy is for someone to say, "The British police do not have to do this kind of interrogation, so we can get along without doing it here, too."

Now, with respect to the second one, the British police—that is a completely fallacious notion. I can refer this committee to the references of two police officers in England, high-ranking police officers, in print, where they admit that they have to avoid the stringent judges' rules in England, which prohibit in fact an interrogation of someone after they are ready to charge him. They tell you how they circumvent it. They just postpone in their own minds the time when they are going to charge him with the crime. Or if they interrogate him, they are doing it to remove an ambiguity from his statement.

Now, with reference to the national Federal police——

The CHAIRMAN. You mean the FBI?

Mr. INBAU. The FBI, or other national police—the Treasury Department, and so on. When they are on a case, a Mann Act case, a counterfeit case, even an espionage case, that type of case lends itself to solution by investigative procedures short of interrogation. The FBI can build up a beautiful espionage case against someone without ever having talked to him. They can get somebody on a Mann Act case without ever having said hello to him.

Those cases are different, however, from what Chief Murray and his police are confronted with here in the District of Columbia. They do not have that kind of a case. They have got rapes in dark alleys, robberies on dark streets, burglaries, and crimes of that sort that do not lend themselves to solution by these processes.

Furthermore, they have thousands of cases to every one the FBI has.

Now, mind you, this is not to deprecate the FBI. I have the highest respect for it. But I think we are wrong when we say if the FBI can do it, Chief Murray here in Washington, D.C., can do it—he better go ahead and do it. You are dealing with two entirely different situations.

The CHAIRMAN. I think in fairness to the Department of Justice they make that very clear, in pointing out just exactly what you have pointed out. And I read it into the record yesterday, and will not read it into the record again, except to indicate that they agree with you that here in the District of Columbia the chief of police is more closely allied and similar to the chief of police that you have in the city of Chicago than to the FBI. The Department of Justice recognizes that. Of course, as you may remember, that was one of the points that was made, before the Judiciary Subcommittee on the general amendment that was proposed at that time to rule 5(a), and the majority report of the Judiciary Committee of the United States back in 1958 indicated very clearly, even though this problem was recognized, that they were not going to make a distinction and have one rule of evidence here in the District of Columbia and a different rule of evidence in the Federal court systems.

Senator O'Mahoney said that in the majority report which he filed accompanying the bill. So I think we do recognize the very difference that you comment on. And I think it is one that should be emphasized and reemphasized time and time again, because there is a difference. This is not the FBI operating here—this is in fact a chief