

Mr. WHITENER. Will the gentleman yield for just one observation.

I do not understand this removing at will section. As I read the bill, it says the Speaker and the President pro tem may remove the Police Commissioner "for inefficiency, neglect of duty, or malfeasance in office." If those are not proper grounds for removal—and they are the only ones mentioned in the bill—I do not know what would be proper grounds.

Mr. MARGOLIUS. I might say I just saw this. I did not know what the provision was. It does list those causes.

I think the chief of any department is subject to removal for those reasons.

Mr. JACOBS. Obviously, there is no trial procedure, no appellate procedure. It would be in the judgment of the man who occupied the Speaker's chair as to whether he was inefficient.

Mr. WHITENER. It would be the judgment of both the President pro tem of the Senate and of the Speaker of the House.

Mr. GUDE. In your response to a question posed by Mr. Jacobs, you mentioned hearings presently under way concerning some shootings by the police, and I gathered that this was a reason for your support for this legislation. You referred to the fact that evidently, according to everything that you knew, certain witnesses were coming up and making false statements.

Mr. MARGOLIUS. I did not say false.

Mr. GUDE. I mean there was contradictory testimony.

I was wondering how would this change or help that situation? Very often you have trials and court proceedings where people come in and make statements which are challenged and questioned. How would this legislation help that situation where citizens come before a review board or a trial board or a court and make false statements?

I think it is very deplorable when people make false statements, particularly against a policeman who does his duty, but I was wondering how this legislation would help in that aspect.

Mr. MARGOLIUS. I can only refer to some of the comments made by these policemen. They use the word "harassment." In the community today, speaking personally, not speaking for the Association because they have not gone into this, there is tendency by the people who need to have the law enforced against them more than anybody else to downgrade and destroy the law enforcer.

Mr. GUDE. That is very deplorable.

Mr. MARGOLIUS. There is in the community today an organization known as the Black United Front which has a group of militants in it, and also has within it certain respectable people who are giving the Black United Front some degree of respectability. The Black United Front has come out with a proposal that the police precincts should be controlled by the communities of those precincts, by boards who will select or pass upon the competency of the policemen and also discipline those police; and who will elect those boards? It will be the people who choose to vote in those particular areas, and those elected boards will then control who is going to be the police, even to the point of being able to select their own captain.

The CHAIRMAN. We will be compelled to adjourn at this time. We will meet again at 10 o'clock next Monday morning.

(Whereupon, at 11:30 o'clock a.m., the committee adjourned, to reconvene at 10 o'clock a.m., Monday, July 29, 1968.)