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# METROPOLITAN POLICE DEPARTMENT

## HEARING BEFORE THE COMMITTEE ON THE DISTRICT OF COLUMBIA HOUSE OF REPRESENTATIVES NINETIETH CONGRESS

SECOND SESSION

ON

FUNCTIONS OF THE OFFICE OF DIRECTOR OF PUBLIC  
SAFETY IN RELATION TO THE METROPOLITAN POLICE  
DEPARTMENT

FEBRUARY 21, 1968

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# METROPOLITAN POLICE DEPARTMENT

WEDNESDAY, FEBRUARY 21, 1968

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE DISTRICT OF COLUMBIA,  
*Washington, D.C.*

The Committee met, pursuant to notice, at 10:30 a.m. in Room 1310, Longworth House Office Building, Honorable John L. McMillan (Chairman of the Committee), presiding.

Present: Representatives McMillan (presiding), Dawson, Whitener; Sisk, Diggs, Fuqua, Adams, Jacobs, Walker, Nelsen, Mathias, Horton, Broyhill of Virginia, Winn, Gude, Zwach and Steiger.

Also present: James T. Clark, Clerk; Hayden S. Garber, Counsel; Sara Watson, Assistant Counsel; Donald Tubridy, Minority Clerk; Leonard D. Hilder, Investigator.

The CHAIRMAN. The Committee will come to order.

Mr. Murphy, will you come up to the witness table?

Mr. MURPHY. Mr. Chairman.

The CHAIRMAN. The Committee wants to thank you for appearing before our Committee and join with us this morning in an effort to try to settle a few rumors and news reports. I would like to state that since I called this meeting I believe that the majority of the questions that we wanted to ask may have been answered by you and Chief Layton. When this Committee met last time, on the police pay raise bill, there was a great deal in the papers concerning you and Chief Layton; and no one seemed to know whether Chief Layton would remain as Chief of Police, or know the connection between you and the Chief, and whether you were going to work together. We are here today to get some information on that subject. We desire to enlighten not only the members of the Committee but the public as to the connection between you and the Chief of Police.

I have, I guess, a hundred letters in my file concerning this subject, and I imagine the other members have also received a number of letters wanting a clarification of your duties. I am certain you did not object to coming and explaining your position and Chief Layton's position under your reorganization plan. Certainly, we want to get together and be working smoothly by April.

In fact, we expect some demonstrations here at that time, but I hope you and Chief Layton can ward off any demonstrations, stop any sit-down strikes in the parks. I have already received numerous letters from tourists saying they are not going to come to Washington if we have demonstrators sitting on the grass during the Cherry Blossom Festival.

At this time, Mr. Murphy, I would appreciate it if you would elaborate on what your position entails and if Chief Layton will continue to be Chief of Police and if he will continue to issue the orders for the

policemen on the force. I realize and I think that I know your position as Safety Director is a policy-making position.

Mr. MURPHY. Yes, sir.

The CHAIRMAN. You can take it from this point.

**STATEMENT OF PATRICK V. MURPHY, DIRECTOR, PUBLIC SAFETY,  
WASHINGTON, D.C.**

Mr. MURPHY. Yes, sir. Thank you, Mr. Chairman, and I am grateful for your kind invitation to come and state my position, what my understanding is of my authority and responsibility.

As you just described it, Mr. Chairman, I am with Commissioner Washington and working for him in carrying out his responsibility for the operation of the Police Department, Fire Department and Office of Civil Defense. I not only look forward to working closely with Chief Layton as part of the Mayor's team in fighting crime and preventing disorder in the city, but I would like to assure you, Mr. Chairman and members of the Committee, that I thoroughly considered before accepting the appointment, my very high regard for Chief Layton, whom I have known for many years, have met him at meetings of the International Association of Chiefs of Police, and during the past two years I have worked with him while I was with the Law Enforcement Assistance Branch of the Department of Justice.

And it is only because I have had this very high regard for Chief Layton and have known him to be a dedicated, able, well-experienced police officer that I accepted the appointment as Director of Public Safety for the city.

Now, as you describe it, Mr. Chairman, my function is basically the policy-making function. I have a very small staff, an assistant and secretarial help, and it is the wish of Commissioner Washington that a small staff be maintained in this office as part of the Office of the Commissioner of the District of Columbia.

The Police Department as we know, is a very large organization of 28 or 29 hundred people, all of whom have had some experience in their positions and the command people a considerable amount of experience. Chief Layton does a splendid job in operating the Department, and I think we have a complete understanding between the two of us that he is certainly to continue as the Chief of Police and direct and control the operations of the Department every day. And my role, as I have seen it, is to bring what little contribution I can make. Of course, I do have a police background. I have had police experience in other jurisdictions. I think I may be able to make some contribution. It is a fact of life that the police system in the United States is such that unfortunately there has not been very much communication and exchange among the police departments, and so when one visits different police departments around the country, he finds many variations in policies and procedures. I would hope that one of the small contributions I can make would be to bring the benefit of my experience to bear on some of the policies and practices of the Department and review them with Chief Layton and his staff and hopefully make improvement where improvement is to be made.

I would like to state, also, that I have a very high regard for the Metropolitan Police Department in Washington, D.C. I think it is a very honest police department. I have found the men to be extremely

dedicated in visiting precincts and riding throughout the city, visiting officers on their beats and in the units, listening to the police radio. I have been tremendously impressed with the response of officers to calls, with the willingness of officers, in fact, to volunteer to come in and back up officers going in on a robbery call or some other call where there may be violence. This, to me, is one of the most important kinds of evidence of the morale of a police organization, and I have been impressed that there is high morale in the Department, and I have great confidence that we can do much to prevent disorder of any kind and that we will be prepared to handle any minor or other disorder which may occur. I am also confident that we can do more in preventing crime and in controlling the very difficult crime problem that concerns all of us. And Chief Layton and I and other members of his staff have had several discussions about what we might do.

The Department, I should state, has been doing a great deal in the past two years. Chief Layton has led a re-organization of this Department, a major re-organization, which, to my knowledge, is one of the most far-reaching re-organizations of any large city police department that has occurred in this nation in many years. And I think Chief Layton deserves much credit for that. I fear that the community perhaps does not appreciate the great significance of this re-organization, which I think has streamlined the Department, reduced the span of control of the Chief and some of his ranking officers, and the Department is going into a computerization program. The records system is being improved. And there is much more to be done in carrying out the rest of this re-organization. I am happy to have a part of that effort, Mr. Chairman.

The CHAIRMAN. I believe this question as to your authority came to a head about two weeks ago when four policemen, after their duty hours, began shooting out the window of their car.

Mr. MURPHY. Yes, sir.

The CHAIRMAN. I think that some people were of the opinion that Mr. Layton should have handled that and it was not necessary to report that to you immediately. Now, would you discuss whether that type of—

Mr. MURPHY. Yes, Mr. Chairman, I would like to discuss that.

As I stated earlier, it has been my experience that policies and practices in police departments vary a great deal. I attempted to make clear when I became Director of Public Safety that I would like to be advised at any time, any hour of the day or night, about any major incident, and I was not advised about this incident. Frankly, that concerned me. I would want Chief Layton—and, as a matter of fact, Chief Layton and his staff have handled that matter completely. I was somewhat concerned that I didn't know about it soon enough. I did believe and I do believe that it is important for me to be aware of any incident which involves a disciplinary matter relating to a police officer. And I think that the Mayor, Commissioner Washington, and his assistant, Mr. Fletcher, should be made aware of such developments very promptly.

For instance, this morning, Mr. Chairman, at 5:45 my phone rang about an unfortunate incident at the Russian Embassy in this city this morning. And I do want to know about those things immediately because of the implications they could have, and certainly not inject myself to the extent of excluding Chief Layton, because I have great

confidence in his ability. But I would want to be aware and to respond to the scene of such an incident if I feel it appropriate.

When the incident you have made reference to occurred, I was unaware of it, received an inquiry concerning it, and I mistakenly stated that such an incident could not have occurred since I was not aware of it so many hours later. When I did become aware that there had been such an incident, I responded to the precinct where the investigation was under way. And Chief Layton and I have discussed that since, and I think we have completely clarified it. And he understands now that I would like to be made aware of a major incident of that nature immediately and certainly just want to know about what it is and what is going on. And if I feel I should become involved, I would. But it is my expectation that I would be completely satisfied with the handling of these incidents by Chief Layton.

The CHAIRMAN. Well, I am certain you agree that matters of this nature should be planned and you and Chief Layton should have an agreement as to who will contact who——

Mr. MURPHY. Yes, sir.

The CHAIRMAN (continuing). On occasions of that type and not try to do it through the news media.

Mr. MURPHY. I agree, sir. I agree, sir. Unfortunately, some things do come to the attention of the press that I cannot control and Chief Layton cannot control, and sometimes an erroneous impression occurs. But Chief Layton and I have a complete understanding about how we want to handle these matters, and certainly those things that should be handled internally will be handled internally. That is our understanding, sir.

The CHAIRMAN. Well, there is no objection to the press having news and publicizing it, but I think before the press has it, you and Chief Layton should have an understanding as to what to expect of each other.

Mr. MURPHY. Yes sir; I agree with that.

The CHAIRMAN. And if it is not carried out, then the press should grumble a little.

Mr. Nelsen.

Mr. NELSEN. I have no questions.

The CHAIRMAN. Mr. Dawson.

Mr. DAWSON. No questions.

The CHAIRMAN. Mr. Whitener.

Mr. WHITENER. Mr. Murphy, I was somewhat interested to read in the press some time ago a statement that you allegedly made with reference to the incident which you have mentioned. I wonder if you would say that you were accurately quoted at that time.

Mr. MURPHY. I am sorry, Mr. Congressman.

Mr. WHITENER. You were quoted in the Washington Post on Sunday, February 4, 1968, as saying, "I am going to ask some hard questions, and I am going to expect some hard answers. If I am not satisfied with the answers, I am going to take whatever action I think is necessary." The story goes on, "Asked what this might include, he said, 'Whatever I feel is appropriate, including reassignment'. He would not elaborate. He did say, 'The higher a man's rank, the greater his responsibility.'"

What do you mean by "hard answers" and "hard questions"?

Mr. MURPHY. Mr. Congressman, I think that is an accurate reporting of what I said. Frankly, I was gravely concerned, and continue to be gravely concerned, about reports of police officers drinking alcoholic beverages in police or on police property, and I was gravely concerned about the incident which occurred, the discharging of firearms by police officers without—

Mr. WHITENER. Do you find anything to indicate that Chief Layton was not equally concerned about that?

Mr. MURPHY. No, sir; I did not find anything, but I was concerned, sir, about some of the actions of officials of the Department at various levels, and that would reach from Sergeant, Lieutenant, Captain and maybe higher.

Mr. WHITENER. What you were commenting—as you were quoted in the press, you were not referring to sergeants, lieutenants, or captains, were you?

Mr. MURPHY. I was referring to captains, sir, and possibly higher ranking officers. I think responsibility for discipline in a police department does rest with officers at the precinct level and higher levels.

Mr. WHITENER. You said, according to this newspaper article, I quote, "This was not an example of strong discipline. It was an example of weakness some place." Have you determined where that weakness was?

Mr. MURPHY. Sir, I am concerned about drinking in a police building.

Mr. WHITENER. Of course, everybody should be.

Mr. MURPHY. Yes. I think that is some reflection of a weakness in discipline at least at the precinct level.

Mr. WHITENER. Now, Mr. Murphy, I observe here from your job description that among your many duties that are outlined in your job description (see p. 14) one of them is to "serve in a liaison capacity with the courts in the District of Columbia." What does that embrace, what type of liaison?

Mr. MURPHY. Mr. Congressman, I have met with Judges from the various courts in the District where the cases of our police officers are taken for trial.

Mr. WHITENER. Have you made any headway?

Mr. MURPHY. Well, I think some slight headway, sir, not much. We appreciate, I think, the Judges and ourselves in the Police Department, that there are many problems because of our close working relationship, the scheduling of appearances of police officers in court, getting our officers in court on time, trying as much as we possibly can to reduce the loss of time of police officers in court which is taken from work on the streets, understanding the decisions as they come down, as new decisions come down, the necessity for training our officers. We have worked with the Prosecutor's offices as well as in trying to coordinate this entire function.

Mr. WHITENER. Have you made any headway about getting a little cooperation on the part of courts toward abuse of police officers that we have had complaints about?

Mr. MURPHY. No, sir; we have not pursued that particular problem. I hope to get to it, sir.

Mr. WHITENER. Would that not help morale more than making statements to the press criticizing the chief of police and doing that sort of thing?

Mr. MURPHY. I am very concerned about police officers being shown the proper respect in court as well as on the streets and in police buildings. I think its tragic that there is the amount of disrespect for police officers that we see today. And to the extent that I can be helpful in trying to improve that respect and the fair and proper treatment of officers in court, I will attempt to do so.

Mr. WHITENER. I am sure you are familiar with the study that was made by a special subcommittee of this Committee on morale and recruitment, and this is one of the key areas in which we found morale problems, that not only the courts but some of the Government officials had committed acts or done things which caused the police to feel that they were not being supported by either the courts or the public officials.

Mr. MURPHY. Yes, sir.

Mr. WHITENER. I was just wondering how do you go about liaison with the courts. Do you deal with the Chief Judge or do you deal with all the judges in a judicial conference, or how?

Mr. MURPHY. Well, I have met with the Chief Judge of the District Court and some of the other members of that bench. I am very concerned that there seems—it seems to me there is so much misunderstanding of the function of the police officers. I think it is tragic that we find this even in some courts and in some prosecutors' offices. I would certainly urge members of the bench and prosecutors as well as other interested people to come down with us, to come right out with us in a police car and see the difficult problems that the officer faces every day. It seems to be that the police officer is the man in the middle. In this year 1968, he is frequently misunderstood by people of good will and others. And I think there is a great need for this entire nation to develop a better understanding of the difficulty of the police officer's function in our complex and changing society today. A police officer is the man who our society sends out to deal with its most difficult problems, the problem society itself has not successfully dealt with, and we must support the police officer in a better way. We must understand him, cooperate with him and assist him, not only our citizens but people in the rest of the criminal justice branch as well.

Mr. WHITENER. Mr. Murphy, on the date of February 7, 1968 in the Evening Star, you were quoted as follows: "Obviously I will be making many of the decisions that previously were made at Chief Layton's level." What did you mean to imply by that statement?

Mr. MURPHY. Well, Congressman, as I have seen my position, since this position did not exist in the District Government before and because my responsibility extends only to the three agencies that come under me, the Police Department, Fire Department and Office of Civil Defense, that I would have the time to devote to these three departments that the Commissioner of the District Government responsible for the agencies in the past did not have, because he had many other responsibilities, and because I do have a police background I will be involved in the development of new policy. Of course, there is much policy in the Department in existence which Chief Layton has developed and has been developed historically in the Department, and much of that policy will remain. But in developing new policy I think I will play an active role.

Mr. WHITENER. In this same story in the Evening Star you were alleged to have indicated that you might go directly to a subordinate

of the Chief of Police in dealing with the departmental matters. They quoted you as saying, "There will be flexibility. I am a real liberal when it comes to organization charts."

Is that an accurate statement?

Mr. MURPHY. Yes, sir.

Mr. WHITENER. You are going to go around the man that is duly appointed and——

Mr. MURPHY. I would not see myself ever going around Chief Layton, Congressman. In my experience in administration I always told my subordinates to talk freely to my superiors should they visit them, but, unless they were instructed otherwise, I would want a report on what was discussed, and that has been my policy.

I have talked with Assistant Chief Hughes and Assistant Chief Wright, and I have met with the Deputy Chief of Traffic and Chief Trotter. I have visited many precincts and criminal investigation units. And in trying to educate myself, because I am new, I have talked at that level about many problems. I frequently sent notes to Chief Layton after such meetings, raising questions. And as I think I made clear to the Chief, it was never intended that I would short-circuit him.

Mr. WHITENER. I think this story implies an entirely different situation, that you were saying that sometimes "I will act through Chief Layton; sometimes I will go to his subordinates." Now, this is talk about action, not discussion.

Mr. MURPHY. Yes, sir. Well, for instance, Congressman, if I am in my car and I respond to a police call and the Chief is not present, if I feel an important decision has to be made, I would not hesitate to do it, but the Chief would be advised of it. I certainly do not intend to short-circuit the Chief at all.

That comment simply meant that I did not feel that every time I had a contact with someone higher in the police department that we would require Chief Layton to be present or that I would always discuss it in advance with Chief Layton. I think that would be quite restrictive.

Mr. WHITENER. So, as I understand it, what you are saying is you did not imply that you would be issuing orders to——

Mr. MURPHY. Oh, no, sir.

Mr. WHITENER. To subordinates of the Chief of Police on policy matters?

Mr. MURPHY. No, sir; just in an emergency.

Mr. WHITENER. Or personnel matters?

Mr. MURPHY. Yes, sir; that is right.

Mr. WHITENER. That merely for the purpose of doing your job better you would seek information from any sources available whether they were commissioned officers or not.

Mr. MURPHY. Yes, sir; that is accurate.

Mr. WHITENER. Well, I think that clarifies it a little. I was concerned when I read the story in the Post of your statement—"an angry Murphy" it said, and I suppose you now disclaim that you were off base because of some great anger, is that——

Mr. MURPHY. I try, Mr. Congressman, never to be angry. I am not always successful.

Mr. WHITENER. Well, I suppose all of us have that problem at times. It is not too advisable to get angry.

Now, about the promotion announcement that you made the other day. Is there any reason for eliminating from promotion boards duly constituted officers within the Department here in Washington?

Mr. MURPHY. The promotion—

Mr. WHITENER. Do you feel that the Chief of Police in some strange community would be better able to serve on a promotion board than local officers who have had an opportunity to see it firsthand, the performance of the individual who was considered for promotion?

Mr. MURPHY. Concerning the use of some outside police administrators to assist us in the selection process, Mr. Congressman, my view is that certainly the opinions of the ranking commanders of the Department who have had the opportunity to observe men over the years, their opinions would be most valuable. I think we enrich the selection process somewhat by adding to it the benefit of opinions of outside police experts. I think it is a fact, an unfortunate fact, that our police departments in the United States do not exchange personnel. They are very much entities unto themselves because of the civil service system. I think this is a negative rather than a positive influence.

As I explained earlier, some of the most progressive developments made in various police departments throughout the nation tend not to reach other departments because of this lack of communication and exchange of personnel, and the opportunity to work in different systems as occurs in the professions, in medicine, in law, in teaching, and so forth. And the significance of asking some outside people to assist us is simply to get another kind of opinion. It in no sense implies the exclusion of the recommendations of our ranking commanders. And I have been asking—

Mr. WHITENER. Yes, but it would not matter what the ranking commander had said on a fitness report. If these nomadic members of a promotion board took an action contrary to that recommendation, there would be nothing anyone could do about it.

Mr. MURPHY. Well, they will not have the authority to make the promotion. They will simply submit their comments, Mr. Congressman. The final decision will rest with me. And I will be discussing all of the promotions with Chief Layton and possibly some other members of staff.

So their authority or their function will not be to select the members but simply to provide us with one other factor.

Chief Layton and I met with people at the United States Civil Service Commission to discuss this approach, and all of us who attended that meeting felt that we could improve the process even further by doing something like this.

Mr. WHITENER. Well, as I read this newspaper article, you contemplate that there will be oral examinations by this nonresident board of officers who are being considered for promotion in Washington.

Mr. MURPHY. Well, they will—

Mr. WHITENER. Now, does this mean that the glib tongue will get the promotion, or what is the purpose?

Mr. MURPHY. No, sir; not at all. I think it will provide the officers appearing before that oral interview panel the opportunity to express their philosophy, policies.

Mr. WHITENER. But suppose that in this promotion process you have three officers who are being considered, and they have taken a written examination, and one officer has made a 10-point higher grade on the written test than the others and all the rest of their files balance out evenly. Does this mean that by this device of oral examination you might take the least qualified of the three men?

Mr. MURPHY. No, sir, Congressman. For these ranks no written examination has been involved. These are for ranks above captain. The highest rank for which written examination is taken is for captain. These are promotions above the level of captain which have been completely in the description of the District Commissioner in the past.

Mr. WHITENER. I understand what you are saying, Chief Layton is still Chief of Police in Washington.

Mr. MURPHY. Yes, sir.

Mr. WHITENER. And you are not going to meddle into his operation of the Department. You are going to be a policy maker, and that you are not issuing orders to his subordinates to carry out policy, but those orders will go through the Chief of Police—

Mr. MURPHY. Yes, sir.

Mr. WHITENER. — just as it has been done before?

Mr. MURPHY. Yes, sir.

Mr. WHITENER. And that what we have here now instead of one commissioner looking after the police, we have two civilian commissioners looking over the shoulder of the Chief of Police instead of one as we had before the re-organization. Is that the situation?

Mr. MURPHY. Well, to the extent that Commissioner Washington can give us time—

Mr. WHITENER. We formerly had Commissioner Tobriner.

Mr. MURPHY. That is right, sir.

Mr. WHITENER. So now we have two civilian supervisors of the Chief of Police instead of one to carry out this economic or efficient re-organization program that was passed by Congress.

That is all I have.

The CHAIRMAN. Mr. Mathias.

Mr. MATHIAS. Thank you, Mr. Chairman. Mr. Murphy, I see you first began your police career as a patrolman in New York City in 1945.

Mr. MURPHY. Yes, sir.

Mr. ADAMS. Would the gentleman yield for a question right at that point?

Mr. MATHIAS. I would be delighted to yield.

Mr. ADAMS. This re-organization is a vertical re-organization to achieve what occurs in most cities, Mr. Murphy, where you have a Mayor and Council and then a Police Commissioner and then a Chief?

Mr. MURPHY. Most large cities.

Mr. ADAMS. Most large cities. New York has that, has it not, and most others. And, therefore, that is your job. Your job is like the police commissioner's in the major cities, which is mayor, commissioner of police, chief—is that not the way it works?

Mr. MURPHY. That is how I have seen it, Congressman.

Mr. ADAMS. Thank you.

Mr. MATHIAS. Mr. Murphy, you began your career in New York City as a patrolman in '45. That was at the conclusion of your service to the Navy in World War II.

Mr. MURPHY. Yes, sir.

Mr. MATHIAS. And you had previously graduated from Saint Johns University.

Mr. MURPHY. I discontinued my college education to enter the Naval Air Service, Congressman, and completed it after becoming a police officer in New York City.

Mr. MATHIAS. Now, as you worked up through the ranks in New York City from patrolman to sergeant to lieutenant, you then became an instructor and training officer.

Mr. MURPHY. Yes, sir.

Mr. MATHIAS. And you went through the procedure of organizing a Commissioner's Inspection Squad.

Mr. MURPHY. Yes, sir; I did.

Mr. MATHIAS. Could you just tell us very, very briefly a little bit about what that involved?

Mr. MURPHY. Yes, sir. In the New York City Police Department, the Commissioner, for many years, has had a unit known as the Commissioner's Confidential Unit, and this was an internal affairs and organized crime unit, but it had never carried out an inspection function similar to the Inspector General function in the military. And Commissioner Michael J. Murphy requested me, assigned me to organize, plan and organize such a unit.

We developed that unit in 1961, and inspected precincts—New York has a large number of precincts, about 78—and many detective units, traffic, youth and other units. And it was the function of this unit which I organized to inspect and evaluate the effectiveness and efficiency of these units in the field.

Mr. MATHIAS. Then you went on leave of absence and served as Chief of Police in Syracuse, and were you there involved in a re-organization of the police department?

Mr. MURPHY. Yes, sir; I was.

Prior to my coming to Syracuse, the department had been under investigation, and the Chief of Police and the First Deputy Chief resigned, retired, and the Mayor determined that he would bring in an outside Chief of Police.

At the time I came in the department was under severe stress because of this investigation, and I felt that the department needed a re-organization. I sought the assistance of the International Association of Chiefs of Police, and they came in and surveyed the department for us. And with their assistance, we re-organized the department into four major branches, whereas previously there had been a very broad span of control.

Mr. MATHIAS. Now, when you returned to New York as Commanding Officer of the Police Academy, did you again get involved in a re-organization of the Academy?

Mr. MURPHY. Well, at the time I returned to New York, Congressman, the move into the new \$10,000,000 Police Academy building in New York City was imminent, and this involved housing in one structure the college program for police officers of New York City which at that time was conducted jointly, and to this day conducted jointly by the police department and the City University of New York. So one of my major responsibilities was to implement this moving process and to re-organize several of the training programs for the department, including some new command level training and specifically some disorder prevention and control training.

Mr. MATHIAS. Well, now, having in mind that we are undergoing here in Washington a rather general re-organization of the whole District government, and having in mind what you are commissioned to do as the Director of Public Safety, do you feel that there is an undue amount of confusion in the police department, or an undue degree of morale difficulty in the police department?

Mr. MURPHY. No, sir. I do not believe that there is any kind of general confusion in the Department. I am very impressed by the way I see day-to-day cases being handled.

I do realize that there are misunderstandings of some kind or another about just what my function is. I feel it has been clear to me. I do not think police morale is low.

I made reference earlier to the fact that I see rapid response to calls. Our officers look smart. They present themselves very well. Their uniforms are neat and clean. I found them to be courteous. I have been very impressed by the number of commendatory letters I have received in my short time in this office concerning the activities of our police officers. I have been very impressed by the activity of our Criminal Investigation Division which last year cleared significantly more cases than it had the previous.

All of these things suggest to me that morale is high. I think the leadership of the Department is good. If there is room for strengthening it, we will certainly try to strengthen it. But I have great confidence in this Department and its leadership, and I am confident that we will be equal to whatever tasks face us in months ahead.

Mr. MATHIAS. And you have no fear that the arrangements which exist will not prove to be incompatible with an increasingly higher level of efficiency in the Department?

Mr. MURPHY. No, sir. As I attempted to indicate earlier, I accepted this position because I have great confidence in Chief Layton. I am delighted that he has indicated to me that he has hope to be part of the team of Commissioner Washington, who is most concerned about our crime problem, and the other problems facing the police department, including traffic accident fatalities and injuries. And Chief Layton has indicated that he will be with me and we will be together, and I am most confident of where we are going.

Mr. MATHIAS. I am very glad to hear that, Mr. Murphy. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. I wonder, since the time is passing so fast, if we can limit our questioning now to five minutes from here on? Mr. Sisk.

Mr. SISK. Thank you, Mr. Chairman.

Mr. Murphy, who contacted you originally. How did you happen to be contacted for this particular position?

Mr. MURPHY. Commissioner Washington communicated with me.

Mr. SISK. And did you talk to anyone else? Was anyone else involved at all in your employment?

Mr. MURPHY. I discussed—I also had an opportunity to speak with Mr. Fletcher, the Assistant to Commissioner Washington. I made my decision so rapidly that I am uncertain now about some other people who may have spoken with me about it, but principally a very brief conversation with Commissioner Washington and Mr. Fletcher, some people in the city government. It involved a discussion with the personnel office.

Mr. SISK. Since we have a time limitation now, and I know I am never going to get through here, what were you commissioned to do? My good friend from Maryland just mentioned the commission you were given. What were you commissioned to do and what was your job description when you came down here?

Mr. MURPHY. Commissioner Washington described to me his responsibility for the Police Department, Fire Department and Office of Civil Defense, as well as his responsibility for all agencies of the Government of the District of Columbia, and said he would like to have a director to carry out his responsibilities and function with his authority, or most of his authority in directing the operations of these three agencies. So that has been my understanding from the beginning, sir.

Mr. SISK. Do you have in writing a job description?

Mr. MURPHY. Yes, sir, I do.

Mr. SISK. Mr. Chairman, if it is not out of order, could we have made a part of the record a copy of his job description?

The CHAIRMAN. Yes, sir. Without objection, a news release respecting the appointment, together with job description will be included in the record, if that is all right with you, as well as a memorandum from the Office of the D.C. Corporation Counsel setting forth the authority under which the office of Director of Public Safety was created.

Mr. MURPHY. I have no objection, sir.

(The documents referred to follow:)

[For release at 12 noon, Friday, Dec. 1, 1967]

PUBLIC AFFAIRS OFFICE, DISTRICT OF COLUMBIA GOVERNMENT

NEWS RELEASE

*District Building, Washington, D.C.*

Mayor Walter E. Washington today announced the appointment of Patrick V. Murphy, 47, to a newly-created position of Director of Public Safety for the District Government.

Mr. Murphy, a 20-year veteran in law enforcement and public administration, has been charged by Mayor Washington with the responsibility of administrative control of the Metropolitan Police Department, the Fire Department and the Office of Civil Defense.

Mayor Washington said: "This appointment should strengthen and facilitate the day-to-day operation of these Departments, which will be left in the hands of Police Chief John Layton, Fire Chief Henry A. Galotta and Civil Defense Director George R. Rodericks."

Mr. Murphy will also serve as the Mayor's chief liaison officer with the judges of the District's courts, the Office of the United States Attorney General, and all Federal law enforcement agencies, the Mayor added.

By placing the Metropolitan Police Department, the Fire Department, and the Office of Civil Defense under the general supervision of Mr. Murphy, Mayor Washington said: "We shall reduce the number of people reporting directly to me on administrative matters, while strengthening the operational effectiveness of each department."

The Mayor added: "However, I do intend to keep open direct lines of communication between myself and the Police Chief, the Fire Chief and the Civil Defense Director on any matter vital to the operation of their departments."

Major Washington added that he views this appointment as, "A step in the direction of creating a Mayor's cabinet".

He continued: It will enhance the bargaining power of each department by having a representative in the Mayor's Office to speak for them on important policy questions, such as departmental budget requests, man power and equipment needs, salary and working conditions and other matters affecting program operation and employee morale."

Mayor Washington summarized the advantages of this appointment as follows:

1. It narrows the span of control of the Mayor, enabling him to concentrate on major policy decisions concerning the departments and the community.

2. It gives the departments a spokesman in the Mayor's Office to voice their needs and strengthen their effectiveness.

3. It permits one man to devote full time to policy formulation and program development in the area of public safety, without becoming bogged down with administrative details and operational responsibilities.

4. It permits the heads of the departments to focus their primary attention on ways to improve the efficiency of their functions and operations.

5. It provides a means for better coordination of the departments, especially with respect to emergency situations where the participation and cooperation of all is required.

6. It establishes channels for frequent contact and regular communications among the Mayor's Office, the courts and the Department of Justice.

Mayor Washington said: "Mr. Murphy has a long and distinguished background in law enforcement, public administration and community relations. I expect him to spend as much time in the field as in the office, meeting with civic groups to develop public support and improve community relations."

Mr. Murphy, who holds a Master's Degree in Public Administration from City College of New York, started his career in 1945 as a patrolman for the New York City Police Department. He rose through the ranks to become Deputy Chief Inspector, the second highest position in the New York Police Force, before he joined the staff of the United States Attorney General in 1965 as Assistant Director of the Office of Law Enforcement Assistance.

A police advisor to the National Crime Commission, Mr. Murphy formerly served as Chief of Police of Syracuse, New York; commander of the New York Police Academy; and dean of administration and police science at City University of New York.

Mr. Murphy's professional affiliations include membership in the American Society of Public Administration and on the National Conference of Christians and Jews, for which he served the Manhattan Region as Co-Chairman of the Police Community Relations Committee.

Mr. Murphy, a Navy Pilot during the 2nd World War, is married to the former Betty Cameron and is the father of 8 children.

#### AUTHORITY PURSUANT TO WHICH THE OFFICE OF THE DIRECTOR OF PUBLIC SAFETY WAS CREATED

The Office of the Director of Public Safety was created by the Commissioner under the authority of Reorganization Plan No. 3 of 1967, prepared by the President and submitted to the Congress pursuant to the former Reorganization Act of 1949, now codified and enacted into positive law as Chapter 9 of Title 5 of the United States Code. Section 901 of such Chapter 9, formerly Section 2 of the 1949 Act, among other things requires the President to examine the organization of all agencies (including the District of Columbia) and determine what changes are necessary to accomplish the purposes set forth in the following numbered paragraphs of Subsection (a) of such Section:

"(3) To increase the efficiency of the operations of the Government to the fullest extent practicable;

"(4) To group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

"(5) To reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government."

In preparing Reorganization Plan No. 3 of 1967, the President acted under said Sections 901-913 of Title 5 of the United States Code. It is worth noting that Subsection (a) of Section 903 provides in pertinent part that when the President, after investigation, finds that:

"(3) The consolidation or coordination of the whole or part of an agency, or of the whole or part of the functions thereof, with the whole or part of another agency or the functions thereof . . . is necessary to accomplish one or more of the purposes of section 901(a) of this title, he shall prepare a reorganization plan for the making of the reorganizations as to which he had made findings and which he includes in the plan, and transmit the plan . . . to Congress, together with a declaration that, with respect to each reorganization included in the plan, he has found that reorganization is necessary to accomplish one or more of the purposes of section 901(a) of this title."

In accordance with the foregoing authority, Reorganization Plan No. 3 of 1967 in Section 303 thereof provides as follows:

"Sec. 303. *Establishment of Other New Offices.* There are hereby established in the Corporation so many agencies and offices, with such names or titles, as the Commissioner shall from time to time determine. The said offices shall be filled by appointment by, or under the authority of the Commissioner. Each officer so appointed shall perform the functions delegated or otherwise assigned to him in pursuance of this reorganization plan and shall receive compensation to be fixed in accordance with the classification laws as amended from time to time".

Sections 901-913 of Title 5 of the United States Code expressly provides for the consolidation of existing functions performed by an agency, including the District of Columbia, and Section 303 of Reorganization Plan No. 3 of 1967, a plan prepared in accord with the authority contained in 5 U.S.C. 901-913, authorizes the Commissioner to establish an office in which are consolidated the functions of existing offices as was done in the creation of the Office of Public Safety by consolidating the Police Department, Fire Department and Office of Civil Defense. Office of the Corporation Council, District of Columbia, Washington, D.C.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
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| Optional Form 6<br>July 1967<br>U.S. CIVIL SERVICE COMMISSION<br>FPM Ch. 26<br>5073-104                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | 1. Check one:<br>Dept <input checked="" type="checkbox"/> Field <input type="checkbox"/>                                                                                                                                                                                          |  | 2. Official headquarters:                                                                                                                                                                                                                            |     | 4. Agency position No.   |          |      |
| <b>POSITION DESCRIPTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | 3. Reason for submission:<br>(a) If this position replaces another (i. e., a change of duties in an existing position), identify such position by title, allocation (series, series grade), and position number.<br><br><b>In lieu of GS-301-13-157</b><br><i>dated 4-26-1957</i> |  | 5. C. S. C. certification No.                                                                                                                                                                                                                        |     | 6. Date of certification |          |      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  | (b) Other (specify)                                                                                                                                                                                                                                                               |  | 7. Date received from C. S. C.                                                                                                                                                                                                                       |     |                          |          |      |
| 5. CLASSIFICATION ACTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| ALLOCATION BY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  | CLASS TITLE OF POSITION                                                                                                                                                                                                                                                           |  | CLASS                                                                                                                                                                                                                                                |     |                          | INITIALS | DATE |
| a. Civil Service Commission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  | Director of Public Safety                                                                                                                                                                                                                                                         |  | GS                                                                                                                                                                                                                                                   | 301 | 13                       |          |      |
| b. Department, agency, or establishment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | Director of Public Safety                                                                                                                                                                                                                                                         |  | GS                                                                                                                                                                                                                                                   | 301 | 13                       |          |      |
| c. Bureau                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| d. Field office                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| e. Recommended by initiating office                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| 9. Organizational title of position (if any)<br><b>Director of Public Safety</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |                                                                                                                                                                                                                                                                                   |  | 10. Name of employee (if agency, specify V-1, 2, 3, or 4)                                                                                                                                                                                            |     |                          |          |      |
| 11. Department, agency, or establishment<br><b>Government of the District of Columbia</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  | c. Third subdivision                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| a. First subdivision<br><b>Public Safety</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  | d. Fourth subdivision                                                                                                                                                                                                                                                             |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| b. Second subdivision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  | e. Fifth subdivision                                                                                                                                                                                                                                                              |  |                                                                                                                                                                                                                                                      |     |                          |          |      |
| 12. This is a complete and accurate description of the duties and responsibilities of my position.<br><br><div style="display: flex; justify-content: space-between;"> <span>(Signature of employee)</span> <span>(Date)</span> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                   |  | 13. This is a complete and accurate description of the duties and responsibilities of this position.<br><br><div style="display: flex; justify-content: space-between;"> <span>(Signature of immediate supervisor)</span> <span>(Date)</span> </div> |     |                          |          |      |
| 14. Certification by head of bureau, division, field office, or designated representative.<br><br><div style="display: flex; justify-content: space-between;"> <span>(Signature)</span> <span>(Date)</span> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                                                                   |  | 15. Certification by department, agency, or establishment.<br><br><div style="display: flex; justify-content: space-between;"> <span>(Signature)</span> <span>(Date)</span> </div>                                                                   |     |                          |          |      |
| Title:<br>16. Description of duties and responsibilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                   |  | Title: <b>Personnel Officer, D. C.</b>                                                                                                                                                                                                               |     |                          |          |      |
| <b>Introduction</b><br><br>Under the direction of the Mayor, D. C., the Director of Public Safety has full responsibility for all functions assigned to the Metropolitan Police Department, the D. C. Fire Department, and the Office of Civil Defense and in addition serves in a liaison capacity with courts in the District of Columbia, with the U. S. Attorney-General; works closely with the Department of Corrections to assure coordination of all public safety functions. As Director serves as principal advisor to Mayor, D. C. on all aspects of public safety.<br><br>The Government of the District of Columbia is a large and complex organization providing services essential to normal life in a large, highly congested and cosmopolitan urban community (in excess of 300,000 residents of D. C., and in addition many residents in nearby suburban areas are provided services) which must be maintained and governed at a standard consonant with its status as the |  |                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                      |     |                          |          |      |

Nation's Capital. The District of Columbia Government is unique among municipalities in that it also provides services normally provided by county and state governments.

In addition to the administration of public safety matters within the municipality, close coordination and cooperation with surrounding local jurisdictions in the States of Maryland and Virginia must be maintained.

#### Duties and Responsibilities

Under the general direction of the Mayor and subject only to clearance of major policies and decisions, the Director of Public Safety has full responsibility and authority for directing and administering the following functions:

##### A. Metropolitan Police Department

1. Developing and implementing major programs and policies relating to the functions of the Metropolitan Police Department.
2. Planning and prescribing departmental policies; coordinating, directing and controlling all police programs, services, and operations of the District of Columbia.

##### B. D. C. Fire Department

1. Developing and implementing major programs and policies on fire prevention and fire suppression; planning and prescribing fire department policies; coordinating, directing, controlling all of the fire prevention and fire fighting programs, services, and operations of the District of Columbia.
2. Representing the Mayor in coordinating fire prevention and fire fighting programs, services, and facilities of the District of Columbia with those of other communities in the Washington Metropolitan Area, and with the Federal Government,

##### C. Office of Civil Defense

1. Developing and implementing policies, plans, and programs for providing civil defense and major disaster protective and relief measures within the District of Columbia.
2. Coordinating District of Columbia civil defense and major disaster plans and programs within the District Government and with the plans and programs of the Federal Government, and with State and local jurisdictions.

3. Representing the Mayor on matters pertaining to civil defense and major disasters with Federal and State civil defense agencies, the Military District of Washington, private enterprise, public groups, firms, and individuals.

In carrying out the above duties and responsibilities, incumbent directs an organization of two major departments (Police and Fire) and the Office of Civil Defense consisting of approximately 5,000 employees.

Maintains close personal contacts with the courts in the District of Columbia, the Office of the U. S. Attorney-General, Congressional Committees, high officials of other government agencies, and civic organizations.

PATRICK V. MURPHY, FORMER ASSISTANT DIRECTOR, OFFICE OF LAW ENFORCEMENT ASSISTANCE, U.S. DEPARTMENT OF JUSTICE

Appointed Patrolman in the New York City Police Department on December 12, 1945. Served in the Patrol Force as Patrolman, Sergeant, and Lieutenant, as well as in the Emergency Service Division.

From 1952-61, Instructor and Training Officer, New York City Police Academy. Instructor in Police Science, College of the City of New York.

Under the direction of Commissioner Michael J. Murphy, organized the Police Commissioner's Inspection Squad in May of 1951 and served as Commanding Officer until January 1963 when promoted to the rank of Deputy Inspector.

From January 1963 until June 1964, while on leave of absence from the New York City Police Department, served as Chief of Police of Syracuse, New York; reorganized the Department by establishing an Organized Crime Division, an Intelligence Section, and a Community Relations Section, as well as a Citizens Scholarship Fund for higher education of policemen.

In June 1964, returned to the New York City Police Department as Commanding officer of the Police Academy at the time of the opening of its new \$10 million building on East 20th Street, Manhattan, and was promoted to the rank of Deputy Chief Inspector.

Appointed to present position on November 15, 1965.

Possesses a Bachelor of Arts Degree from St. John's University, Brooklyn, and a Master of Public Administration Degree from the City College of New York, major: Police Science; thesis: Police Employee Organizations. Elected to membership in Beta Gamma Sigma, national honor fraternity of colleges of business administration.

Graduate of the National Law Enforcement Academy, Federal Bureau of Investigation.

Charter member, past president, and member of the Board of Governors of the Academy of Police Science. Member of the American Society of Public Administration. Past Chairman of the Education and Training Committee of the International Association of Chiefs of Police, Inc.

Member of the Board of Directors and Co-chairman of the Police Community Relations Committee, National Conference of Christians and Jews, Manhattan Region.

Former Dean of Administration and Police Science, College of Police Science, City University of New York.

Served with the U.S. Navy as an Aircraft Pilot in World War II and held the rank of Lieutenant (Senior Grade).

Married to the former Betty Cameron, eight children. Born 1920.

Appointed Director, Public Safety, December 1, 1967, District of Columbia.

Mr. SISK. Really, one of the points, Mr. Murphy, in some of my questions—and I think possibly maybe some of them should be directed to Commissioner Washington rather than to you, and so I will try not to bear on that point, but I am interested in this from the standpoint of one of the comments made by my good friend from North Carolina. As one who supported the re-organization plan, I went up and down through this pretty thoroughly, and it is my understanding that we were not delegating any authority downtown that was not heretofore delegated to the three commissioners. And so I expect or hope to have an opportunity, Mr. Chairman, in the future to explore it, just what some of the things in the re-organization plan were that may be I was unaware of.

But here again it does seem to me that in view of the fact that we had the troika situation before, if we are going back to that and again moving in another layer here of bureaucracy so to speak, then I do not think we have gained very much.

How many people do you have on your staff now, Mr. Murphy?

Mr. MURPHY. I have just one assistant and two stenographers, two clerical people.

Mr. SISK. You only have one assistant?

Mr. MURPHY. Yes, sir.

Mr. SISK. And two stenographers?

Mr. MURPHY. Yes, sir.

Mr. SISK. Do you contemplate any additional people on your own staff?

Mr. MURPHY. No, sir.

Mr. SISK. Let me say this, Mr. Murphy, with reference to some of the questions that have been asked. Of course, my concern is—and I do not like to use hearsay, but in spite of some reassurances this morning, I am concerned about—the morale of the police department, and maybe the information I am getting is not correct. But a two-headed situation does not usually work out very well. We know this from experience, and I am sure from your many years of experience that you know that.

In the final analysis, is Chief Layton going to run the police department? Is he actually the head of the police department? Does he control the police department so far as its operations in the city of Washington?

Mr. MURPHY. Yes, sir; he does.

Mr. SISK. Well, now, you mentioned the fact about giving directions or being called out to particular places or giving orders, issuing orders.

It seems to me that this could lead to some problems, could it not, if these men are working under Chief Layton and they are responsible to him and he is their final authority? I just can't see how you will successfully operate and particularly maintain much morale if you tend to go over his head or around him at any time in issuing orders. It would seem to me that your only contact with the police department should be with the Chief. I just do not quite see how you are going to go directly to the men or to handle promotions, elevate individuals within the department, separate and apart from the Chief, and still say that the Chief is operating the police department. This, to me, is the whole guts of some of the problems we are confronted with here, Mr. Murphy.

Mr. MURPHY. Yes, sir. I do not see that I have done that. I have conferred with Chief Layton on promotions and intend to confer with Chief Layton on policy, and I intend that Chief Layton will run the police department, and that he will run it to my satisfaction. I am responsible for the police department, Congressman, as I understand it. I think it will be a challenge to my leadership to improve morale, if it needs improving. And I hope in all modesty that I will have some success in improving morale where it needs to be improved. I hope that I can provide good leadership to our Fire Department and our Office of Civil Defense as well as to our Police Department.

To be very honest with you, sir, I do not see a conflict in the kind of relationship which now exists.

Mr. SISK. Well, Mr. Chairman, I see my five minutes are up.

The CHAIRMAN. Go ahead.

Mr. SISK. Just let me conclude, Mr. Murphy, by saying I am very happy we have had the opportunity to have you here this morning to discuss what I think are some very serious problems. I am sure you are aware of the constitutional responsibility of the Congress with respect to the District of Columbia. And as far as I am concerned when I voted for the re-organization I did not vote to give up any of the constitutional authority which we have.

Mr. MURPHY. Yes, sir.

Mr. SISK. Certainly we are going to be concerned about the safety of the city. And as I say, I hope that in the future we do not try these things in the newspapers. I have not heard you indicate it, but it would seem to me that your talking to newspapers before you talk to some other people earlier here got you off on a bit of the wrong foot, if I can just be blunt about it, because I think you will have to agree with me. This is not how to get along with and influence people to try cases in the newspaper. And I think this is one of the things that caused a lot of the concern among people here in Washington, particularly the incident which was mentioned by my good friend from North Carolina. Instead of talking to the press, you should have been talking to the Chief, at least I believe that is what you should have been doing. And I would hope in the future that we can avoid some of this newspaper, this trial by newspaper, before we get to the facts of the case.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. Sisk, you, I know have always expressed a great interest in the Police Department and the D.C. Government in general. If you have some more important questions you want to ask, please continue.

Mr. SISK. I think I will not take more time now, Mr. Chairman because there are too many members waiting.

The CHAIRMAN. Mr. Horton.

Mr. HORTON. Mr. Murphy, your new position as Safety Director is, of course, a new position in the government of the City of Washington. I am sure that it is authorized by Re-organization Plan #3 of 1967. I do not know that there was any amplification when the Re-organization Act was before the Congress with regard to this specific function. I am familiar with the function of the Commissioner of Public Safety because in the City of Rochester we have this setup. I served on the Rochester Council, and I am familiar with the manner in which it is operated there. I am sure you are familiar with the City of Rochester and the setup there. Because Washington never has had a position similar to Safety Director, a hearing such as this is probably a very good thing for public information.

What other departments or agencies are under your authority as the Commissioner of Public Safety?

Mr. MURPHY. The Fire Department and the Office of Civil Defense.

Mr. HORTON. Now, do you have the same responsibilities with the others?

Mr. MURPHY. Yes, sir.

Mr. HORTON. Certainly you do not feel, do you, that you have the authority to go in and make promotions within these various departments. This is up to the Chief of the Police or the Chief of the Fire Department.

Mr. MURPHY. The authority for promotion up to certain ranks has been assigned within the department; above certain ranks has required action by the Commissioner in the past, I understand. I would certainly be concerned about promotions and will discuss them with the Chief of the Police Department, Fire Department, and it is my hope that we will always be in agreement on every promotion that is made.

Mr. HORTON. Who would remove the Chief of Police under the present setup? Would it be done by Commissioner Washington or would it be done by the Commissioner of Public Safety?

Mr. MURPHY. I am not certain of that answer. I assume the Commissioner, Commissioner Washington.

Mr. HORTON. Would you make recommendations with regard to removal or replacement of a Fire Chief or Police Chief, or have you gone into that at all?

Mr. MURPHY. I would certainly make recommendations if I felt removal of either of the incumbents was appropriate; yes, I would recommend.

Mr. HORTON. Have you made any such recommendation?

Mr. MURPHY. No, sir; I have not made such recommendation.

Mr. HORTON. Well, now, part of your duties, too, would be to find out how these various departments function.

What have you done in this connection?

Mr. MURPHY. I have been trying to meet with many people in all three organizations at every level and in every branch of the organizations. They are very large agencies. There are close to three thousand people in the police department in many, many units. And I have been visiting those units and talking with people at various levels in those units trying to familiarize myself with all of the functions and policies and the procedures. There is just so much for me to learn, and it has been keeping me very busy trying to become as familiar as possible as soon as possible with the operation of the agencies.

Mr. HORTON. I have seen different Commissioners of Public Safety in the City of Rochester, and I have seen them in other places. Is it not true, also, that some of these commissioners are more aggressive than others?

Mr. MURPHY. Yes, sir.

Mr. HORTON. And a great deal of the manner in which the office is operated depends on the individual.

Mr. MURPHY. Yes, sir.

Mr. HORTON. Now, what type of individual are you with regard to aggressiveness, with regard to the day-to-day routine operation of the police department? In other words, what is your philosophy of how to run this office?

Mr. MURPHY. I like not to think of myself as being aggressive, but strong, I hope. I think that is what is appropriate for someone with this grave responsibility, and I see it as a grave responsibility, because this is our nation's capital. This is where our Congress does business and our President resides. And I feel I must be strong and firm and fair. I believe that the morale and the discipline of the police department, especially, but the fire department as well, are very important considerations. And I think the way a police department has good morale is by having strong leadership and strong discipline. It is my hope that where there is any room for improvement in this regard, in either leadership or discipline, that I will be equal to the task and can provide that improvement.

Mr. HORTON. Well, I am sure your personality and the manner in which you operate have not changed. In other words, you are not a different person now than what you have been throughout your career, and I am sure that Mayor Washington must have taken some of these into consideration when he came to the point of selecting you or

thinking in terms of having you take on the responsibilities, but did he at any time talk with you and express to you his view on how you should conduct this office?

Mr. MURPHY. We had a discussion about the functions and what my role would be, and he did ask me questions about my philosophy concerning police operations and law enforcement. While Commissioner Washington served in New York City he had a large police department under him, and he described to me his familiarity with the operations of that agency. I explained this view, that I felt as a Director of Public Safety one of my functions would be to provide the leadership and control and policy for all three agencies. And he expressed the view that he wanted someone who would be fair but firm because of the importance of these functions in the District government.

Mr. HORTON. If you found a police chief was not in tune with your philosophy and not able to carry out the program as you envisioned it, would it be your feeling that you would have to recommend the removal of the chief to Commissioner Washington?

Mr. MURPHY. Congressman, I feel that if unfortunately a point were ever reached where I was of the opinion that I could not work harmoniously with either Chief or the Director of the Office of Civil Defense that I would present my case to Commissioner Washington and explain that and urge that he decide whether he wanted the Chief to remain or me. I would decide not to stay if I felt I could not work harmoniously with a chief whom the Commissioner was satisfied with. But I would state my case and leave it to the Commissioner to resolve that matter.

Mr. HORTON. I said earlier, that it seems to me we are going through some growing pains and I am sure you will admit that there have been some problems—

Mr. MURPHY. Yes, sir.

Mr. HORTON.—in the growing process. What is your analysis at the present time of the relationship between your office and the police department?

Mr. MURPHY. Excellent.

Mr. HORTON. Thank you.

The CHAIRMAN. Mr. Diggs.

Mr. DIGGS. Mr. Murphy, what is the present machinery for processing citizens' complaints, and do you propose any overhaul of this machinery or any changes in this machinery?

Mr. MURPHY. At present, Congressman, the citizens may present a complaint either to the police department or to the Human Relations Office of the city government, or to someone in the District Building. And these matters can be investigated by the police department.

Commissioner Washington has expressed his strong belief in the police department investigating these matters. However, if a citizen chooses to make a complaint outside of the department to another part of the District government a matter could be investigated in that way.

It has been my experience in the short time that I have been in the office that the investigation of citizen complaints within the police department, specifically in the Internal Affairs Division, has been very thorough and fair and yet we will continue to review the process.

Mr. DIGGS. I have no more questions, Mr. Chairman.

The CHAIRMAN. Mr. Broyhill.

Mr. BROYHILL. Mr. Murphy, you nodded your head when you were asked a question as to whether or not you are familiar with the police commissioner system that was used in Rochester, New York. You are familiar with that?

Mr. MURPHY. It is a public safety—the last I heard of it, Congressman, the gentleman, the former Special Agent of the Federal Bureau of Investigation, had under him more than the three agencies that I have. I believe he had approximately five or six functions, one of which was the police department.

Mr. BROYHILL. The implication was made here that the system in Rochester is so effective and efficient—but that did not stop the riots that occurred in Rochester.

Mr. MURPHY. I did not mean to imply, Congressman, that I believe the system is effective or efficient. I meant to imply that I am somewhat familiar with the system.

Mr. BROYHILL. We are just using as an example other cities that have a commissioner system. Therefore, it does not necessarily follow that such a system is good because another city has it, nor does it mean that a police commissioner system is necessarily effective either.

Mr. MURPHY. I agree with you, Congressman, that there is nothing magic about any of these kinds of organizational structures. I think the ability of the leadership is more important but there are various kinds of organizational structure.

Mr. BROYHILL. I hope you will be more successful here than Rochester has been.

Mr. HORTON. Will the gentleman yield?

Mr. BROYHILL. No, I will not yield.

Mr. HORTON. I do not think you have to start talking about Rochester. That city is not on trial here. I do not think you have any business bringing it up. I was merely asking a question.

Mr. BROYHILL. Mr. Chairman, I have refused to yield.

Mr. HORTON. I think you better leave that alone. If you want to talk about that—

Mr. BROYHILL. I have refused to yield, Mr. Chairman.

Mr. HORTON. I do not care whether you have yielded or not. You are not going to talk about Rochester while I am sitting here.

Mr. BROYHILL. Mr. Murphy, I was delighted to hear that you have great confidence in the D.C. police department, that you feel we have a good police department, and that you strongly support Chief Layton. I think all of us were delighted to hear it, and I think everybody in the community is also delighted to hear it. I regret that it was necessary for that statement to be made and repeated several times here for emphasis this morning. It should be taken for granted that you do support our Chief of Police and that you feel that we have a good police department.

If you feel we have a good police department, what major changes are going to be made? Are there growing pains here in Washington? I heard that mentioned a moment ago.

Mr. MURPHY. I think there is much room for improvement, Congressman. I do not know of any police department in the United States that could be considered ideal or even close to perfect.

For instance, one of the things that I feel needs desperately to be done and soon, is to standardize policy in our precincts. Policy varies

considerably from precinct to precinct. And I am confident that Chief Layton agrees with me that there is work to be done here. Chief Layton has been very hard at work through this re-organization process, which is a major undertaking. There is much more to be done, it seems to me, in going further now, and I am hopeful that we will be able to standardize policies more. There is need for training and planning.

Mr. BROYHILL. Now, these are organizational needs. As far as the quality of the police department is concerned, do you feel that the quality of the men, the membership, is good?

Mr. MURPHY. Congressman, I feel it is good. I would hope that we can increase salaries and thereby further improve the quality of the personnel we can attract to the Department. I think it is a factor in every police department in this nation that the salary offered for police officers somewhat influences the quality of candidates.

My view of a police officer, Mr. Congressman, I am afraid is a view that is not widely shared. I believe that every police officer should be a true professional. I believe that every police officer should have a college degree because of the difficult problems our society places upon the shoulders of that police officer. He is asked every day to deal with the challenging problems of human behavior. We do not pay him enough, train him enough, educate him enough or support him enough for the difficult task this society asks him to take.

Mr. BROYHILL. I think every member of the Committee agrees with that, Mr. Murphy. I think it was indicated last week when we reported a pay bill that was somewhat more liberal than had been recommended by the District government.

Do you feel that the community of the District of Columbia, the citizens of the District of Columbia, have the same feeling toward the police department that you have?

Mr. MURPHY. As I expressed earlier, Congressman, I fear that my own view of the great importance of every policeman and the need for him being a truly professional person is not widely understood. I think part of the lack of support for our police officers is related to many misconceptions our citizens have about what a police officer is.

Mr. BROYHILL. Do you feel then that the citizens of the District of Columbia are supporting our police department as they should? I do not want to put words in your mouth, but my question was in that direction.

Mr. MURPHY. Financially, I would prefer if we could support—

Mr. BROYHILL. Well, by "support" I mean do they have respect for our police department, and do they want to help the police department to maintain law and order? Do you feel that they have that feeling toward our police department?

Mr. MURPHY. I think, Congressman, it is very difficult to generalize about that, because I think people in various neighborhoods of any city have a different view of police officers.

For instance, people who are affluent do not depend on the police department the way poor people do. People who can afford to call a doctor, if there is sickness in the home, do not call a police officer to ask for medical assistance. People who have automobiles and friends and employees, if they have some family problem, can perhaps resolve that problem with their own resources. Other people who are less fortunate must depend upon a police officer to assist them. And I

am sure that there are many people who, because of the close and unfortunately sometimes abrasive contact they have with police officers, view them differently than people whom they think of as their public servants.

Mr. BROYHILL. More often than not—I make this as a question, not as a statement—more often than not, the charges then that some people make toward the police department such as police brutality, are made in ignorance?

Mr. MURPHY. Oh, definitely.

Mr. BROYHILL. Ignorance, that is, on the part of the citizens?

Mr. MURPHY. When a police officer is required to use necessary force in making an arrest, frequently citizens who do not understand the process think this is police brutality. Unfortunately, there are just gross misunderstandings of what a police officer must do in protecting citizens. And so we receive many complaints that are labeled brutality or police misconduct which when the facts are looked at turn out not to be anything like that.

Mr. BROYHILL. How about the need for additional prosecutors? Do you feel we have enough in the Corporation Counsel's Office at present or properly support the police department?

Mr. MURPHY. I really cannot say, Congressman, that I am familiar enough with that specific issue. I am concerned about log jams in the criminal justice process after the cases leave the police department. The process is, unfortunately, slow. I would hope it could be expedited.

Mr. BROYHILL. One more question, Mr. Chairman. The gentleman from California mentioned the authority used to set up the office of Commissioner of Public Safety. This was one of the problems, or one of the doubts that some of us had in regard to the reorganization plan, whether we were extending greater authority to the new Commissioner to completely reorganize the District of Columbia government, which the former commissioners did not have the authority to do, and whether this authority might get into some areas, some territories that might be objectionable to the Congress. You stated in answer to a question by Mr. Sisk that you had one assistant and two stenographers.

Mr. MURPHY. Yes, sir.

Mr. BROYHILL. Now, the information I have here—and I do not want to contradict you, Mr. Murphy, but let me see if this information is wrong—is that you have two assistants and Battalion Chief Zeis—

Mr. MURPHY. Zeis.

Mr. BROYHILL. —as well as Inspector Hough, and then the police sergeant assigned to a police car for you, and a special legal counsel assigned to you, plus your stenographic staff. Is that correct?

Mr. MURPHY. No, sir. I have an assistant. I do not have a special legal counsel. It happens that the incumbent is an attorney, but he is my executive assistant. I have two stenographers. Inspector Hough, who is my aide, continues to function in the police department. Battalion Chief Zeis has other duties which he will continue to carry out. Sergeant Slater is assigned to assist me with clerical functions and in driving me when it is necessary.

Mr. BROYHILL. Well, I was not criticizing the necessity for having these people. I think the question was directed to whether or not we were piling more expenses on the operation of the District government.

Finally, Mr. Chairman, and at the risk of stressing this point too much—but this I think is one of the main reasons why a lot of us had concern as to the relationship between the Commissioner of Public Safety and the Chief of Police—I wish to refer to the recent incident in which you criticized the Chief of Police. You explained very clearly, I believe, in answer to the Chairman's question, that you are in communication with the Chief of Police and that you feel that these things should not be tried through the newspapers. But it must have been rather humiliating for the Chief when he was very severely criticized in the press for not having reported the incident of the police officers firing their guns while under the influence of alcohol that Friday night; and then immediately following that—despite your statement to Mr. Whitener that you believe in the chain of command, so to speak—you made the public announcement of a subordinate to Chief Layton without his having the courtesy or the privilege of making the announcement himself. Now, these two events following in close succession did indicate to the public that Chief Layton was being bypassed, or in effect that he was being demoted.

He would not publicly say that, of course, but it caused the public and certainly many members of this Committee to feel, Mr. Murphy, that Chief Layton was just being cast aside, or demoted into an ineffectual figurehead, and that you were going over his head in the re-organization program of the police department. And this, I am told, has affected morale somewhat. You said it has not, and I am not challenging the accuracy of your statement. But we have received reports from some members of the police department that they are quite upset about this now. Now, whether this situation has been exaggerated to us or not—it might be questionable these members are very much concerned with that impression that has been given.

Now, you stated very emphatically here this morning that you believe in the chain of command, and that Chief Layton should be properly consulted, but it certainly seems that if this announcement had been made by Chief Layton, this unfortunate situation could have been avoided.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. Fuqua.

Mr. FUQUA. Mr. Murphy, first of all, let me say that I have no question about the creation of your office, nor as to your appointment. This is something that Mayor Washington deemed appropriate, and I support him in this matter. But I have been concerned, and without sounding like a broken record, with some of the actions that have been mentioned here this morning. I think that there should be a clarification of who actually is in charge of running the day-to-day operations of the police department. Now, as I understand you to say, this is still Chief Layton.

Mr. MURPHY. Yes, sir.

Mr. FUQUA. I think one of the worst things that could happen to morale or the effectiveness of the Metropolitan Police Department is for the man on the beat not to know whom he should answer to or whom his superior is. I do not think that we should create within the police department so-called "Layton men" and so-called "Murphy men." I think this would have a great deal of serious effect on the morale of the police department.

As I understand it, Chief Layton will continue to run the operations of the Department. You will be in a policy level, consult with Chief Layton and implement certain policy decisions that you deem are appropriate for the improvement of the Department, is this correct?

Mr. MURPHY. That is correct, Congressman; yes, sir.

Mr. FUQUA. How about the internal appointments of other people, other than the rank of captain within the Department. Will Chief Layton make them?

Mr. MURPHY. Chief Layton and I will confer on them. The final authority rests with me. We will confer, and as I indicated earlier, it is my hope that we will always be completely in agreement. Should we at some time not be in complete agreement, I do think that means the Department will be disrupted. Selecting people for promotion is a very difficult process, and I suppose no two administrators have exactly the same view of things. But both Chief Layton and I have great confidence in the command structure of the Department, and there are many able men, and I am hopeful we are going to be in total agreement on selecting people for these assignments.

Mr. FUQUA. I am glad to get this clarification, because I had the feeling that maybe we were probably wasting money by continuing to have a police chief if you in effect were going to run the Department. But if we have one, I think the responsibility should rest on him, and if he is not capable of doing the job then we should get someone else. I am glad to get this clarification. Mr. Chairman, in the interest of time, I will yield back the balance of my time.

The CHAIRMAN. Mr. Winn.

Mr. WINN. Thank you, Mr. Chairman. Along the same lines of the questioning, Mr. Murphy, as Mr. Fuqua had started on, our thoughts are very much along the same line, and a little earlier you made the statement that there was considerable misunderstanding on just exactly what your duties are. And I think this is what concerns the many members of Congress, and truthfully I for one do not think you have clarified it very much here today. You have been, in my opinion, a little vague. I think I know what you are trying to say, and it may be too technical timewise for you to break it down, but I do not honestly in my own opinion feel that you clarified it too much. And I agree with Mr. Fuqua again that you and Commissioner Washington are going to have to clarify your job more directly so that the members of the police department and the members of this Committee and certainly the members that you would be working with from time to time understand it, because I very honestly feel that unless that clarification is made, you are going to have some more flare-ups similar to what happened in the incident of the four patrolmen. That was not the best operation I ever saw of trying to smooth out a system of police work, the way that this was handled.

So the members are trying to say that the sooner you get the job lined out step-by-step and who is in charge of what, the sooner the better off you are going to be.

Do you get into recruiting and the filling of quotas as far as the police department is concerned?

Mr. MURPHY. Recruiting?

Mr. WINN. Recruiting.

Mr. MURPHY. Yes, sir. That is a police department function that I am very concerned about. Mr. Fletcher, the assistant to the Cor-

missioner, and Commissioner Washington are both very concerned about this. We have had meetings with Chief Layton and members of his staff, and we are trying to do all that we possibly can to fill the existing vacancies in the Department.

Mr. WINN. Do you think this pay raise that Congress has been talking about will help fill the quotas?

Mr. MURPHY. Yes, sir.

I think it will be very helpful.

Mr. WINN. Do you think that some of that money might possibly be spent instead of for the same men—and this is not my opinion; I am just asking a question—instead of for the same men or the same numbers of men, for half again as many men or twice as many men on the police force?

Mr. MURPHY. Well, our goal now, Congressman, is to fill the vacancies. I am sure you are aware the monies, as it has been explained to me, that are available from these existing vacancies have been used to permit the use of our police officers working overtime at time and a half. Our goal now is to try to bring the Department up to full strength so that we would have—

Mr. WINN. Cut down on the overtime?

Mr. MURPHY. Yes, and that we would have all of the men we need. If the city had any kind of an emergency, it would be just that many men we would lack, so we would hope that we could fill all existing vacancies.

Mr. WINN. Thank you very much.

That is all, Mr. Chairman.

The CHAIRMAN. Mr. Adams.

Mr. ADAMS. Thank you, Mr. Chairman. I appreciate the opportunity which Mr. Murphy has had to explain his operation. And I would first like to state, Mr. Murphy, that as a Congressman and as a member of the Committee and as a person who lives in the District I am very glad that you are here, and I particularly appreciated your statement indicating that we do have a good police department, and I agree with your assessment of the officers. The uniforms are good; they are courteous. I know certainly my relationships with them have been excellent. But it is true, is it not, that we are short between 200 and 300 men perpetually in this Department? And that is one of the things that you are here to try to help correct, is it not?

Mr. MURPHY. Yes, sir. We have reduced that somewhat. We are down to less than 200 now.

Mr. ADAMS. I am pleased to hear that. Second, I agree completely with your analysis of the fact that what we are looking for is a truly professional police department, and to be truly professional it means we have to pay additional money. And I take it that you agree that we should try also to provide for the men incentives, loans and scholarships to assist the men that are presently on the Department to obtain additional education, is that not correct?

Mr. MURPHY. Yes, sir. I believe strongly in that.

Mr. ADAMS. And I gather that by your new policies, you are indicating you are trying to assist the officers, both with education and, I hope, with in-training programs to learn to handle, for example, the new guidelines that came out under the bill that was passed by this Committee.

Mr. MURPHY. Yes, sir.

Mr. ADAMS. And that takes time and money and people, does it not?

Mr. MURPHY. Yes, sir.

Mr. ADAMS. And somebody to set up that program.

Mr. MURPHY. Yes, sir.

Mr. ADAMS. And that is part of your responsibility.

Mr. MURPHY. Yes, sir.

Mr. ADAMS. Now, I have looked at your job description here, and I would—again I agree with Mr. Fuqua and some of the others that we may want to talk to Mayor Washington about this, but it seems to me that you have a function that could have been carried out by the three commissioners. I mean Commissioner Washington has a function which could have been carried out by three commissioners so far as their power was concerned, is that not correct? In other words, the commissioners had the power to work with this police department in terms of policy and in terms of working with the Chief and so on, if they had had the time and so on to carry this out.

Mr. MURPHY. That has been my understanding, Congressman.

Mr. ADAMS. That is my understanding of it, too. And that Commissioner Washington is trying to solve the problems we have and all cities have with a police department by putting you in to work on this in addition to what Chief Layton has been doing, is that not correct?

Mr. MURPHY. That is my understanding, Congressman.

Mr. ADAMS. Right. Now, a lot has been brought out about what relationship you may have with Chief Layton or not have, and so on, but you also are spending some time with the courts, as I understand it, in trying to both arrange scheduling and talk about the felony backlog that we have here, and so on, is that not correct?

Mr. MURPHY. Yes, Congressman. I have not been able to give it as much time as I would like, but I look forward to spending more time on that problem.

Mr. ADAMS. And one of the problems that has existed in the past is that Chief Layton has not had time with the operation and the other things to do this. There just physically has not been time, has there?

Mr. MURPHY. The responsibilities of a Chief of Police are overwhelming in my experience, very time-consuming.

Mr. ADAMS. That is what I understand. Now, you also came to this office after being Assistant Director of the Office of Law Enforcement Assistance for the United States, is that not correct?

Mr. MURPHY. Yes, sir.

Mr. ADAMS. And in that job, you have dealt with police departments throughout the entire nation.

Mr. MURPHY. That is correct, Congressman.

Mr. ADAMS. And so what you are trying to bring to the Department here is experience in things you have learned in working with the other Nations' police departments to establish a professional force which I understand all the members of the International Association of Chiefs of Police are concerned with. This involves what to do with the Metropolitan Police Department, not in terms of criticism of the past but in terms of solving the multiplying problems of today, is that not correct?

Mr. MURPHY. That is correct.

Mr. ADAMS. And so there is bound to be, I think as Mr. Horton pointed out—as you are trying to meet these new problems, there are going to be times when there are going to be some disagreements not because you are mad at anybody or anybody is mad at you, but you are trying to straighten these troubles out as they come along. And there will probably be some more of them, will there not?

Mr. MURPHY. I expect so, Congressman.

Mr. ADAMS. I expect so, too. Now, you are a graduate of the National Law Enforcement Academy of the Federal Bureau of Investigation, are you not?

Mr. MURPHY. That is correct.

Mr. ADAMS. And you have been involved in law enforcement since 1945—

Mr. MURPHY. That is correct.

Mr. ADAMS.—as an officer, as a Lieutenant, and then in various parts of administration.

Mr. MURPHY. Yes, sir.

Mr. ADAMS. All right. Now, in terms of the past and the promotions that you brought out a little earlier here, the selection process has always involved oral examinations, has it not?

Mr. MURPHY. There has always been a board for promotions up to the rank of captain. I am not—

Mr. ADAMS. And above that it has been done as you have done it.

Mr. MURPHY. Based on recommendations from within the Department to the Commissioner.

Mr. ADAMS. Right. And that the ones below that, at least according to the report of the International Association of Chiefs of Police, that is reported in the D.C. Crime Commission, evaluations of experience and fitness is weighted 60 percent and the written examination, 40 percent.

Mr. MURPHY. That was adjusted in the recent examination schedule.

Mr. ADAMS. Right. In other words, you are moving more toward the written examination so it is not as was previously indicated that you have been trying to change the rules on written examinations and get something else—I do not know what else.

Mr. MURPHY. No.

Mr. ADAMS. But you have really gone more toward written.

Mr. MURPHY. Yes. I support going further in that direction.

Mr. ADAMS. And as I understand it, you are also attempting to reduce—and this is part of Chief Layton's program, and I was pleased that your remarks indicated the immense amount he has done, because he has been doing this—you are trying to reduce time for promotion to sergeant from five years to three years.

Mr. MURPHY. That is correct.

Mr. ADAMS. So the men have got a chance to go up.

Mr. MURPHY. That is correct.

Mr. ADAMS. But even with that a man that is on the beat has about one chance in ten of becoming a sergeant.

Mr. MURPHY. Yes. The odds are very low.

Mr. ADAMS. Has my time run out, Mr. Chairman?

The CHAIRMAN. I believe you want the other men to have a little chance.

Mr. ADAMS. Yes.

The CHAIRMAN. Mr. Gude.

Mr. GUDE. Thank you, Mr. Chairman. In line with Mr. Adam's questions about the examinations, Mr. Murphy, you said these oral examinations help the glib tongue. Is there not some concern among police officers and policemen that a person who is very adept at doing written examinations would have the advantage, but the oral exam lends balance.

Mr. MURPHY. Yes.

I think especially for high level positions, Congressman, the benefit of evaluations of experienced and distinguished police administrators from other large cities is helpful.

Mr. GUDE. Being able to actually talk with the candidates rather than just look at what he is able to put down on paper is important.

Mr. MURPHY. Yes, I believe so.

Mr. GUDE. I certainly do not want to take any more time, Mr. Chairman. Certainly it is common knowledge we have got to strengthen the police departments in all our big cities. I do not think Mr. Murphy's appointment was a reflection on the quality of our police department here in Washington or on Chief Layton. It is just a problem all over the country, and it is a question of quantity. As Mr. Adams has pointed out, we are below strength in every big police department, and we want to get on with the work. And I hope we do not harass you too much, Mr. Murphy, and Mr. Layton. Thank you.

Mr. MURPHY. Thank you.

The CHAIRMAN. Mr. Jacobs.

Mr. JACOBS. Mr. Murphy, reference was made a few moments or two ago to Rochester, New York, the fact that they have a kind of police commissioner system there that did not stop any riots. They also have local democracy in Rochester, do they not?

Mr. MURPHY. Yes, sir.

Mr. JACOBS. The people get to vote for their government, their own government, in local affairs. Well, a fellow opposed to local democracy, possibly could say that did not help in the recent riots in Rochester, and that might be an argument against local democracy, is that not correct?

Mr. BROYHILL. There you go.

Mr. JACOBS. Maybe you do not want to answer that question. This whole controversy about chain of command immediately reminded me of a controversy that took place just a few years ago in the Army. I believe—

The CHAIRMAN. We do not consider ourselves having a controversy, Mr. Jacobs.

Mr. JACOBS. Oh, I know there is no controversy. I beg your pardon, Mr. Chairman—this dialogue—

The CHAIRMAN. All we want to do is get some information.

Mr. JACOBS. Right. I did not mean controversy, Mr. Chairman. I mean difference of opinion.

It was called muzzling the military. And I recall that a cartoon appeared in the press—the idea was that the civilian executive was muzzling the military commander under him by supervising his activities. And I recall a cartoon showed a private writing on the wall, "The General is a jerk." And the General was coming after him, and the private said, "Ah, ah, ah, do not muzzle the military."

So rather than talking about what your relationship is with Chief Layton and whether you are looking over his shoulder, I want to

ask you this question. Supposing Chief Layton disapproved of some activity of a captain or an inspector under him. Would he not be the boss to supervise and correct the activities of his subordinates?

Mr. MURPHY. Yes, he would.

Mr. JACOBS. Just as, in fact, you are the boss of the police department under our government here in Washington, and Chief Layton is, in fact, your subordinate, is that not correct?

Mr. MURPHY. That is correct, Congressman.

Mr. JACOBS. And you, as I understand it, are Commissioner Washington's subordinate.

Mr. MURPHY. That is right.

Mr. JACOBS. That is what is known as chain of command. Now, in Rochester, New York, the ultimate boss then is the people, the citizens of that community, right?

Mr. MURPHY. Yes, sir.

Mr. JACOBS. Now, as far as the Congress is concerned and the Legislative authority of the Federal Government is concerned, the boss of the police department of Washington, D.C. by definition, is any American who does not live here, is that not right?

Mr. MURPHY. In a sense.

Mr. JACOBS. That is about it, is it not? So really we are just talking about normal chain of command. The Congress and the President, the Executive, are the boss of this community until home rule should be realized. Mayor Washington or Commissioner Washington is the next in command, and he has responsibility for the government, all functions of government. And then like the President's Cabinet, as to the idea of defense, which is essentially what the police department is, fire, civil defense, and the police, you are the boss of them subject to the chain of command of the Commissioner, is that correct?

Mr. MURPHY. That is correct.

Mr. JACOBS. All right. I just want to say one final thing. Speaking as a former police officer myself, I admire you, sir, and I congratulate you on the job you have done in this community. I think you are one of the best things that has happened to this police department in ten years. (Applause).

The CHAIRMAN. Mr. Steiger.

Mr. STEIGER. Thank you, Mr. Chairman. Mr. Murphy, is it illegal under the existing statutes for people to camp on public grounds within the District?

Mr. MURPHY. I am not familiar with that statute, Congressman.

Mr. STEIGER. If there is a statute on the books that does prohibit this, will you enforce that statute particularly with regard to the upcoming announced demonstration of Martin Luther King and his followers?

Mr. MURPHY. I will enforce every statute to the best of the ability of the police department, Congressman.

Mr. STEIGER. It has been suggested that the demonstration is to be met with a flexible response in regard to the enforcement of the statute. Recognizing the pressures that you will undoubtedly be under to permit the camping, have you considered and/or discussed with Commissioner Washington and Chief Layton what action you will take with regard to that?

Mr. MURPHY. I thoroughly agree with the statement of Chief Layton reported in the press yesterday that the police department in dealing with these difficult, large, complex problems must be flexible.

We must enforce the law, and we shall enforce the law to the best of our ability. This still may require some flexibility. And I think Chief Layton takes a very enlightened view of the approach any large city police department must take to large-scale demonstrations these days.

Mr. STEIGER. Do you consider it a potentially dangerous situation?

Mr. MURPHY. I am confident we will prevent disorder, Congressman, but we will be prepared for any eventuality.

Mr. STEIGER. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Walker.

Mr. WALKER. Mr. Chairman, I think Mr. Murphy has made an excellent witness, and I know that the members would be happy to know that I don't have any questions.

The CHAIRMAN. Well, the only question I have now is the \$64-question, and that is, are we prepared to take care of this rumored demonstration or riot coming up in April. Do you think you and the Chief, the Commissioner and the President, have made sufficient preparations to take care of the Government, and visitors to the Capitol, and people who make their homes here? There was only one reason for the creation of the City of Washington, and that was to take care of the seat of our Government, to protect the Congress, and prevent any violence to it and to the public and to the employees of the Government.

Mr. MURPHY. Mr. Chairman, we have been working very hard day and night on this problem, not only with the agencies under me but with the National Guard, Department of Justice, Military. We are prepared to handle it, and think that is what our responsibility is, to be prepared. And we are confident—we are stepping up our planning and training to be prepared for whatever may come. But we are working as hard as we know how at preventing any kind of disorder.

Mr. WHITENER. Mr. Chairman, would you yield to me a minute?

The CHAIRMAN. I was here after World War I when veterans camped out here on the Mall, and the President and the Commissioners called out the Calvary. General MacArthur and his troops rode into these camps and moved them out. I was just wondering if you would do the same thing here when certain people decide to camp on Government property, or if that is the wrong thing to do.

Mr. MURPHY. I think once again, Mr. Chairman, the view expressed by Chief Layton about flexibility makes much sense these days. We must enforce the law when it is violated. In enforcing the law, it is our hope that we can do it without violence. If it becomes necessary to make arrests, we shall make arrests. But we hope that we can do it without violence.

The CHAIRMAN. Thank you.

Mr. Whitener.

Mr. WHITENER. Mr. Murphy. I am astounded at your answer here to the Chairman that you have discussed it, that you feel like you are able to meet a situation in which you tell Mr. Steiger that you have not even bothered to look at the statutes to see what authority you have, or what offenses there might be. It would seem to me now—I do not know whether you are a lawyer or not, but as a prosecutor, I always looked to the statutes first before I started talking about what I was going to do later.

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.

Mr. WHITENER. And I might say my subcommittee has worked on it and brought out pretty good crime laws which some of my friends did not support.

Mr. ADAMS. I might reply, Mr. Chairman, that you will find that we did.

The CHAIRMAN. On behalf of the Committee, I want to thank you, Mr. Murphy, for coming down here and making yourself accessible to all these questions. I want you to know that we want to cooperate with you, if possible, but we just want to know where you are going. I think you have given us a pretty good explanation this morning of your position in connection with Chief Layton. I think that was the main problem, as to how your position fits in with the Chief of Police. We appreciate your taking time to come down and answer all the questions that have been asked this morning. I know some had more questions that they wanted to ask, but we only had a certain length of time in which to do it.

I, for one, wanted you to know that we will cooperate with you and Chief Layton in every way to make this a safe city.

Mr. MURPHY. Thank you.

The CHAIRMAN. Thank you very much. Some pertinent newspaper comments and letter from the policemen's association will be included in the record at this point.

(The matters referred to follow:)

[The Evening Star, Feb. 7, 1968]

#### MURPHY CURBS POWERS OF LAYTON, NAMES AIDE

(By John Fialka, Star Staff Writer)

District Safety Director Patrick V. Murphy announced yesterday he will be making most of the policy decisions in the Metropolitan Police Department, bypassing Chief John B. Layton in that capacity.

Murphy also named Deputy Chief Jerry V. Wilson to head the Field Operations Bureau, which handles the largest segment of day-to-day police business. Wilson will become an assistant chief, replacing Assistant Chief Howard V. Covell.

Covell, who is scheduled to retire in September, will remain with the department in his other role, as executive officer.

#### MEETS WITH OFFICIALS

After a closed meeting with most of the department's high officials yesterday, Murphy said he will be spending most of his time actively managing police matters in his office at headquarters.

"Obviously, I will be making many of the decisions that previously were made at Chief Layton's level," Murphy said.

"Sometimes I will act through Chief Layton and sometimes I will go directly to Wilson," he added. "It will be flexible. I am a real liberal when it comes to organization charts."

Layton, who was appointed chief in December 1964, said Murphy's new role would cause him "no problems."

He praised Murphy's select of Wilson to head field operations, and said he had "high regard" for Wilson's abilities as a planner and an organizer.

Today, Murphy issued a statement about Layton's position which he said he hoped would clarify "erroneous impressions" that may have been created yesterday.

"I met with Chief Layton after the meeting last night, and we agreed that some mistakes had been made and also agreed that we want to work together. I am happy to have him as chief and he said he wants to work with me. He is the operating head of the police department."

"True," Murphy added, "I will be making most of the policy decisions. His role didn't change as a result of anything that happened yesterday . . . it changed when the director of public safety was appointed."

## MORALE CITED

Murphy said he has heard complaints about morale problems on the force since taking over his job but said he didn't think the Wilson appointment would make the problem more serious.

Murphy said Wilson's appointment was the first of a series he will make in coming weeks to build in the department "a team of top-level officials" to carry out reorganization plans.

The safety director said he will name an assistant chief in charge of the Administrative Services Bureau, a deputy chief to head the Special Operations Division and about five inspectors.

He said it is possible civilians might be named to one or more of the positions.

During the 20-minute closed meeting with Layton, Wilson and other high officers of the department, Murphy said he wanted it fully understood that from now on he would be running the department.

"I want your support, I know you can make or break me," Murphy said, according to sources at the meeting.

They said that the news of Wilson's appointment had come as a surprise to Layton, who sat stone-faced throughout Murphy's talk. He had heard of the move only shortly before the meeting.

Murphy reportedly said he would begin a general shift of personnel in an attempt to move "hotheads" out of ghetto area precincts. He also promised a shakeup in the Community Relations division, sources said.

Referring to Friday's incident involving four off-duty officers in a shooting spree, Murphy told the officers he resented not being notified immediately. "Those things that I should know I want to be called on," Murphy reportedly said.

Afterwards, he told a reporter, "This is something I have had in mind for a long time." He said his new role in running the department was not related to the shooting incident.

Wilson, an 18-year veteran of the department, will take command of units comprising most of its forces, including the following divisions: Patrol, Criminal investigation, Traffic, Youth and Special Operations. Field operations includes 2,854 of the assigned 3,384 positions in the department.

Murphy said he made the appointment of Wilson yesterday to begin phasing Covell out of his dual role before his retirement.

## APPOINTED BY LAYTON

Wilson has been director of the Planning and Development Division. Appointed by Layton, he has done much of the groundwork for the reorganization of the department as recommended by the International Association of Chiefs of Police.

He was born in Virginia and raised in Belmont, N.C. A specialist in statistics and budgeting matters, Wilson speaks with a soft, Southern accent. He joined the force in 1949 after serving in the Marine Corps.

He was transferred from the 7th Precinct to police headquarters in 1951 and served in a variety of clerical and staff functions. He was appointed a lieutenant in 1960, a captain in 1961, an inspector in 1964 and a deputy chief on December 18, 1966.

Murphy said he expected Wilson to concentrate on three areas: implementing recommendations of the D.C. Crime Commission, intensifying police-community relations efforts and instilling a feeling in subordinates that they will have strong backing from the new District government when they perform their work "professionally."

## ON FORCE 36 YEARS

Covell, 63, is a 36-year veteran of the force. He was born and reared in Baltimore. He came to Washington in 1929 to become a machinist at the Naval Gun Factory.

In 1931, he started his career as a patrolman in the 5th Precinct. He was promoted to lieutenant in 1945 and captain in 1948.

As commanding officer of the 1st Precinct, Covell cracked down on gambling and liquor clubs and gained his reputation as a tough, "gentleman cop."

He was named an inspector in August 1951 and four months later was promoted to deputy chief and named executive officer of the department, next in command under the chief.

The position, which he still holds, will be abolished when he retires, as part of the recommendations of the International Association of Chiefs of Police.

Yesterday, Murphy received a telegram from the predominantly white D.C. Police Wives Association, complaining of "his newspaper tirades" over the

Friday shooting incident and calling for "more specific guidelines" on his area of authority.

#### CRITICIZED BY BROYHILL

Rep. Joel T. Broyhill, R-Va., today criticized the "Murphyizing" of the police department and said Murphy should remember that the major enemy here is crime, not the Metropolitan Police Department.

Broyhill said Congress should look into Murphy's work and the qualifications he has developed while "city hopping from police department to police department for the past few years."

Broyhill said, "So far, he has managed to threaten just about everybody in the city except the criminal element. So far, all we have heard from Mr. Murphy is a continuous recitation about what a grand and glorious organization he is going to have just as soon as he has finished decimating the police organization and destroying the morale of those on the force."

#### SIT-IN PLANNED

Mrs. Goldie Johnson, head of the Metropolitan Police Wives Association which is predominantly Negro, said the group was "generally dissatisfied" with Murphy and announced that it would hold a sit-in at Murphy's office in the District Building at 8:30 a.m. Monday.

"We don't care if he appoints his mother, he still isn't satisfying us," complained Mrs. Johnson. She said Stokely Carmichael backed the wives' association and would also be at the sit-in.

Mrs. Johnson said the group was angry about the Friday shooting incident and wanted the four officers involved suspended. She said she has been unable to meet with Murphy.

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[Editorial from the Evening Star, Thursday, Feb. 8, 1968]

#### POLICE TROUBLE AHEAD?

In the whole strange sequence of events of the past few days in respect to the District police department, our main concern is with the problem of department morale.

The appointment of Deputy Chief Jerry V. Wilson to head field operations, with direct supervision over most of the city's uniformed police and detectives, appears to have been a good move. This job, which is second in importance below the Chief of Police, involves major responsibilities, requiring the abilities of an aggressive, intelligent, vigorous, young man. From all we can learn, Wilson fills this bill.

Chief Layton's status, however, especially in relation to Patrick V. Murphy, the new director of public safety, is by no means as clear, and it needs clarification.

Murphy, in a statement which he said was intended to clear up possible "erroneous impressions," asserts that neither Wilson's appointment nor Murphy's announced intention to play a much more active role in police operations constitutes any sudden change in Layton's role. The expansion of his own authority, Murphy said, was fully implied when he assumed his top-level post in December. He and the police chief, Murphy added, are in agreement on their respective roles.

Today's Murphy-Layton "harmony" statement tends to confirm this last comment by Murphy. We hope experience will show this to be the case, and will also give meaning to other comments in the joint statement which obviously are designed to shore up morale and reassure both policemen and the general public.

Our impression from earlier developments of the last few days was that Layton's role had changed—drastically. It looked to us—if words and if the demeanor of the principals at Murphy's conferences on Tuesday meant anything at all—as if Layton was being shunted aside. This would have been regrettable, and we welcome the assurance that it isn't so.

Which returns us to the question of morale.

There are two ways of doing things. Desirable changes can be made in a manner which need not be harmful to morale, or in a way that can disastrously impair it. And the wires of protest Murphy has received from the two police wives' associations ought to alert him that morale problems already have been worsened.

This is a delicate area, but Director Murphy had better be acutely aware of it before he speaks. The lot of the policeman in Washington is hard enough under

the best of conditions. If morale should be permitted to suffer unnecessarily, especially in the face of the police manpower shortages which already exist, this city could find itself in real trouble.

STATEMENT OF MAYOR WALTER E. WASHINGTON, FEBRUARY 8, 1968

I highly approve of the accompanying joint statement by Public Safety Director Patrick V. Murphy and Chief of Police John B. Layton.

I am delighted they have pledged a team effort to serve the city and fight the menace of crime in our community.

Unity is all important in the Police Department's job of combatting the District's appalling crime rate.

The citizens can be reassured that the job of protecting the community is in the hands of a strengthened police department, which now has the combined experience of Public Safety Director Murphy, Chief Layton and Assistant Chief Jerry V. Wilson, in his new role as head of Field Operations.

Our top law enforcement officials are together in their resolve to fight the common enemy—crime in our city.

GOVERNMENT OF THE DISTRICT OF COLUMBIA NEWS RELEASE, FEBRUARY 8, 1968

The following statement was released jointly today, by Director of Public Safety, Patrick V. Murphy, and Chief of Police John B. Layton.

The assignment of Jerry V. Wilson as Assistant Chief for Field Operations in no manner diminishes the authority and functions of the Chief of Police, John B. Layton. Chief Layton continues as the operating head of the Metropolitan Police Department.

Assistant Chief of Police Howard V. Covell continues in the number two position in the Department, Executive Officer.

Assistant Chief Wilson has filled one of the four Assistant Chief positions and will be responsible for one of the four major functions of the Department.

The Director of Public Safety, Patrick V. Murphy, is responsible for policy formulation and program development in the Police Department, as well as in the Fire Department and Office of Civil Defense, the three agencies which come under his control. The creation of the position of Director of Public Safety has strengthened and facilitated police operations by placing a representative of the Department in the Mayor's Office to speak for it on important policy questions, such as budget requests, manpower and equipment needs, salary and working conditions and other matters.

Director Murphy stated: "I repeat what I have said publicly many times since my appointment. I would not have accepted this position if I did not consider Chief Layton an able, experienced and dedicated police chief. He has been of great assistance in familiarizing me with the operations of the Police Department. We have worked closely and harmoniously in planning the efforts of the Department for the future. I look forward to a continuing fruitful working relationship, and appreciate Chief Layton's pledge of loyal support in our attempt to make this fine police department ever better."

Chief Layton stated: "I have long had great pride in the Metropolitan Police Department and the accomplishments of its members over the years. I am proud to be its Chief.

"In these times of great change I have looked forward with confidence to what I think can be greater accomplishments for our city under Mayor Washington and Deputy Mayor Fletcher as they move to reorganize and revitalize our City Government.

"In this connection, my role as operating head of the Department was made clear by Mayor Washington on the appointment of Mr. Murphy as Public Safety Director and has been reaffirmed by both Mr. Murphy and the Mayor's Office.

"I pledge to the Mayor, his Deputy, Director of Public Safety and the citizens of this community my best efforts to make this excellent Department an even better one."

POLICEMEN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA,  
*Washington, D.C., February 13, 1968.*

Hon. Mayor Commissioner WALTER E. WASHINGTON,  
*District Building, Washington, D.C.*

DEAR SIR: On behalf of the Policemen's Association of the District of Columbia, Inc., we hereby request that a meeting be arranged as soon as possible between you, Deputy Mayor Fletcher and representatives of our Association, to discuss the problems of the force, including the procedures, morale and other related matters that have arisen in the last several months.

I am enclosing herewith a copy of the feeling of the men as indicated by a recent survey of the men by this Association, which has been given to the press.

Respectfully,

CARL W. BEATTY, *President.*

[News release for immediate release, Feb. 13, 1968]

STATEMENT OF CARL W. BEATTY, PRESIDENT OF THE POLICEMEN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA, INC., AFTER A SPECIAL MEETING OF THE EXECUTIVE COMMITTEE OF THE ASSOCIATION HELD THIS MORNING

(This statement, together with the accompanying letter, was delivered to the Mayor this afternoon)

STATEMENT

The appointment of Patrick V. Murphy as Director of Public Safety of the District of Columbia was greeted by members of the Policemen's Association with optimism. There was hope that he would aid and direct the Police Department toward the attainment of higher salaries and the acquisition of better equipment, the betterment of relations between the public and the police, and that he would be the voice of the Department at the District Building and on Capitol Hill. After a meeting with the Mayor and Mr. Murphy in which the Mayor praised the Department, told that he would support it, and that each officer should walk with pride and dignity, the morale of the Department was at a high.

Recent developments have caused this morale to fall to an all-time low. It was the understanding of the Association, clarified by Mayor Washington at the meeting with the members of the Association, that Mr. Murphy would concern himself only with policy decisions of the Department, but Mr. Murphy, on the contrary, has attempted to reorganize and run the Department. He arrived here with little or no knowledge of the operation of the Department, of those standard operating procedures which have been in effect for many years. Mr. Murphy has not attempted to follow these procedures but has substituted his own.

This Association has no objection to the institution of new methods, but the present effect of Mr. Murphy's actions has been to eliminate all the effective procedures. Where once there was a well-ordered chain of command through which each problem of the force was directed, well known to every officer of the force, Mr. Murphy has circumvented it by taking it upon himself to decide the issues. It is our understanding that Mr. Murphy's position is one of policy-making and not one of deciding every case of every delinquent police officer.

The Association concurs in the appointment of Deputy Chief Wilson, since he is well-qualified and a credit to the Department. According to Mr. Murphy, Deputy Chief Wilson has been placed in charge of field operations. Mr. Murphy initially indicated that Deputy Chief Wilson would be responsible for most of the daily operations of the Department. The officers of the Department were confused as to whether Wilson had supplanted Chief Layton. Subsequently, Mr. Murphy issued a statement reiterating Layton's dominant position with the force. The men of the Department have great confidence in Chief Layton, and he has the respect of all the men. Frankly, the men are distrustful of the present state of affairs; they have heard words that Chief Layton has complete command, but no actions have yet shown that to be the case.

Furthermore, Mr. Murphy has failed to engender the confidence of the men by criticizing the Department at every opportunity. He has used the press to put forth his side of every story, and has thereby eliminated any opportunity to the opposing side to present its case, leaving that party at a strict disadvantage. As a spokesman for the Department, Mr. Murphy should not publicly ostracize the members of the Department. The cleaning of the house, if such is necessary, should take place within the confines of the Department until the appropriate

time. These have always been the procedures, and common sense and decency do not dictate otherwise.

At the meeting with the members of the Association, Mr. Murphy stated that his door was always open to any member of the Police Department. Such has just not been the case. Many attempts on many occasions to contact Mr. Murphy have been thwarted in one way or another, and Mr. Murphy has been conveniently absent from his office when the occasion so warranted.

The concern of the Association over recent events is understandably great. In short, the whole future of the Police Department is at stake. A recent survey of the members of the Association, whose membership represents ninety percent of the active policemen, indicates, that the precinct officers presently have little faith in the system, or the man supposedly in charge of it. They are bewildered because they do not know what the system represents, or whether the man they follow has the power to lead.

The Association feels that in order for the Department to act and be maintained as a strong cohesive unit, Mr. Murphy must, in the future, heed his own words, namely, that he will concern himself only with policy matters of the Department, and will leave the direction of the day-to-day operation to the Chief.

Mr. MURPHY. Thank you, Mr. Chairman.

(Whereupon, at 12:15 o'clock, p.m., the Committee adjourned, subject to call of the Chair.)





