

The officer in each instance must weigh—with very little time to do so—such factors as the seriousness of the offense, whether there is any way short of firing to apprehend the offender, whether the offender is an adult or a child, the possible danger to innocent bystanders if shots are fired—all as against the public danger which might result if the culprit escapes. These are not factors which lend themselves to the issuance of flat, firm policies.

The crucial point emphasized by Murphy to the House committee, and confirmed by Chief Layton, was that no policy of leniency or non-interference in regard to arsonists, looters or other lawbreakers was expressed at the time of the riots. Given the circumstances, furthermore, the police performance was quite creditable, especially in terms of total arrests made as conditions began to stabilize.

Murphy described a number of lessons learned which should further improve police effectiveness if such a crisis should arise again. The major lesson, however, was that no city police force can cope alone with a disorder of such dimensions. The real mistake made last month was the delay in bringing in massive numbers of troops as soon as the rioting broke out.

CLARK WARNS ON USE OF 'DEADLY FORCE'

By Jean M. White of the Washington Post

Attorney General Ramsey Clark warned yesterday that police orders to shoot arsonists and looters during riots can lead to "a very dangerous escalation" of the Nation's racial crisis.

His rebuke on get-tough police orders came in answer to a question on whether he approved of Chicago Mayor Richard J. Daley's directive to police to "shoot to kill" arsonists and "shoot to maim or cripple" looters in any future riots.

Clark's answer drew applause from his audience at the American Society of Newspaper Editors convention.

"I do not believe that the use of deadly force by law enforcement officers is permissible except in self-defense or when it is necessary to protect the lives of others," the Attorney General emphasized.

In Chicago yesterday, Mayor Daley defended his controversial "shoot to kill or maim" directive before the City Council. But, at the same time, he said the policy of the Chicago police department is to use only the minimum force necessary to carry out its duties.

John Dreiske, special correspondent for The Washington Post, reported from Chicago yesterday that Daley confidants, attempting to explain the Mayor's Monday outburst, say he was terribly upset at the prospect that Chicago might lose the Democratic National Convention to another city.

Daley's sensitiveness on this matter was dramatized by special orders to Chicago police to convert the International Amphitheater into a near-fortress during the violence after the assassination of the Rev. Dr. Martin Luther King Jr.

Another reason given for Daley's heated words was that the Mayor was just simply drained after six days of burning and looting on Chicago's West Side and spoke out in frustration.

A Chicago police order to use "deadly force" if necessary against arsonists has been on the books since May, 1967—nearly a year before Daley's crackdown order.

The 1967 order covers arson, attempted arson, burglary, and attempted burglary and says that "such force as necessary, including deadly force" shall be used to prevent the crime or the escape of the perpetrators. Shooting, however, is forbidden if there is a likelihood of serious injury to another person.

In his speech here yesterday before an ASNE seminar on "Conflict in the Cities," Attorney General Clark told the editors that the public should "bless our police" for the restraint and balance shown in handling the violence that broke out after the King assassination.

With trouble in 100 cities and widespread rioting in at least a dozen, Clark stressed there "were fewer deaths and less property damages in all of these than in one riot alone last year."

It was apparent that the Attorney General was using the editors' conference as a forum to plead for support of the policy to use police power cautiously and place the protection of lives above the protection of property during riots.

Restrictions on the use of deadly force were spelled out in the FBI's rewritten riot manual last fall and in 125 riot-control conferences sponsored by the Justice Department and the International Association of Police Chiefs during the winter.