

I indict the society for not supporting our police officers on whom we impose this responsibility. I know of no way, I know of no law enforcement leader, including Mr. Hoover, who has ever pointed out to us how we can eliminate this area of discretion of the individual officer.

I say to you that he has a more difficult decision to make than any professional and he must make a judgment in those difficult circumstances.

Mr. WHITENER. I suppose you saw an ad which appeared in the various Washington papers entitled, "Ben Brown is Dead"?

Mr. MURPHY. Yes, sir; and it troubled me.

Mr. WHITENER. Would you agree with the statement contained in that ad as follows: "Who is at fault? Certainly, not the majority of citizens, white or Negro, certainly not the majority of the poor, Negro or white, certainly not the policeman on the beat who must obey orders."

Now, is that an accurate appraisal of this community?

Mr. MURPHY. I don't know any of us who can shift the blame from ourselves. I think Government at every level——

Mr. WHITENER. I am not shifting blame. I am just asking you if you agree that this condition was not the fault of the majority of the citizens, white and Negro, or the majority of the poor, white or Negro, and not the policeman on the beat?

Mr. MURPHY. I am not sure what condition this is referring to, sir.

Mr. WHITENER. You read this ad, didn't you?

Mr. MURPHY. Yes, sir; but I don't recall it word for word.

Mr. WHITENER. Well, I don't believe I will take the time to read it, but they ask you the question: "Where is the safety, Mr. Murphy? Where is the protection, Mr. Murphy? Where will tragedy strike next?"

I believe that the average man who had a charge like this or a question like this propounded to him after nine or ten people had been killed, that this would burn in his mind pretty deeply.

Mr. MURPHY. It does burn in my mind.

Mr. WHITENER. All right. You said you didn't remember.

Mr. MURPHY. I don't know the condition that is being referred to that the blame is asked to be put upon.

Mr. WHITENER. All right. Did you issue any statement in response to it?

Mr. MURPHY. No, sir. I met with representatives of the Liquor Dealers' Association both before and since the disorder and this tragedy and expressed our concern, and realized that it is a high hazard industry, and we will do and have done all in our power to give protection to the small businessman.

Mr. WHITENER. Well, I wonder, since you came from New York, if you are familiar with the recent Act of the Legislature there in enacting the law which is commonly referred to as the "Shoot to kill" law?

Mr. MURPHY. I know that the law was changed last year, Mr. Congressman. The circumstances under which a policeman——

Mr. WHITENER. Has it changed this year?

Mr. MURPHY. Yes, sir. It has changed back partially to where it was previously. New York, last year under its new Constitution, had developed a policy which was more restrictive. I think it would be