

Mr. PYE. That is it, sir, but I think it has to be read in context with the decision in which the judge was speaking and as I understand the law, you may ask him an incriminatory question after you have put him under arrest, while you are waiting for the squad car, or in the squad car going down or during the booking process, at that stage you can put him formally under arrest and book him and after that stage you may not ask him any questions solely for the purpose of obtaining an incriminatory—the period between the completion of the booking process and the point of arrest should be regarded as a period of necessary delay and if it is a necessary delay the interrogation in this period is not illegal, it is only when the period of unnecessary delay begins after the booking process that interrogation would be illegal.

The CHAIRMAN. Is there anywhere that spells it out, so that the police can properly interpret when they can interrogate, and when they cannot.

Mr. PYE. Well, I think that the police are well aware that they can interrogate up to this stage at the present time and I know of no court that has suggested that a spontaneous confession in a squad car going down is suppressable. The problem is that the police want to extend the period after he is booked.

Now, how far can you go after he is booked, that is the period which is doubtful.

The CHAIRMAN. How long may they keep him before booking him?

Mr. PYE. This is not clear but I think it usually amounts to 2 hours or $2\frac{1}{4}$ hours. In the *Scheck* case it involved 45 minutes after his arrest and that confession was admitted. My bet would be that the court will not suppress any confession of less than 2 hours unless they find the police department dallying in the squad car and not taking him downtown.

The CHAIRMAN. As I understand it, if the police intercept a suspect on the street they can actually interrogate him until such time as the actual booking process is completed.

Mr. PYE. Assuming that they are not taking any deliberate steps to delay the ordinary booking process. I am sure that if they picked him up in the 2d precinct and decided to book him over in the 13th and walked him there for the purpose of putting him under interrogation, the court would make an exception, but I am speaking of a situation where the ordinary course of events is followed; where the officer picks him up and takes him down to the nearest precinct and books him and I don't know of any case where that would be held improper.

Now let me say that there are other things that I think can be done also. One of the problems which concerns all of us is the increase in the rate of police resignations. As I understand it, almost twice as many police officers resigned from the force during the year 1962, fiscal 1962, than did in fiscal year 1961 and I think we should try to examine into the reasons for that, the reasons for that.

The next factor which I think is serious enough to be given great consideration is increasing the police powers to arrest in certain offenses. In my opinion the police are substantially limited by the present law in the District of Columbia which does not permit a