

is to record all that transpires from the moment the defendant is taken into custody. This seems extremely difficult to accomplish as a practical matter.

I wish to apologize to the committee concerning certain aspects of my testimony which apparently were misleading. I thought that I had made it clear that my testimony concerning the crime rate and the rate of police resignations were based on fiscal 1962, which was the last year the statistics were available. Since my testimony I have received a copy of the hearings conducted by the subcommittee of the Committee on Appropriations on September 28, 1963. The new statistics indicate that the crime rate increased in 1963 and that police resignations declined, although the rate was still considerably higher than in previous years.

I did not intend to suggest that any police officers are specially detailed to the probation service. I intended to indicate that a more effective probation service would relieve the police of the duties of arresting violators and would result in a general reduction of the crime rate.

I am taking the liberty of enclosing two judicial conference committee reports relating to the *Mallory* rule.

Thank you again for providing me with the opportunity for expressing my views.

Yours very truly,

A. KENNETH PYE, *Associate Dean.*

THE METROPOLITAN WASHINGTON BOARD OF TRADE,
Washington, D.C., December 2, 1963.

CHESTER H. SMITH,
Staff Director, Senate Committee on the District of Columbia, New Senate Office Building, Washington, D.C.

DEAR MR. SMITH: Pursuant to our conversation of Friday, November 27, 1963, concerning Senator Bible's letter of November 8 addressed to William K. Norwood, chairman of the Board of Trade's Public Protection Committee, soliciting our comments upon the testimony of Deputy Attorney General Katzenbach on title I of H.R. 7525, I am happy to enclose a redraft of our previous correspondence of November 26 for inclusion in the record.

The text of the enclosed letter was approved unanimously by our board of directors at a meeting earlier today. Please disregard the earlier reply and substitute the enclosed to reflect our official comments.

Again, please accept our thanks for allowing us the opportunity to bring this matter before our board of directors for action and approval.

Sincerely yours,

HENRY P. LOSS,
Manager, Community Affairs Department.

THE METROPOLITAN WASHINGTON BOARD OF TRADE,
Washington, D.C., December 2, 1963.

HON. ALAN BIBLE,
Chairman, Senate Committee on the District of Columbia, New Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: The Metropolitan Washington Board of Trade appreciates the opportunity you have provided for us to comment on the testimony presented by the Deputy Attorney General, Nicholas deB Katzenbach, at the recently concluded hearings on title I, H.R. 7525, the omnibus crime bill, concerning corrective legislation in the *Mallory* area. These comments we shall set forth represent the best judgments of our public protection committee and have been reviewed and endorsed by our board of directors.

We have directed our comments, as you have requested, to a consideration of the safeguards suggested by Mr. Katzenbach to constitute appropriate legislation amending the *Mallory* rule. His recommendations would provide for the following four points:

- (1) A plain warning to the defendant, immediately in advance of the questioning, that he is not required to make any statement at any time and that any statement made by him may be used against him;
- (2) The arrested persons being afforded a reasonable opportunity to notify a relative or friend and consult with counsel of his choosing;