

Mr. MURPHY. Mr. Congressman, I am sorry that I failed to make clear what I was attempting to say, that I am not familiar with the specific statute about camping on—

Mr. WHITENER. How can you discuss with the Chief of Police or the Commissioner or anybody else what you are going to do about a situation tactically if you do not know what legal rights you have.

Mr. MURPHY. Well, we have reviewed many, many laws, Mr. Congressman. I think I have a relatively clear understanding of our power. The specific provision about camping on the Mall or whatever—

Mr. WHITENER. Well, surely you have read Chapter 22 of the District of Columbia Code since you took over as head of the police department, have you not, to find out what the criminal laws are?

Mr. MURPHY. I have reviewed it, Mr. Congressman. I do not claim to be expert in all provisions of it, however.

Mr. WHITENER. It does not require expertise in all the provisions to find and read a statute to determine what you can do. I am not talking about just this incident but anything that you have warning is coming up which might be troublesome. It would seem to me that the first thing you would do would be to look at the statute, and if you did not have a statute—if you are going to be the policy maker and you do not have adequate law to cover a situation that you have six weeks notice of or three months notice of, you ought to come up here and ask Congress to give you a statute.

Mr. MURPHY. Well, Congressman, I would like to make it clear that we have had many discussions internally with the police department and that very question has been addressed.

Mr. WHITENER. What about the legal department. Have you discussed it with them? You have a legal staff down there.

Mr. MURPHY. We have had meetings with the legal staff.

Mr. WHITENER. What do they think? Do they say that there is no statute or that there is one?

Mr. MURPHY. Well, I have not asked that specific question, Congressman.

Mr. WHITENER. I believe that ought to be the number one question. I am not trying to fix policy for you, but I do not know how you are going to enforce some laws or devise means to do it if you do not know what the laws are.

Mr. ADAMS. Mr. Chairman, I just wanted to inquire, have we—I think we have a Committee—

Mr. WHITENER. Excuse me just a minute. Mr. Adams has now spoken. He asked you if you had not been in police work since 1945 and if you did not start out as a private and go on up. I want to ask you how long has Chief Layton been in police work.

Mr. MURPHY. I believe Chief Layton has been in police work for about 31 years or 32 years, Congressman.

Mr. WHITENER. And he started out as a private and he has held all these offices, so if that makes an expert, Chief Layton has some qualifications, too, does he not?

Mr. MURPHY. Chief Layton has more police experience than I have in this city.

Mr. WHITENER. Yes. All right. That was my understanding.

Mr. ADAMS. Mr. Chairman, I just wanted to inquire, I think we have a Committee going to work on the D.C. Code provisions to try to attack the very problem that Mr. Whitener refers to.