

Back in 1957, they had what was called a dragnet arrest where about 90 people were arrested. A woman was beaten up and robbed in the place of business, and without any authorization either from me or anyone else at headquarters on a precinct level they went out and arrested about 90 people, and we have been hearing about it ever since.

The CHAIRMAN. We have heard about it.

Mr. MURRAY. Yes, sir; ever since. That is 6 years ago. The next day the President of the Board of Commissioners, Mr. McLaughlin, criticized it publicly and I did too. We didn't condone this, but it was done on a precinct level. But you would think that I had claimed the whole thing because as I say I have been hearing about it for 6 years.

Senator McINTYRE. I just offer that. I feel the investigative arrest can be utilized by certain police officers.

Mr. MURRAY. Senator, I would like to mention too, this is a question that comes up quite often where someone feels they have been abused by the police, they have redress by going to the U.S. Attorney's office. They can go to the Civil Rights Division of the Department of Justice. They can go to the Commissioner's Office or they can come to my office, and they often do any one of these. So there are many roads open for any abuse of any prisoner.

Now I understand that some of our friends over here have testified that this would not be constitutional, that this Uniform Arrest Act, well, if it won't be constitutional, of course, I guess we will just have to give up the idea, because we don't want to do anything that is not constitutional.

The CHAIRMAN. I think, going even further than that, Chief, on title III on the investigative arrest, I don't think there has been one single solitary witness that has appeared before us that has said it was constitutional. I will have to check the record.

I don't want to be relying completely on my memory, but I think without exception the witnesses who have appeared before us, the law professors, for example, Senator Ervin who is an expert in this field of constitutional rights within the Judiciary Committee of the U.S. Senate said in his opinion it was clearly unconstitutional. I don't think we have had anyone to testify it was constitutional.

If I am in error I may certainly be corrected. The Minnesota University Law School professor testified that in his opinion it was not constitutional. I want the record clear on that.

Mr. MURRAY. Mr. Chairman, I could not really argue with anyone because I am not an attorney. I have dealt with attorneys for about 34 years, but I could not tell you whether it would be constitutional or not.

The CHAIRMAN. I think the great preponderance of the witnesses who have appeared before us today have thrown serious constitutional questions on investigative arrest provision.

The Senator from New Hampshire.

Senator McINTYRE. That is all.

The CHAIRMAN. I have just a few other questions, all suggested by some of the earlier testimony.

During the hearings that we have held on the *Mallory* rule, several of the witnesses have indicated that better training of officers and detectives on the police force is one way to offset the adverse effects