that these problems are complex and certain to yield no useful results. I submit that the time has come for the Congress to act. Some positive and firm steps toward stamping out the crime in the District of Columbia, which is said to be a haven and a haven for the most heinous criminals, and in destroying the moral fiber of the city's youth and building better laws to deter delinquency and crime.

Mr. COOPER. Mr. Speaker, I would like to join those who are opposing the adoption of the conference report on H.R. 6686, the omnibus District of Columbia crime bill, and strongly urge the rejection or defeat.

Certainly we should be particularly careful about authorizing police procedures in the local jurisdiction for which we have special jurisdiction, the District of Columbia, for the entire country will be guided by our actions today.

My colleagues, I signed with 150 of my colleagues on March 23, 1966, opposing this bill when it first passed the House because it was so clearly unconstitutional. At that time the opponents to the bill were led on the floor of the House by our colleagues, the gentlemen from California, Mr. Van Houten, who was quite strongly opposed to the bill. The fact that members of the House having such different views on the future government structure of this city could have joined in opposing the District of Columbia crime bill shows how clearly constitutional the District of Columbia law.

Unfortunately the conference report has added a few things that are even more unconstitutional. The major defects of the bill remain. The Senate conference report was extremely reluctant to accept any part of the original District crime bill, as is shown by the fact that the conference committee has been meeting for almost three months. As Senator Breaux of Nevada, the chairman of the Senate conference, said in introducing the Senate conference report, the reason why the Senate finally accepted any part of the District crime bill is the pressure of the House conference committee. As such, we should not allow legislative jurisdiction to force us to pass a measure so clearly unconstitutional.

I do not mean to discuss a moment some particular aspects of the bill.

This is the omnibus crime bill: as they stand now—as they are signed out—would give the police powers beyond the jurisdiction of the District of Columbia which would be appropriate over this entire community of the society. As such, they could not withstand a challenge to their constitutionality. The general device which renders these proposed powers is that they have vital questions which would be a complete disruption of the police, who are responsible to the electorate, who must.

This is what could happen to a police officer in the District of Columbia if these proposals become law. A policeman comes upon a scene when the policeman suspects—with probable cause—he has committed a crime. Under title III of the bill, he questions the individual, and disposes of the answers he gets by "detecting" him and interrogates him further for 4 hours. Under this proposal the suspect is not advised of his rights to counsel, nor is he aware of that right when he is questioned. At the end of this 4 hours, still disconsolate, the police issue a search warrant and Title I of the act comes into play. Then the suspect is held without his right to counsel, and counsel is appointed if the suspect desires. The questioning, however, continues either in the presence of counsel or, if the suspects make a waiver of counsel, without such assistance. The act in effect provides no limit on the length of detention of a suspect before a preliminary hearing. The only limitations is that if a suspect waives his right to counsel it may be questioned only for a total of 4 hours after his detention. It is only when the police have decided that they have exhausted their need for detention of the suspect that they may issue to a committing magistrate so that probable cause for his arrest and detention can be proved and bail set. In effect, these provisions represent an attempt to deprive armed persons in the District of Columbia of the right to a speedy pretrial and the right to bail—both rights which are inherent in the constitutional scheme.

As an attorney and as a member of the House Judiciary Committee, I would particularly like to discuss one other aspect of this bill—the real purpose underlying the bill is to achieve a crime-free city. No, there is no way to do so by any constitutional means. The mandatory minimum sentence has been placed into the bill despite the opposition of the District Commissioners, the Chief of Police, the head of the District of Columbia Bureau of Corrections, the Justice Department, and the head of the Federal Bureau of Corrections.

These gentlemen believe as I do that such a proposal would be acting to the detriment of the District of Columbia and the interests representing the House conference committee, and the voters of the District of Columbia legislation to punish a citizen of the District of Columbia. As such, we should not allow legislative jurisdiction to force us to pass this bill, as justice unconstitutional.

My colleagues, I call upon you to reject this omnibus crime bill and to pass the 1966 crime bill which has been called the great legislation. I urge you not to blemish the record of the 89th Congress by the madcap rush of passing this legislation.

Mr. Speaker, time is limited in which to discuss this bill. I would like to add a word of caution to the Committee's version of the bill. I think that some of the proposed amendments are in complete agreement. For a bill of such importance to the lives and liberties of 600,000 persons there should be more than mere agreement. This bill is the result of the careful work of the Committee, and it is the result of the careful work of the House version of the bill, which is quite pertinent to the committee report on the bill.

Mr. Chairman, I particularly want to read the measure of the District of Columbia Committee on which the Senate version of the bill was based. The bill, which was adopted in the Senate, provided that the Senate version of the bill was quite pertinent to the conference report on the bill.

Mr. Speaker, I would like to include the minimum sentence section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill. As you know, the bill contains a section in the omnibus crime bill.

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"The bill is badly drafted, unconvincing, unworkable, vaguely stated, and inadequate for the needs of the District.

The Senate Judiciary Committee's critical review of the House bill further illustrates how unacceptable H.R. 640 is in its present form. It has been said that the Senate bill introduces a number of new and potentially serious problems. Among these are:

- The measure, which deals with the criminal law of the District of Columbia, is not sufficiently clear and definite to enable the courts to apply it consistently.
- The bill's provisions are too vague and general to enable law enforcement agencies to implement them effectively.
- The bill's constitutional provisions may be subject to challenge in court.
- The bill's provisions may be inconsistent with other federal laws and regulations.
- The bill's provisions may be subject to abuse by law enforcement agencies.

In addition, the Senate bill is much broader in scope than H.R. 640, and it would give the District of Columbia, with its population of over 900,000, the power to create a new criminal code and punish offenses that are not presently considered crimes.

The Senate bill also contains a number of provisions that are not appropriate for the District of Columbia, such as the provision for the appointment of a District Attorney, which is not necessary in a city of this size.

In conclusion, the Senate bill is a poor substitute for H.R. 640. It is not a workable, enforceable, or constitutional measure.

We urge the House to reject the Senate bill and to pass H.R. 640, as amended.

The House of Representatives is in session today, and we hope that it will act on this matter soon.
The minimum penalty for robbery is increased from six months to four years, and is increasing the maximum penalty for the theft of property of a value of a minimum of five years.

Under the bill, a person convicted of more than one of committing a crime with a gun shall be given a suspended sentence or put on probation.

Another provision is designed to eliminate minor infraction being based on a defendant's sociability or psychiatric personality. The bill does not impose such considerations on the judge.

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