8-20-1957

Statement on conviction reversed based on Mallory decision

Strom Thurmond

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Recommended Citation
Thurmond, Strom, 'Statement on conviction reversed based on Mallory decision' (1957). Strom Thurmond Collection, Mss100. 1473. https://tigerprints.clemson.edu/strom/1473

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STATEMENT BY SENATOR STROM THURMOND (D-SC) IN THE SENATE WITH REFERENCE TO THE SUPREME COURT DECISION IN THE MALLORY CASE, AUGUST 20, 1957.

Mr. President, the far-reaching and adverse effects of the Supreme Court decision in the Mallory case were demonstrated again yesterday.

The United States Court of Appeals reversed a first-degree murder conviction of another confessed murderer because of the precedent established by the Mallory case decision.

Clarence E. Watson, Jr. has twice been convicted of first-degree murder for the slaying of Miss Alyce O. Taggart on July 5, 1953. But yesterday the United States Court of Appeals, relying on the Mallory case decision by the Supreme Court, held that Watson had been detained too long after his arrest before he was arraigned. In referring to the Mallory case, the Court of Appeals said that "the circumstances there narrated so closely parallel those in the instant case that we see no basis for distinction."

Mr. President, law enforcement officers all over the country have voiced their fears that the Mallory case decision will provide a basis for many serious crimes to go unpunished.

This latest case, the Watson case, is a clear demonstration that the fears voiced by law enforcement officers are valid fears. The man whose conviction was reversed yesterday is already serving a prison term of from 13 to 40 years on a conviction of rape. He committed murder when he was resisted in attempting to commit the same crime in another instance.

The lives of innocent citizens of this country are in increased danger from murderers and rapists so long as the Mallory case decision is permitted to stand unaltered.
Mr. President, I hope that before the Congress adjourns, action will be taken on the bills now pending in the committees of both the Senate and the House of Representatives to enact a law to prevent the Supreme Court from giving continued protection to criminals at the expense of innocent citizens.

I ask unanimous consent to have printed in the appendix of the Record an article which appeared in the Washington Evening Star yesterday, August 19, entitled "Appeals Court Again Reverses Watson Verdict." This story points up the seriousness of the legal situation which has resulted from the Mallory case decision.