

Mr. MURRAY. Yes, sir. First I would like to make it very clear, Mr. Chairman and members of the committee, that I have never privately or publicly been critical of our trial court judges. I feel that we have had some appeals court decisions that did not set too well with me or with other police officers, but I have never been critical of our trial court judges.

Now, what was the second part of your question?

The CHAIRMAN. The other part of my question was concerning the statement that Washington, D.C., was soft on crime. We have heard this repeatedly. It has received widespread publicity in national periodicals. Two of the witnesses testified that this wasn't true, that in the District of Columbia a convicted felon averaged 41.5 months imprisonment, which was greater than any State jurisdiction except one.

That was used by way of refuting the statement that Washington, D.C., was soft on crime. I would ask for your comments.

Mr. MURRAY. Since the 23d of October I have gone back to the office and checked up on some of the sentences, and I feel the sentences are a little more substantial now than they may have been some years back.

We have an account of everyone who is released and how much time they served, and I think that sentences have been a little more substantial in late years.

As to being soft on crime, I think that some restrictions have been placed on law enforcement. The fact that crime has gone up 56 percent since the *Mallory* decision was handed down in 1957, I think that has done a great deal to cause the thought that there is a lot of crime here.

I have mentioned several times that I have never minimized the amount of crime in the District. I think there is too much crime here, but there is too much crime in all large cities. But the fact that we have gone up 56 percent since 1957, I think it is more than just a coincidence. May I show the committee this chart?

The CHAIRMAN. I think that leads into the next question that I was asking. And I know that you have repeatedly said that since the *Mallory* decision crime has increased, and you relate the increase in crime to the *Mallory* decision.

Of course, we have had statements by other witnesses that there has been comparatively few reversals and acquittals of defendants in the District of Columbia because of the *Mallory* decision. I would be very happy to have you say anything you want on that because this is always your major premise. Your major premise is that crime has increased in the District of Columbia because of the *Mallory* decision decided on June 24, 1957. I would be very happy to have you sustain that premise.

Mr. MURRAY. Yes, sir. I don't say that the *Mallory* decision is the sole cause.

The CHAIRMAN. I don't want to indicate that it is.

Mr. MURRAY. That crime has gone up, but I think it is more than a coincidence that it has gone up 56 percent. We had crime at a low point for 10 years back in June of 1957 when the *Mallory* decision was handed down, and it started to climb that very month, and it has been climbing ever since, and at that same time the clearance of crime has started down. In other words, where we had a high rate of clearance, it has fallen off.