

## A Bad Package

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After three months of consideration, a Senate-House conference committee has reported out an anti-crime bill for the District of Columbia which has been variously characterized as violative of no less than five Constitutional amendments and as "a blueprint for a police state." Twenty former Federal prosecutors have found the bill's chief provisions of "doubtful constitutionality, questionable necessity and demonstrable ineffectiveness."

The measure passed by the House has been somewhat improved in conference, notably by the deletion of an incredible provision that would have required plaintiffs to pay the attorneys of policemen they had sued for false arrest, even when the policemen lost the case. The bill also calls for a much-needed court reorganization, designed in part to speed up the calendar—a highly desirable objective in a city with a grave crime problem and a judicial logjam.

But the bill's most dangerous and unnecessary provisions remain. Policemen would be empowered to enter houses without knocking, not just in the limited and special instances where that is permissible even now, but on what might amount to no more than a hunch that evidence might be destroyed or that those inside might make an armed attack if given notice of the police presence at the door. Shades of Chicago.

The bill would allow a judge to keep defendants in jail for sixty days if on the basis of their records he thought them likely to commit other crimes while awaiting trial. It is true that high bail permits even longer detentions now, but its imposition for reasons other than its legitimate purpose is often overruled by a higher court. The proposed bill would not replace the inappropriate use of bail in any case; it would only add to the injustice. More important, it would for the first time give legal sanction to the undoing of the most fundamental principle in Anglo-Saxon law—that a man is innocent until proved guilty.

Legislation for the reorganization of the District's courts was ready within weeks of President Nixon's inauguration. It is regrettable that Administration forces saw fit to make it part of a dubious anti-crime "package" instead of getting it enacted into law at once. Opponents of the bill in its present form, led by Senator Ervin of North Carolina, hope to defeat it on the Senate floor and start over again with a bill for court reform. That would perhaps do less to gratify the emotions of the hysterical but more to reduce crime in the District.