

McClellan Bill Aimed at Mallory Rule

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Sen. John L. McClellan (D-Ark.) yesterday introduced legislation aimed at limiting the controversial Mallory Rule and cited recent Washington crimes as evidence of the rule's "evil consequences."

In a Senate speech he also proposed that the Judiciary Committee, of which he is a member, create a special sub-

committee to conduct hearings which would permit police officers in the District of Columbia to interrogate suspects for a period of three hours. That was a step in the right direction. . . .

But, the Arkansas lawmaker maintained, "the only correct solution of this problem is to permit the trial judge reasonable discretion in determining the admissibility of confessions."

"In determining the admissibility of such statements, the principal emphasis should be placed on whether the statement or confession was made voluntarily" . . . he said.

The 1957 Supreme Court ruling reversed the conviction in a District Court here of a confessed rapist, Andrew Mallory, on the grounds that the overnight delay between his arrest and his subsequent arraignment was too long.

Legislation similar to yesterday's McClellan measure, limiting the Mallory Rule, has been introduced in this session of Congress but none of the bills have reached both Houses.

McClellan's measure would permit the trial court and jury to determine whether a confession should be admitted as evidence in a criminal trial. "A few weeks ago," he said, "the Senate passed legislation