INTERVIEWEE: PATRICK V. MURPHY

INTERVIEWER: T. H. BAKER

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B: This is an interview with Patrick V. Murphy, former Director of Public Safety of the District of Columbia, and later Director of the Law Enforcement and Assistance Administration. Sir, to start with your service for the District of Columbia, in December '67 you became Public Safety Director of the District. How did you get that job, sir? Who contacted you to take it?

M: I had been serving as Assistant Director of the Office of Law Enforcement Assistance of the Department of Justice at the time, and I met a Mr. Pollak, who at the time was on the White House staff in District of Columbia affairs. He had for a year, approximately, been working on the legislation for reorganization of District government. The mayor had been appointed and the Deputy Mayor, Mayor Washington and Deputy Mayor Fletcher, and there had been some discussions that Mr. Pollak had participated, I guess with the Mayor about the possibility of gaining a position of Public Safety Director. And Mr. Pollak asked if I would have an interest in being considered as a candidate if that came to pass. I said I would like to discuss it at least. As a result of that discussion with Mr. Pollak, I did eventually meet the mayor. Then eventually the mayor asked me to accept the appointment and I did.

B: Did you have anything further to do with the formation of the D.C. government itself that summer; that is, advising on the structure of government?

M: Prior to my appointment as public safety director, I sat in on a few meetings with Mr. Pollak and some District officials and sat in on at least one meeting with the former commissioner in which there was a general discussion of the crime problem and the police problem in Washington. That was the extent of it. A general kind of thing.

B: Did you have in the process of taking the job, or later, very much direct contact with either Mr. Johnson or the White House staff?

M: Not direct contact with the President, but with Mr. Califano on several occasions.

B: Was it your impression that the White House tried to let the new D.C. government stand on its own feet without too much direct supervision from the White House?

M: From what I could see of the operation of District government, certainly the mayor gave me a very free hand with the public safety director's position--directing the police department, fire department, and Office of Civil Defense. My office was directly across from the mayor's, and I had occasion to be in and out of the mayor's office frequently, and I know that concerning some matter of which I had knowledge, the mayor would seek opinions and advice from the White House. I can't really talk very much about other areas, but in my own are, I'd describe the White House interest as more of great concern about the problems of crime and the police and public safety, but with very little attempt to influence my decisions.

B: What was the relationship of your job as public safety director to the new council in the new D.C. government?

M: I felt I had an excellent relationship with the council members. I tried to be responsive to their questions and their requests. I

never received any requests from any of them that I thought were inappropriate requests, and no attempt on any of their parts to influence my decisions on personnel matters or in matters of police or fire service. But as they were considering matters on their own calendar related to any of the departments I had the responsibility for, I certainly attempted to meet with them, brief them, give them my position, and be willing to testify for them whenever they asked.

B: That must have been in connection with budgetary matters?

M: Oh, not only budgetary matters, but other matters concerning the police department such as community relations, citizens' complaints about the police service or individual police officers handling the situations, about some of the reorganizations that were going on in the department, and especially about an attempt to consolidate police precincts. These were the issues.

B: Sir, does it make a great deal of difference in your work over the police and fire departments whether or not the D.C. government has home rule? Does it affect the police in that directly?

M: I do not think the impact on policing would be as great as in many other areas. I know the police department would probably have to be more responsive to elective officials than it has been to appointive city officials. On the other hand probably, less response to some congressional members of the committees because elected city officials would be in different relationship to the Congress than appointed ones.

B: Would congressmen, particularly members of the D.C. committees, often try to get in touch with you directly to comment or complain about policing matters?

M: Very rarely. I received a few letters from members of District committees

recommending certain people for appointment to ranks above captain, which were appointments to be made with the mayor's authority by me. After one or two contacts, I tended not to hear from them again. It's difficult for me to interpret that. I'd be inclined to feel that previously there'd been a greater response to the requests, and their feeling that I would not be as responsive.

B: In cases of political preferment like that--paying off--did you just send them a polite letter and continue to appoint by regular procedures?

M: Yes, I'd send a polite letter and assure them that the man would be considered with all the others, and we'd make the decision on what I felt were the most important considerations.

B: When you took over that job, what did you feel were the principal needs of the D.C. police force?

M: I felt that there was a need for trying to give stronger leadership to the department because there seemed to be the feeling that the department was dominated by some of the congressional committees, more specifically the House District Committee. My own experience during my time in the department was that there was less of this domination than most people felt, but at the same time I saw evidence within the department of men feeling that they could get an assignment or a promotion by going to a member of the House District Committee. I felt that it was important to project the image that I would give strong leadership to the department and that political considerations would not matter.

I also felt that there were some serious problems of tension in the city, the Negro community feeling that the police department was not interested enough in the needs of black people, and that many of

them in fact were not receiving the kind of service they should have been receiving. So I tried to create the impression--do some things that were symbolic to show that the department was determined to eliminate any traces of segregation within the department, or discrimination toward Negroes.

So one of the first things that I did, and I felt was able to do on the merits, was to appoint the first Negro inspector in the police department. I made him my aide. It was Inspector Huff, and he happened to be one of only two college graduates among the captains in the police department. He was an experienced man. He had been retired from the Army Reserve as a lieutenant colonel. He had a distinguished war record in World War II and Korea, and I felt he was qualified in every respect. Eventually we reassigned some people, assigned a Negro captain in charge of the precinct.

B: He was also involved in the recruiting effort, particularly for blacks?

M: Yes. That was another thing that we had done. For several years the department had been quite short of the authorized number of officers. In fact, there were about 390 vacancies at the time I came in. I had one of the Negro captains in the department assigned to the recruiting section to study the problem and to suggest a plan for improving our recruitment, and especially the recruitment of qualified Negro candidates. As a result of that effort, the local recruitment program has changed considerably. In addition there was a military recruitment program going on with the cooperation of the Armed Services at the same time. As a result of both of those programs, within eight months we were able to fill all those vacancies, and

we were getting a much higher percentage of qualified Negro candidates.

B: I might insert here that the military recruiting programs means recruiting from men within the Armed Services who are retiring.

M: That's right. With the cooperation of the White House a program had been worked out, just at about the time of my appointment, which provided for early separation--up to ninety days--of men in the military who would accept appointment as police officers. The first emphasis was put on Washington, although some other cities benefited from the program too.

B: I've been confused by stories in the newspapers recently. Was the police department up to full strength when you left to take the new post?

M: Yes. As we brought it up to full strength, then President Johnson proposed an increase in the department of a thousand new positions approximately. Congress approved that so we have brought it up to full strength; and then came the summer of '68, and now the department was short a thousand men because of this newly authorized quota. And the department, unfortunately, has not been nearly as successful during the past six months and has been able to fill only about 200 of those 1,000 vacancies. And if they had been on the schedule we had planned, they would by this time have filled about 700 of the vacancies.

B: Then Mr. Nixon's recent request for an increase was an additional thousand men over Mr. Johnson's request.

M: That's right. Which means that if that proposal were authorized, today the department would be about eighteen hundred men short, which is a very large figure and approximately 40-percent of the

department.

B: Any particular reason why recruiting seemed to slow down?

M: I am not sure. I am not close to it, but my own impression is that the local recruitment program has just not been worked at as hard as it was before. I should point out that, I think, today in order for police departments to be successfulin filling their quotas you know it's a problem of many cities it has to be worked at every day--you just have to go after the qualified people, and they tend to be people who are fully employed in other jobs. If we were to attempt to recruit unemployed young men, let us say--and people have proposed that. They went to the ghettoes to recruit unemployed young men for police positions because there were so many vacancies. Well, the answer to that is avery small percentage of those who were unemployed would probably qualify for medical or character, or reasons of criminal record or something of that nature; so the people who really come out as good candidates are people who are employed, and you have to get at them, you have to work at it every day.

B: Which also brings up salaries.

M: Yes. Salaries are a consideration, but now policemen are appointed in Washington at a salary of $8,000 a year since last July 1st. I think that salary can attract many well qualified young men who are earning less than that.

B: How does the D.C. police department work with the Justice Department, in your tenure for example? With the Attorney General, the FBI, the Office of Law Enforcement Assistance? Is there cooperation there, or ever any rivalry?

M: With the FBI the relationship that the department had was a kind of

routine relationship, a good one. The FBI does work on bank robberies in the District and have intensified their effort. The department also uses the FBI laboratory, but frankly the FBI has not been able to give all the service that the department needs, and the department has not requested all of the work that it should be requesting. Over the years, I think the department has just permitted itself to fall asleep on this issue, and not worked to get its own crime laboratory. That's really what's needed, the volume of work is sufficient. So our relationship with the FBI was proper and good, and I didn't have any problems with the FBI.

The relationship with the Department of Justice was good. We had a close working relationship with Attorney General Clark and Fred Vinson. We had occasion to work with them a good deal during the Poor People's Campaign, and during the demonstrations of one kind or another in many tense situations. Because the attorney general was the liaison person for the federal government in dealing with any requests for calling out the National Guard or federal troops to cope with any of the situations we were threatened with many times.

B: Was there any thought in that period of trying to make the D.C. police force a kind of model police force as an example to other cities with increasing problems?

M: Yes. There was a good deal of talk about that. And as a matter of fact, the Office of Law Enforcement Assistance had made several grants to the D.C. police department with the purpose of trying to make the Metropolitan Police Department the best one in the nation.

B: Does the business of conflicting jurisdictions create any unusual problems? For example, within the D.C. area there are other police forces such as the park police and the Capitol and White House police;

and outside the bounds of the District area what I assume are multitudinous police jurisdictions.

M: That's right.

B: Does this create a unique problem for the D.C. police?

M: I don't think that's very unique. Almost every large city will deal with many suburban departments around it; not all of them will have other jurisdictions within, but several do. I can think of New York City which has within it transit police and housing police. Many other cities may have some special district police or a private police force that it must deal with. So the problem wasn't very unusual to me, and I think we had a pretty good working relationship.

B: There are other areas of policing that I guess are peculiar to a national capital such as visits of foreign heads of state and protection of embassies, diplomatic immunity.

M: Yes.

B: Did these give you any particular worries?

M: The department did have to assign a significant amount of manpower guarding emabssies, guarding dignitaries, responding to speical requests for handling the arrival and departure of these dignitaires and at receptions at embassies.

B: Did this involve coordination with governmental departments like State and the White House?

M: Oh yes. Secret Service, State Department--there was a day-to-day relationship with those agencies.

B: Did you generally agree on what was needed and meet their needs?

M: I think it worked well most of the time. I guess about the only problem that we couldn't respond to, to the satisfaction of the

people concerned, was that the Secret Service people who had supervision over the White House police tried several times to get people from the Metropolitan Police Department assigned into the White House. Of course we were pressed for manpower ourselves, and we always parted friends, but I think there were occasions when some of the people in the Secret Service there responsible for that function felt disappointed that we didn't give them the people they wanted.

B: They wanted additional people inside the White House grounds as opposed to the perimeters?

M: Yes, to supplement the White House police. There were times when the White House police were short, and they'd been attempting to recruit more people. As a matter of fact, they recruit from the Metropolitan Police Department.

B: Yes, I believe they require that their people have served on the metropolitan police or park police.

M: Yes, that's their usual source of recruitment, the Metropolitan Police Department itself. And that was part of the problem of working out arrangements with them to permit Metropolitan Police Department men, who were willing, to transfer to White House police. And we began to work out an arrangement as we began to fill those vacancies we talked about. But while this large number of vacancies existed, the chief of police apparently had been able to get a moratorium on transfer from metropolitan police to White House police--that's what the issue was really all about.

B: When you took over, did the metropolitan police have an intelligence unit or a community relations unit or some sort of group with the

responsibility for anticipating possible rioting and such outbreak?

M: There's an intelligence unit in the department; it was there at the time that I went in. And yet, I felt it was not a very sophisticated unit; it was not very successful in getting good information. As a matter of fact, I frequently would rely on information that the mayor himself was getting from his various sources of information in the community generally and in the Negro community specifically. And the Mayor, incidentally, had excellent sources of information at all hours of the day and night. He made it a point to encourage people to bring information to him. So the intelligence unit did not pick up information that was very valuable to us. Oh, they would get information about activities that were about to occur, groups that would be announcing protests in Washington, or a demonstration, or a visit to Congress, or picketing the White House, or whatever. They would pick that up and get information like the number of people expected from other cities and so forth. But as far as getting low visibility information, like hidden information of the activities of the militants and others in the community, I felt the unit was not very successful.

B: Were the members of the council of any assistance in this kind of--?

M: Some little bit, but it didn't add up to very much that came to me.

B: Then were you able to anticipate the rioting that occurred after Martin Luther King's assassination?

M: No, we certainly did not anticipate that. We anticipated problems because the Poor People's Campaign had been announced, but that wasn't scheduled for another several weeks. What happened after the Dr. King killing was somewhat spontaneous. There had been reports

that there were people in the city who intended to instigate some kind of disorder, but they had a later time in mind, and when this event occurred they tried to gear up. Now to what extent the disorders can be attributed to their efforts is awfully hard to say. We just were never able to get very good evidenee about that.

B: This book published by the Washington Post staff, Ten Blocks from the White House, indicates that there were some people who at least after the fact said they were an organized group. Do you believe any of that?

M: Again, after looking at all of the evidence that we were able to collect, that the Department of Justice was able to collect, we never felt that we had enough for any kind of a criminal prosecution. We never felt in our own minds that we could point to an individual or a group and say, "This is how he planned it; this is how he triggered it," and could see the whole pattern of how it occurred. Just an awful lot of the disorder that occurred seemed to be spontaneous, and that's the conclusion that I still am forced to reach. Of course, there's a chain reaction, I'm certain of that, but I would just still be forced to conclude that the emotional impact upon Negro people of the killing of Dr. King is a major cause of the destruction.

B: Can you describe your activities in that business with emphasis on the relationship between you and the Mayor and the White House and Justice and the Military?

M: Yes. Well, after the disorder on the first night--and it subsided after we'd mobilized a considerable number of policemen and moved them through the troubled area--14th Street was the area principally affected that night, and things quieted down after a few hours. The

city was calm by 1 a.m. I guess. We had some meetings at police head quarters--the mayor and the deputy mayor and myself and some justice people. I went to a Pentagon meeting in the early hours of the morning where we discussed the situation and tentatively agreed that we should have the National Guard on the street by the following evening by darkness. We had no evidence that there would be further disruptions the following morning, but we felt major precautions had to be taken for the following night, so we were arranging to have a marshalling of police officers on duty, holding over platoons, cancelling days off and so forth, and having the National Guard in. It was agreed to make a final decision on that by noontime the next day because it would take that long to get the Guard mobilized.

B: Is this the lesson of Detriot and similar activities, that is, you were deliberately planning what amounts to a massive show of force as a preventive device?

M: We were deciding to have the manpower available to be used as we felt it should be used. If we saw nothing building up, that National Guard manpower might just be kept in the armory on reserve, ready for instant use. Even the extra police officers on duty might have been kept ready for instant use. If the situation warranted it, we then would have the large numbers to make the show of force. That was our plan. Unfortunately, after we did make the decision the next day by noontime to call the National Guard for darkness that night, trouble broke out again. The disorders began shortly after noon, and they escalated during the day. As a matter of fact, I attended a meeting at the White House that morning before noon, and then went to the Pentagon for lunch with Under Secretary McGiffert; and while

I was at lunch there the calls came in about high school youngsters and others starting to get out of hand, break windows. We immediately began discussions with the people who were in the Department of Defense about implementing some of the plans that had been made for calling out the military, it being obvious that we might not be able to wait for the National Guard by darkness that night, and that the number of people the National Guard could provide wouldn't be adequate. So after discussion and finally going out to observe the situation in the city, Mr. Christopher, the deputy attorney general, General Haynes, and I rode into the city and observed it; and then finally a recommendation was made to the President to call out troops in the middle of the afternoon.

B: You made that sound very calm and simple and matter-of-fact. You rode through the midst of areas that were involved in the process of disturbances.

M: Yes, we went to the 14th Street area to personally observe what was occurring. Unfortuantely some panic had set in, in that fires had begun to burn in the city. Just thousands of people working for the federal government started to leave those offices simultaneously. The arrangement for people coming into Washington and leaving Washington every day--the large number working for the federal government--is that there's a staggered schedule. People report for work at fifteen-minute intervals over a period of about an hour-and-a-half in the morning, and are dismissed the same way in the afternoon. As a result of seeing these fires in the city, and beginning to pick up reports about rioting, people just left in mass, and streets were just clogged with traffic. It was a very unfortunate

situation. It resulted in some delay in moving police around and fire equipment and possibly in some delay in moving the troops in. So we were out observing and were faced with that problem--traffic congestion, an awful lot of confusion, and every difficulty in finding workable public telephones to call up the troops.

Of course, I should point out that although the formal recommendation had come a little later, the military was gearing up for the movement from the very time that we first discussed it at the Pentagon after I received calls from the city that the disorders were beginning again. Actually, the wheels were turning and were being mobilized and being moved. Finally the decision really amounted to the decision of come into the city or don't come into the city. And in some cases they had even been in the city, but don't move them onto the streets until the word was given by the President. And so to show you why there was delay here, it wasn't delay really, the final decision was--.

B: Was the mobilizing of troops part of the prearranged plan? Had there ben a continuing plan set up?

M: Yes, we had met over a period of months with the military people, they had a plan actually from previous years that they were continually updating for the movement of federal troops into any city in the nation that asked for help of similar sort. So there were prearranged plans that were well established--what units would be moved into the city to meet various levels of need.

B: Were you in fairly regular contact with the White House during all of this?

M: I worked through the Department of Justice, principally Mr. Christopher

and Mr. Clark, the Attorney General. And with the Department of Defense I dealt directly with Under Secretary McGiffert and General Haynes, and had occasion to talk with Mr. Califano a few times, but worked more through the other gentlemen.

B: Did all of that amount to a command problem? That is, normally I would think in a situation like that you would want one person in charge, presumably you, as Director of Public Safety. Is that the way it worked out?

M: Really, when the military come in, they handle the command because this is the federal city. It's really under the President in a sense; and General Haynes who was in charge of all the Army personnel in the city really had command. It did not become a problem of command. As a matter of fact we worked very closely and harmoniously, and we continued to give orders to policemen and firemen. I never felt that the military asserted the authority that it legally had in a way that made it difficult. They tended to be responsive to our suggestions and requests, although of course it was clearcut just what the military would do. The fact of the matter is that the military in a situation such as we had here does not want to do many of the things that really bring the situation under control. They provide the large numbers of men, the show of force, if you will, the coverage of the city with authority. But they don't make the arrests; they don't pursue the people--the police do all of that. Now they cooperate by detaining people for the police if the police are overloaded with a large number of people arrested. But the police make the arrests, testify in court, detain them, get the prisoners to detention cells. So it worked out very well.

B: In other cities with disorders like that, it quite often has prompted charges of policemen abusing their authority or over-reacting. Those charges seem to be minimal in the Washington riots of '68. Is that a result of training, or command, or what?

M: I think it was a result of good policy, good training, and training and retraining. I think the kind of training that's necessary to prepare a police department for that kind of assignment is training that must be repeated, and that's what the department was doing. There had been planning in the department; there had been training. We intensified both of those efforts in public safety and with the command level people of the department. And of course the Department of Justice had supported a program of training which was done by the Chiefs of Police Association for the chiefs and second echelon people the police departments of about a hundred large cities in the country. And that training began in January and continued into the spring. It was extremely valuable in helping the command level people of the police departments to understand the problems they were dealing with and to teach the value of restraint, that is, in holding as much force as was necessary and avoiding the bloodshed if at all possible, minimizing it surely. So we were not criticized significantly for using excessive force. There were a considerable number of people who felt not enough force was used; they were people who were critical of a policy of not shooting at looters; and yet the department made an enormous number of arrests. So I think the policy of restraint with firmness turned out well.

The fact of the matter is, until you can get large numbers of military into a city of this size, with as much of a population involved

as we had here, your police department, even with every man you can muster on duty, is spread very thin to try to control all of this, and really that's the problem. And the basic issue I guess about shooting at looters is not whether you let looters loot. That was not the policy; that did not occur. If it occurred, policemen were violating their orders. Policemen were required to arrest looters they could lay their hands on; but if a looter is a half block away from the policeman, the policeman knows he cannot possibly catch that man, should he shoot at him. Our policy was to not shoot at someone just looting. Now if someone was attempting to break in, that might be different. Certainly if someone had a fire bomb poised in his hand, the police officer would authorized to shoot before he could start a fire that might kill or injure innocent people. But for a looter, many of whom were children and many of whom were adults who were stealing things of relatively small value, we felt the policy of not shooting [was preferable] in that sense where you couldn't equate the stealing of a suit, or even three suits, with killing a person. And that was the problem. There was considerable criticism of the policy of restraint.

B: Did the Poor People's March and Resurrection City after that create any special problems for you?

M: Yes, there were many, many problems. First of all, there was a great deal of tension in the city among citizens, especially among white citizens living and working in the city, who seemed to have a feeling that this would erupt into another riot. But we had to do what we possibly could to assure people that we had control of the situation, that we were well prepared to deal with whatever would happen, and yet

that we would protect the people to demonstrate and picket or visit the Capitol or whatever they wanted to do--that was legal when violence was not involved. But it placed a great deal of pressure on the department for several weeks. We had to keep men on overtime duty. We had to keep men day after day in the hot weather on police lines guarding buildings being picketed or threatened.

B: Had your intelligence function improved by this time?

M: We were doing considerably better then. For one thing Inspector Huff, whom I mentioned earlier, was the first Negro inspector in the department, my aide and he kind of had free run of Resurrection City. He used to go down to Resurrection City in uniform, and he could walk through it although there was reluctance about police roaming through there freely. We had a policy of the police not going in there except when called in or when absolutely necessary. Inspector Huff was always invited in. Frequently the leadership of the Poor People's Campaign would tell him openly what their plans for the day were, or the following day, or the next week, so that we could assign our police officers accordingly.

But additionally, we were getting better intelligence information, and we had worked out better arrangements with other agencies in the city government--for instance, Mr. Dugas, who heads the Department of Licenses and Inspections, was working for the Mayor on this program trying to arrange for housing and transportation for these Poor People's groups who had come into the city. He and many other sources were picking up better information that we were using in a more sensible way, I felt, and we seemed to have pretty good information.

B: You were also of course here again coordinating with the Department of

Justice?

M: That's right. I shouldn't fail to mention that the Community Relations Service was involved. The Civil Rights Division worked intensively on the program. Through them we were able to get good information. Additionally, we had worked out a daily briefing session on the Poor People's Campaign which occurred at 8 o'clock every morning in the deputy mayor's office--representatives of the National Park Service, whose property the Poor People's encampment was on, and Mr. Dugas of city government, Mr. Duncan, corporation counsel, military representative, someone in the Department of Justice, myself, someone from the White House staff who attended all the meetings that we had for an exchange of information, and discussion of plans to be used for the day.

B: Was the closing down of Resurrection City something of a put-up deal in the sense that the leaders of the city themselves were ready to have them closed?

M: Well, I think an awful lot of the people had lost their enthusiasm or whatever it was, and had begun to go home. Whether the leadership felt that "We can't hold this thing together much longer," or what, I'm not sure. But we knew that the population was dwindling there, and none of the people were sleeping there at night anyhow. We knew that although many nights a few people were sleeping there, a lot of visitors would come in during the day. And by the time that it was ready to be closed, it was awfully hard for us to predict what would happen, the business of all kinds of threats that thousands of people would come in to prevent the city from being cleared out. So by the time the eviction occurred there were not many people left, in there

but we weren't sure of how many were there. We weren't certain what we would face, from all of the reports, and occasions of people with guns who would resist with violence, and of course nothing of that sort occurred. I really don't know. As I described it, they felt they were coming to the end anyhow.

B: Did you have contingency plans for the use of the military, if necessary?

M: Yes. We had a National Guard alert. We had the military, and we were ready to move to get assistance from the military if needed at Resurrection City.

B: Sir, it's 4:00. Shall we continue, or--?

M: Can we go a few more minutes? Maybe, five to ten?

B: Sure. In relation to the Law Enforcement Assistance Administration, did you play any part in drafting the 1968 Safe Streets Act?

M: Not very much of a part. I participated to a very limited extent back in '67 and '66. Of course I was assigned to the Office of Law Enforcement Assistance at that time. But frankly, we had a small staff, and we were extremely busy, and most of the drafting was done elsewhere in the Department of Justice. Carey Parker did a lot of the work on it for the attorney generals and deputy attorney general. And really my function was to consult at a few meetings, and that was about it.

B: How were you approached to take the job with the new Law Enforcement Assistance Administration?

M: By the attorney general.

B: By Mr. Clark?

M: Yes.

B: Did you have any idea at the time that this would be just an interim

temporary thing, or did you assume you were signing on for a permanent job?

M: No. I was hoping I was signing on for a more permanent job but realized the hazards. Mr. Clark spoke with me about it first about August 1st. When I indicated that I would be interested if that's what he wanted me to do, he said that he and the President wanted me to take it if I would. They would understand my making my own decision, but they felt it was so important it would justify my leaving the public safety job in Washington.

When it was mentioned to Mayor Washington, he was very reluctant. He appealed to the attorney general not to take me, to find somebody else; that he felt I had done a good job in the Public Safety Director's office and that it would be a severe loss to him if I were to leave. So when the attorney general held to his position, the mayor begged him to suggest a replacement for me. And so a little game went on there for awhile where nothing much happened. And finally I assume the attorney general told the mayor, "We just can't delay much longer. We'll have to do something about it." Then I was nominated. We knew an election was coming up. The attorney general pointed out all the hazards to me, which I was fully aware of myself--that with President Johnson not running for reelection, many things were uncertain, even if Vice President Humphrey were elected. Of course there was the possibility of Mr. Nixon being elected, then the prospects would be even more uncertain. So I realized that, but of course the administration was defined by the legislation as a nonpartisan, bipartisan administration. I had never been active politically. I was a registered Democrat--I like to think

of myself as a professional in law enforcement and criminal justice. And so aware in my own mind of the potential of this program, I accepted the appointment, and accepted the risks that went with it.

B: Did you have a part in selecting the other appointees?

M: No. The attorney general had thought a good bit about people for the program, and actually had the names of the other two people, in his mind at least. I'm not sure whether he had even spoken with them in advance. But he indicated the two other names to me and he had in mind recommending Wesley Pomeroy and Ralph G. H. Sin.

So I did not have any hand in the selecting.

B: Is that a frustrating experience for you? You ended up not being confirmed, law and order became a highly emotional issue, and the Law Enforcement Assistance Administration didn't have very much money.

M: There were many frustrations. First of all, a considerable delay, as I indicated, from the time the position was first mentioned to me until the President made the nominations. At that time the nomination of Justice Fortas as Chief Justice was under consideration, and because some controversy was brewing in the Senate about that nomination no action was ever taken on my nomination; and it was therefore delayed for several weeks until Congress went home, and then the President made the interim appointments. So that was a frustration. By the time that had happened it was two weeks from election.

So the feeling I had August 1st about getting on and getting started had turned to--still great enthusiasm, but quite a share of frustration about the fact that now we're two weeks from election and crime had become such an issue in the campaign. Of course in the meantime crime in Washington had become an issue, with Mr. Nixon

making more and more speeches about Washington being the crime capital of the nation, with Mayor Washington responding to that on at least four occasions, defending the city from that label and charge. So by the time we got on that close to election, then two weeks later Mr. Nixon was elected, it became obvious immediately that the prospects of remaining with the program now had diminished. But we buckled down and went to work hard.

Frankly, it was my hope that if Mr. Nixon decided to replace me that he wouldn't replace my two administrative associates. So we worked ahead, of course discussed it very briefly among ourselves, put it aside, and said, "Let's get down to work and whether we're here only for a matter of months or a year, it's a very important job; let's be happy we have the opportunity to get it off the ground." And that's what we did. So in a very short period of time, some great things were done, I felt, by Mr. Pomeroy and Dr. Sin. And then as soon as Mr. Nixon took office two days later we were told by the deputy attorney general that all three of us would be replaced. It was indicated that we would probably be replaced within a matter of a week, and here close to two months later, I'm still in the chair, and it has been frustrating for all those reasons.

B: Did you try to stay on? Did you indicate to the new administration that you wanted to stay with the project?

M: I really never had much of an opportunity, except that I did talk with Attorney General Clark and Deputy Attorney General Christopher before they left office. They discussed it with me and with all three of us, as a matter of fact. I indicated that I would be willing to serve with the new administration if that was their wish. Attorney

General Clark indicated that he certainly hoped that the new administration would keep us because the program was new, and he thought it would be an unfortunate time to change the leadership. He felt that he had selected people on the basis of professional qualifications and not political reasons, and he would hope that--in fact, he indicated that he would appeal to the new administration to keep us. And that was communicated to the new administration. Mr. Kleindienst was in during the transition period. I never met him during that period. But the attorney general and the deputy attorney general had advised me and the two associates that this had been communicated, and the response was that it would be considered by the new administration. But two days after the inauguration, Mr. Kleindienst told the three of us that it was the intention of the new administration to replace us. I did not do any campaigning for the position. I didn't feel it was appropriate. I left it to Mr. Clark to do what he thought was appropriate. I didn't want to embarrass the administration in any way, and that was the extent of what I did. I certainly didn't contact any of my friends, Republican or Democrat.

B: Right now there's a good deal of speculation going on as to why you are not returning to the District public safety job. Can you, for a record that won't be opened until you want it to be, explain it?

M: Mayor Washington talked with me after it had been announced that I would be replaced, and asked would I be interested in coming back. I said I might be interested if some changes were made in the department. Frankly, one of the most difficult aspects of the problem I had during the time I was public safety director was that of being imposed over an incumbent chief--Chief Layton--who is a relatively strong chief,

a good police administrator, but of a different school than myself perhaps--I should say a different generation because he's not that much older than I am. Yet I do think his philosophy of policing may be an older one than mine, and his willingness to make the changes at the pace that I feel they should be made is not all that I would have hoped it to be. So I indicated to the mayor that it certainly would make it easier for me to make the decision if Chief Layton were retiring, and wondered if he knew what that situation was like. There had been some little speculation that Chief Layton might reitre. The mayor said, "Well, let's keep our minds open, and let's keep in touch." I got the impression then from the mayor at one point that the decision for the new public safety director would clear either the Attorney General or the White House, and there seemed to be some indicators that they'd want their own man, would want their own image on the fight on crime in Washington since it had been a campaign issue and for other reasons. And so that's about all--the mayor and I had one or two more discussions, and he never offered me the position, and I'm under the assumption that it just wasn't in the cards. And some other interesting offers were available, and I decided I'd have to _____(?)_____.

I'm sorry to cut you off, but I've got an appointment.

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By Patrick V. Murphy

to the

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