

An act of Congress has actually brought us into a sort of semiofficial status in that the Citizens Crime Commission places one member on the Council of Law Enforcement, by statutory provision of the District of Columbia Code.

This organization's work has been principally in the field of investigational research; however, it is now also approaching the serious problems of crime in this area by mobilizing the cooperation of the hundreds of citizens' organizations with the purpose of mounting an area-wide attack on lawlessness, particularly street violence.

The Citizens Crime Commission has taken official positions on each of the three subjects under discussion today. In general, I may state that this organization, after giving careful and extensive consideration to the crime situation that has developed here since 1952, takes the definitive position that crime has increased in volume and violence because the word has got around among criminals, and people who are criminally inclined, that Washington has become soft on crime. This commission equally concludes that this impression is largely the result of a series of legal developments, including the *Durham* ruling, the *Mallory* and *Killough* decisions, the 1957 Report on Prisons, Probation, and Parole, and the recent order against investigatory arrests.

While we feel that these local events have a direct bearing on the buildup of crime here, we recognize that they cannot all be reversed. We believe that any arrest without probable cause is in violation of the constitutional rights of the individual. We cannot, therefore, go along with the Uniform Arrest Act as we read it in section 301 of H.R. 7525.

However, we feel differently about section 302 of the bill dealing with the detention of material witnesses to the commission of a felony. In the earlier days of the criminal law of England, when a peace officer sounded the "hue and cry" in pursuit of a suspected criminal any citizen bystander was required to join the pursuit and assist the officer in effecting the arrest.

Failure to do so was an indictable offense. We feel that the citizenry of today are seriously at fault in this area in that they do not cooperate properly with the police to bring criminals to justice. Too often they fail to notify police of crimes committed in their presence. They refuse to give information to the police when they arrive on the scene. They are uncooperative when they reach the courts.

During my tenure as a District Commissioner, there were occasions when we were required under section 4-144 of the District of Columbia Code, to provide lodging facilities for material witnesses who were being held in default of bond. We realized that the existing statute should be improved, and set about to do something about it. The present law goes back to 1878 (and probably beyond that time). The question in my mind was: Where do they get the authority to detain these people?

In our opinion, section 302 would confer such authority. Furthermore, we do not feel it to be unconstitutional. These witnesses are not being required to give evidence against themselves. This is merely a reasonable exercise of the police power for the restoration of peace and good order in the community. In the complex community in which we live today criminal activities cannot be adequately dealt with to protect the public while material witnesses are free to drop out