

Of course I think the best expression on that particular subject—and I have forgotten the decision—but Justice Douglas has said—it was in the *McDonald* case, which arose in this jurisdiction—power in the hands of the police is a very heady thing. Of course, power in the hands of almost any given group of people or a given individual sometimes tends to go to their heads.

We believe that one of the most effective methods of this enforcement is that devised by the Supreme Court.

Let us look, then, as to the effect of some of the—well, some of the ramifications of persons who are arrested and who, for some reason no charges are placed, and they are set free.

Now, at some previous hearings on similar type of legislation, it was set forth by certain police officials that the arrested citizen would be in a better position without the *Mallory* decision because the citizen could be arrested and not actually charged with any crime, but he could be then interrogated, and that would not be as vital to his personal situation as under the *Mallory* decision, whereby he would possibly be charged.

I call to the attention of the committee the U.S. Civil Service Form 57, which no doubt the committee is familiar with, and there is a question in all of those forms 57 that, as I understand it, all applicants for Federal employment, and all Federal employees, civil service, and even some of the non-civil-service employees, must answer.

Now, that question does not say whether or not you have been ever convicted of a crime. It asks, "Have you ever been arrested, charged, or convicted?"

Now, the citizen must then explain why he was arrested. It could very well be that he was arrested in a dragnet, or he might have been arrested as was the case here in the District where a Marine was murdered on 14th Street, a brutal sort of crime, about 7 years ago, and I understand, to use something I don't advocate all the time—but some 4,000 people were arrested in connection with that murder. I think Colonel McIntyre probably was in the district attorney's office at that time, and I think the colonel can tell you they never solved that crime—although 4,000 people were taken into custody for periods of time ranging from a few minutes to a few days.

The Police Department had the widest of latitude. There was not in effect any *Mallory* decision. No confessions were gotten, because no leads were obtained, and the murder has not been solved.

More recently, less than 2 years ago, out in what is called No. 14 Precinct in Washington, there was a brutal sex crime murder of a little girl. I don't have the exact figure, but I understand many hundreds of people were arrested, and this was after *Mallory*—many people were interrogated. But the crime was not solved.

One Supreme Court Justice says, insofar as the task of the police official is concerned, if the police official desires to arrest and interrogate without limit, maybe that would be helpful—and unquestionably if you can arrest, to make it absurd, 50 percent of all of the populace of a given city of, say, a thousand, and knowing that one of them must have committed it, and if you are permitted to interrogate them long enough, you will always come up with the confession.

But this Supreme Court Justice says perhaps if rather than going out and working in the sun, if he could at leisure, in the shade of a