

Our next witness is Mr. William K. Norwood, chairman of the public protection committee of the Washington Metropolitan Board of Trade.

We are happy to see you again, Mr. Norwood.

**STATEMENT OF WILLIAM K. NORWOOD, CHAIRMAN, PUBLIC PROTECTION COMMITTEE, METROPOLITAN WASHINGTON BOARD OF TRADE**

Mr. NORWOOD. Thank you, Senator.

Mr. Chairman, I am William K. Norwood. I am appearing here today in my capacity as chairman of the Public Protection Committee of the Metropolitan Washington Board of Trade, an organization representing approximately 7,000 of the principal business, civic, and professional leaders from more than 4,000 enterprises in our Nation's Capital. The views I shall express represent the recommendations of the Public Protection Committee and have been adopted by our board of directors as the official policy of the board of trade.

We support the enactment of title I and title III of H.R. 7525, the omnibus crime bill.

Title I of H.R. 7525, would qualify and amend the *Mallory* rule by providing a rule of evidence for the courts of the District of Columbia. This proposed rule provides that a statement or confession made by an arrested person shall not be excluded from evidence solely because of delay in taking such an arrested person before a committing magistrate. The rule also provides that such a voluntary statement or confession shall not be admissible in evidence unless the officer of the law warns the arrested person both that he is not required to make a statement and that any statement made by the arrested person may be used against him.

At this point, we would like to note that legislation essentially the same as title I of H.R. 7525 with minor and inconsequential language changes has been passed previously by the Senate and by the House of Representatives. In the 85th Congress, H.R. 11477 passed both the House of Representatives and the Senate, in amended form, by an overwhelming majority and went to conference. Agreement was reached and the conference report was adopted by the House of Representatives, but Congress adjourned prior to final action in the Senate.

Again, in the 87th Congress, a bill—H.R. 7053, identical to title I of the present bill, was passed by the House, but did not receive final consideration in the Senate prior to adjournment. As one can readily see, the case of Andrew Mallory is not new to either body of the Congress.

Andrew Mallory was convicted of rape in the U.S. District Court for the District of Columbia. This conviction was subsequently upheld by the Court of Appeals for the District of Columbia but was reversed by the Supreme Court in 1957. The facts of the case reveal that the rape occurred at approximately 6 p.m. in the basement laundry of an apartment house inhabited by the victim. The defendant—Mallory—lived in the basement with his half brother who was employed as the janitor for the apartment house. The victim sought help in connection with malfunctioning laundry equipment and Mal-