

Mr. Chairman, I personally favor the present language of title I and title III of H.R. 7525 as practical provisions which will provide this department with authority to cope with our current crime problems. I realize, of course, that alternative provisions are likely to be opposed to the Congress and that some of those will be intended to alleviate our problems in these areas while, at the same time, possibly meeting some major objections of the opponents to the legislation in its present form.

I recognize, therefore, that it may be necessary to consider some compromise provisions, which do not impair excessively the effectiveness of these proposals, in order to obtain early legislative relief in some form.

Because of the dire need for some such relief, I urge the Congress to act on these problems as quickly as possible.

The CHAIRMAN. Thank you, Chief. You heard the testimony of both Mr. Katzenbach and Mr. Acheson. I am sure you were here throughout most of their testimony.

Mr. MURRAY. Yes, sir.

The CHAIRMAN. You state that your legal experts have said that there is no constitutional question involved. Of course it is very clear from what Mr. Katzenbach has told us that he thinks serious constitutional questions and constitutional rights may be involved. This is his opinion as the Attorney General of the United States. You heard his testimony in this respect?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. Now you also heard his suggestions that if this committee were to enact legislation, that they should build in certain safeguards. I think you heard what those safeguards are. The first one was the plain warning to the defendant.

Now, this is already included in section 1(b) of the bill before us, so I assume you have no objection to that.

Mr. MURRAY. No, sir.

The CHAIRMAN. The second suggested safeguard was that the arrested person be afforded a reasonable opportunity to notify a relative or friend and consult with counsel of his choosing. You heard Senator Dominick's questions to Mr. Katzenbach, what would his position be (1) if the first and second safeguards were written into this legislation. Do you have an opinion on that?

Mr. MURRAY. Mr. Chairman, I would see no objection to notifying a relative, but notifying a friend might be notifying a confederate or accomplice, and I don't know whether this would be good or not. He may find someone who is going to dispose of some loot for him.

Now, over the years if a man was arrested and said "I want a lawyer" he was given an opportunity to call a lawyer. I heard Mr. Katzenbach mention about a practice in Chicago where a third party is brought in. Well, this has been done many times in very important cases back over the years in our department too.

For instance, if it is a homicide case, a reenactment may be in the presence of an apartment house manager or apartment house janitor. A third and disinterested party has been used many times, and we think this is a good idea.

The CHAIRMAN. That is at least in part his fourth safeguard. It is a little broader, I think, than that. It has an alternative suggestion