

Prosecutor's Aides Would Advise Uniformed Men

Police and U.S. Attorney Seek Closer Relationship

By Alfred E. Lewis
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Top officials of the Metropolitan Police Department and the U.S. Attorney's Office are seeking ways to bring about a closer working relationship between their offices.

They say such an arrangement is necessary for the police to avoid legal pitfalls while making arrests and for the Government to get more convictions in the courts.

To bring about better cooperation, it is being suggested that an experienced Assistant U.S. Attorney be assigned to police headquarters to work with detectives on difficult cases, a procedure now in effect in New York City. It is also being suggested that other

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experienced Assistant U.S. Attorneys be assigned to the precincts for regular briefings of the uniformed force.

These suggestions came from veteran prosecutors within the Office at a meeting last week at Police Headquarters.

They and Police Chief John B. Layton have also agreed on the need to get quick trials, particularly for multiple offenders who are out on bond.

In more and more instances, the Attorney's Office has found that suspects awaiting trial have gotten out on bond to pull still more crimes. One defendant had

been arrested seven times—once in each jurisdiction in the metropolitan area—before he was tried and put away.

In the matter of arrests, Chief Layton points out that the actions of the uniformed policemen have become crucial in the eyes of the law. It is the man in the beat car or the man on the custody of the suspect, and gathers the evidence, before the specialists arrive from headquarters.

Thus the key points of whether an arrest was made for probable cause and whether evidence is admissible in court generally revolve around the decisions of uniformed men on the scene.

And at a time when the

U.S. Attorney's Office and the U.S. District Court are constantly putting new interpretations on the law, Layton believes it imperative for his men to know the latest legal guidelines.

Thus at Thursday's meeting at the Detective Bureau between the three prosecutors, the leaders of the Bureau's squads and the leaders of the precinct detective commands, it was suggested that regular legal briefings should be held at the precincts.

Under the proposal, Assistant Attorneys would be assigned to each precinct to conduct these briefings on a regular basis — perhaps as often as once a week to insure that policemen on all

shifts would be able to attend.

These briefings would concentrate on the questions of probable cause, the law of arrests, the rules of search and seizure and the Mallory Rule.

Under police guidelines issued two weeks ago on the recommendation of the U.S. Attorney's office, police may arrest a suspect on probable cause and question him for three hours before arraignment. Since the Mallory Rule forbids confessions that were obtained during an unnecessary delay between arrest and arraignment, the police and prosecutors realize that the courts will scrutinize very closely the circumstances of such arrests and

they are anxious to avoid any situation in which a suspect is released on a legal technicality.

One problem in this regard is that police work 'round the clock seven days a week but at present neither an Assistant U.S. Attorney nor a committing magistrate is available after 5 p.m.

Another problem is that it was only a month ago that Chief Layton said every new policeman must have at least a high-school diploma. Obviously the cop on the beat cannot be a Blackstone.

But Layton and the attorneys do feel that more cooperation between the policeman and the prosecutor can eventually help clear criminals from the dockets and the streets.