

Mr. ABERNETHY. Mr. Murphy, before you call on the Chief to make a statement about a question that the Chairman asked you, isn't it a fact that either you or someone above you, or both of you, made the policy, and the Chief didn't have anything to do with it?

Mr. MURPHY. That is incorrect, sir.

Mr. ABERNETHY. Who made the policy?

Mr. MURPHY. Which policy?

Mr. ABERNETHY. That which you just referred to.

Mr. MURPHY. This policy about arresting the looters, sir?

Mr. ABERNETHY. About the handling of the situation in the District, the looters, the shooters, the window-breakers, the robbers, thieves, arsonists, and so on. Who made it?

Mr. MURPHY. Who made the policy?

Mr. ABERNETHY. Yes, sir.

Mr. MURPHY. Mr. Congressman, there was at the time of my taking this position a policy in the Department which I reviewed and I found very satisfactory.

Mr. ABERNETHY. In other words, this policy has some prior date before either you or Chief Layton came in?

Mr. MURPHY. I don't know about before Chief Layton. Chief Layton has been in office for—

Mr. ABERNETHY. It was before you came?

Mr. MURPHY. Yes, sir.

Mr. ABERNETHY. It was a policy that directed the police on the streets to stand by and watch the people break these windows and march out of those stores with the merchandise; is that it?

Mr. MURPHY. No, sir; that is not the policy.

Mr. ABERNETHY. That is what happened.

Mr. MURPHY. Sir, if I may explain the situation—

Mr. ABERNETHY. You were asked to explain it; no one asked the Chief to explain it.

Mr. MURPHY. I will be happy to explain that policy.

Mr. Congressman, as I attempted to make clear earlier, at any particular time there will be on the streets of the city a limited number of police officers; and when suddenly large numbers of people violate the law, somewhat spontaneously, without adequate warning to the police, it is a human impossibility for that police officer to arrest everybody who is violating the law at that particular time.

He is just overwhelmed. It is a numbers problem, sir. What a police officer must do in a situation like that is to exercise extremely good judgment, as a police officer must exercise extremely good judgment day after day in dealing with the difficult problems of human behavior.

Mr. ABERNETHY. May I interrupt you there?

Mr. MURPHY. Yes, sir.

Mr. ABERNETHY. These are dangerous people, aren't they? Or they wouldn't do these things?

Mr. MURPHY. Anyone, sir, who would break a window or loot is dangerous.

Mr. ABERNETHY. Or violate the law, throw rocks, or burn; they are dangerous people?

Mr. MURPHY. Yes, sir.

Mr. ABERNETHY. Don't they think they should be treated as dangerous people?