

Mr. HORTON. Now, you heard yesterday that the Commissioner testified that the policy that was in effect at the time of the disturbances was the policy which you had announced and which you were following.

Chief LAYTON. Yes, sir.

Mr. HORTON. Do you have any comment to make with regard to the policy, or whether or not there was any change in the policy prior to the disturbances—after the Safety Director came to Washington?

Chief LAYTON. No, sir. I have not been given any directives to change that policy, as I have stated here.

Mr. HORTON. Yesterday there was reference here to the Police Chief of Miami and his policies. Do you have any comment with regard to the seeming difference between handling disorders in Miami and the handling of the disorders that occurred here in Washington?

Chief LAYTON. Well, frankly, I only know, Mr. Horton, about the comments that were attributed to Chief Hedley in the newspaper.

As to shootings—it has been stated to our officers also that the policy that we follow in the Metropolitan Police Department is that which is set out in the law. The lawful authority is that a police officer is granted to use his service revolver, has been the same for many years, and continues to be the same.

So that during the period of the disturbance, our officers had the same legal authority that was not infringed upon in any respect. They had the same legal authority to use their revolvers in a situation that called for it, and which was justified, as they have always had.

PROSECUTION OF OFFENDERS

Mr. HORTON. One further question that has to do with the follow-up on those who were arrested. In many of the civil disturbances elsewhere there has been a delay in bringing people to justice. What is the status of the people who were arrested here, following the arrest?

Chief LAYTON. Well, I think, Mr. Horton, this is one of the areas particularly where we gain from the experience in some other city as to the numbers that frequently are necessary to handle in a situation of this kind, the tremendous numbers of defendants.

We have made plans ahead of time in cooperation with the Justice Department, the United States Attorney's office, the courts, and our own Department of Corrections. A number of meetings have been held and plans have been developed that made it possible for us to handle large numbers of arrests a good deal more expeditiously than I think was true in any other city of which I am aware.

Mr. HORTON. I would like to ask the U.S. Attorney, Mr. Bress, what has been done subsequent to the disturbances in regard to bringing those arrested to justice, and how it is determined one way or the other? Some 8,000 were arrested.

Mr. BRESS. There were approximately 1,000 felony charges of the 8,000 you referred to, Mr. Horton. I understand that about 4,000 were curfew arrests, and those persons were taken to Occoquan and released the following day with citations. But on the felony arrests, there were approximately 1,000.

I can give you figures as of the moment, as to the status of those cases. There are approximately 440 cases remaining for preliminary