

A police force encouraged openly by its chief to demand extra-legal rights in "fighting" crime and an inhuman welfare program directed by Members of the Congress who oppose advance in the area of civil rights spells Washington, D.C., where one's chances of being assaulted and robbed are higher than anywhere else in the Nation.

May I urge upon members of this committee to call upon their colleagues on the full Senate Appropriations Committee this week to replace the aid-to-dependent children program in the new District of Columbia budget. Let us give it a try for 1 year. Let us see what demoralizing results will flow from helping a poor unemployed and able-bodied man to feed his wife and little ones. Let us see what effect this innovation might have upon the crime rate.

CONCLUSION

It should be noted that the Ford Foundation has made a grant of \$215,000 to the American Law Institute for the purpose of conducting an objective study of the rule in the *Mallory* case and related problems raised by that case.

I completely agree with Senator Wayne Morse that the Congress should put off making any decision in this matter until the American Law Institute has completed its study.

In the meantime, let us not be stampeded into any drastic departure eliminating basic constitutional safeguards. Let us remember that the basic separation of functions does not permit the police to pass judgment on the validity of their own arrests. Let us face up to the problem of the increasing crime rate in the District by improving the efficiency of the police, increasing the size of the force, raising the minimum educational standards and training program.

For example, the Buffalo Police Department requires high school graduates; the District police have many school dropouts on the force.

And, finally, let us remember the problem of crime in the District is far too complex to find solutions through any single panacea. Remember that the concentration of crime here is in the central city which economy is a disaster area. The average unemployment rate in this area, calculated from 1960 census figures, is 10.4 percent of the male work force.

And this figure does not really tell the full story because we find that when the average national unemployment is around 6 percent, that the Negro unemployment in the country borders nearly 20 percent.

They are the first to be laid off and the last to be returned to work.

Let us remember the warning of Judge Lehman, New York Court of Appeals in the *Doran* case:

Suggestions that courts should not hamper police by restricting them to the use of lawful methods seem to many of our citizens in accord with common-sense. Our boasted guarantees of liberty—it would seem—are so precious that they must be kept for special occasions and not be subjected to the wear and tear of daily use. Not so may the court treat these guarantees. In a court of law no argument of expediency can ever justify a lawless invasion of a legal right.

The CHAIRMAN. Thank you very much, Mr. Zagri. I appreciate your views.

You made constant reference to Buffalo. Approximately how large a city is Buffalo?