

## No Shortcut

President Nixon now has before him the omnibus District of Columbia crime bill. By reorganizing and expanding the courts, reforming the coroner's office and rationalizing many procedures, this measure should achieve a substantial improvement in the administration of justice in the nation's capital.

But the bill is impaired, and in our view fatally so, by several meretricious provisions. These defects occur in different parts of the bill, but they derive from a common mistaken premise that shortcuts are possi-

ble in coping effectively with the complex problem of crime.

The "no knock" provision enables a police officer with a warrant to enter a home or office without knocking or identifying himself if he believes that evidence may be destroyed. It is intended to prevent gamblers and drug dealers from disposing of betting slips or narcotics during police raids. Yet it is worded so broadly as to jeopardize any citizen's protection against arbitrary police intrusions. Does anyone seriously believe that gambling or drug addiction will be reduced by enabling the police to take this shortcut?

Similarly, the "preventive detention" of criminal suspects for up to sixty days to some extent merely regularizes an existing procedure by which judges have kept some defendants incarcerated by setting high bail. But, as Senator Ervin of North Carolina pointed out in his admirable fight against the bill, preventive detention is a practice reeking of the police state. In other societies, it has never suppressed crime but it has often helped stamp out liberty.

Life sentences for those who commit three or more felonies is a panacea that runs counter to everything that progressive penology has learned about managing prison inmates. A mandatory five-year sentence for a second offense involving the use of a firearm is the shortcut of a Congress and an Administration unwilling to confront the gun lobby. The wide expansion of the Police Department's authority to tap telephones to cover virtually every kind of criminal activity is another illusory shortcut.

Crime has many tangled roots. To treat any one of them requires large sums of money, but society cannot expect impressive progress against crime until it is prepared to invest that money. It is doubtful that the Administration and the Congress are prepared to provide sufficient money even to carry out all the reforms set forth in the better sections of this bill.

Let no one suppose that the mandatory sentences, dragnet wiretapping, preventive detention and "no knock" authority will measurably diminish crime. Those shortcuts which the Supreme Court does not seal off as unconstitutional, experience will show, lead only to a *cul-de-sac*.