

News Media Rapped For Hampering Law

Washington Bureau of The News
WASHINGTON — The Warren Commission Sunday recommended that the bar, law enforcement associations and the news media "work together to establish ethical standards" to prevent interference by newsmen in the functions of the police and the courts.

The commission was sharply critical of the activities of the more than 300 news media representatives who swarmed into Dallas in the wake of the assassination from all over the United States and foreign countries.

More than 100 jammed the third floor corridor of the Dallas Police Department while Lee Harvey Oswald was under detention.

"IN THE WORDS of an FBI agent who was present," the commission said, "the conditions at the police station were 'not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the World Series games.'

"In the lobby of the third floor, television cameramen set up two large cameras and floodlights in strategic positions that gave them a sweep of the corridor in either direction.

"Technicians stretched their television cables into and out of offices, running some of them out of the windows of a deputy chief's office and down the side of the building.

Men with newsreel cameras, still cameras and microphones, more mobile than the television

cameramen, moved back and forth seeking information and opportunities of interviews. Newsmen wandered into the offices of other bureaus located on the third floor, sat on desks and used police telephones; indeed, one reporter admits hiding a telephone behind a desk so that he would have exclusive access to it if something developed."

POLICE CHIEF Jesse Curry, returning from escorting President Johnson to Love Field at midafternoon on Nov. 22, found "just pandemonium" on the third floor, the report said.

The crowd was so dense, the report continued, that Dist. Atty. Henry Wade had to "strain to get the door open" into the homicide office.

Secret Service Agent Forrest V. Sorrels was quoted as saying that he had the impression that "the press and the television people just . . . took over." Dallas Police Capt. Glenn King said that efforts of the police to control the newsmen were unavailing.

"They interfered with people who had to be there," King was quoted in the report as saying.

THE POLICE, in invoking security, started carefully checking all persons for credentials, but some reporters and policemen said that unauthorized persons got in, the report said. One of these was Jack Ruby.

When Oswald was brought from the Texas Theater to the basement of police headquarters, several newsmen got on the elevator with him and his police escort for the trip to the third floor.

From Friday afternoon, when Oswald arrived in the building," the report said, "until Sunday, newspaper reporters and television cameras focused their attention on the homicide office.

"In full view and within arm's length of the assembled newsmen, Oswald traversed the 20 feet of corridor between the homicide office and the locked door leading to the jail elevator at least 15 times after his initial arrival . . .

"Generally when Oswald appeared the newsmen turned their cameras on him, thrust microphones at his face, and shouted questions at him. Sometimes he answered."

THE COMMISSION gave a graphic account of the midnight press conference on the night of Nov. 22:

"In response to demands of newsmen, Dist. Atty. Wade, after consulting with Chief Curry and (Homicide) Capt. (Will) Fritz, had announced shortly before midnight that Oswald would appear at a press conference in the basement assembly room.

"An estimated 70 to 100 people, including Jack Ruby, and other unauthorized persons, crowded into the small downstairs room. No identification was required. The room was so packed that Deputy Chief M. W. Stevenson and Capt. Fritz, who came down to the basement after the crowd had assembled, could not get in and were forced to remain in the doorway.

"Oswald was brought into the room shortly after midnight. Curry had instructed policemen not to permit newsmen to touch Oswald or get close to him, but no steps were taken to shield Oswald from the crowd.

"CAPT. FRITZ had asked that Oswald be placed on the platform

used for lineups so that he could be more easily removed 'if anything happened.' Chief Curry, however, insisted that Oswald stand on the floor in front of the stage, where he was also in front of the one-way nylon-cloth screen customarily used to prevent a suspect from seeing those present in the room. This was done because cameramen had told Curry that their cameras would not photograph well through the screen.

"Curry had instructed the reporters that they were not to 'ask any questions and try to interview (Oswald) in any way,' but when he was brought into the room 'immediately they began to shoot questions at him and shove microphones into his face.'

"It was difficult to hear Oswald's answers above the uproar. Cameramen stood on the tables to take pictures and others pushed forward to get closeups. The noise and confusion mounted as reporters shouted at each other to get out of the way and cameramen made frantic efforts to get into position for pictures.

"After Oswald had been in the room only a few minutes, Chief Curry intervened and directed that Oswald be taken back to the jail because, he testified, the newsmen 'tried to overrun him.'"

THE COMMISSION said that because of the Dallas Police Department policy to let newsmen remain within its working quarters the press was able to publicize virtually all of the information gathered about the case in the first few days.

"In the process," the report said, "a great deal of misinformation was disseminated to a worldwide audience."

This came about because of the informal press relations of the Dallas police, the report said.

"Most of the information," it said, "was disclosed through informal oral statements or answers to questions at impromptu and clamorous press conferences in the third floor corridor. Written press releases were not employed."

"The ambulatory press conference became a familiar sight during these days. Whenever Curry or other officials appeared in the hallway newsmen surrounded them, asking questions and requesting statements. Usually the officials complied."

ALTHOUGH Curry did not sit in on Fritz's interrogations of Oswald, the commission said, "he gave detailed information on the progress of the case against Oswald." Fritz, to a lesser extent, did the same thing, it added.

By Saturday there was widespread concern about the unlimited disclosures, some of them irrefragable, which were being made, the commission said.

"FBI Director J. Edgar Hoover," the report said, "became concerned because 'almost as soon as (FBI laboratory) reports would reach the Dallas Police Department, the chief of police or one of the representatives of the department would go on TV or radio and relate findings of the FBI, giving information such as the identification of the gun and other items of physical evidence."

"On Sunday, after Oswald was shot, Hoover dispatched a personal message to Curry requesting him not to go on the air any more until this case (is) resolved." Hoover testified later that Curry agreed not to make any more statements."

FOLLOWING Oswald's death Curry and other police officers "were disposed to remain silent," the commission said.

On Sunday afternoon Dist. Atty. Wade told the police that people were saying they had the wrong man and that Oswald had been "killed intentionally," the commission said. Wade reportedly recommended that "somebody ought to go out in television and lay out the facts that you had on Oswald, and tell them everything."

"The police," the commission said, "refused to furnish Wade with additional details of the case."

"Wade nonetheless proceeded to hold a lengthy formal press conference that evening, in which he attempted to list all of the evidence that had been accumulated at the point tending to establish Oswald as the assassin of President Kennedy.

"Unfortunately, at that time, as he subsequently testified, he lacked a thorough grasp of the evidence and made a number of errors."

IN COMMENTING on the relationship of the news media with the authorities, the commission had this to say:

"The commission recognized that the people of the United States, and indeed the world, had a deep-felt interest in learning of the events surrounding the death of President Kennedy, including

the development of the investigation in Dallas.

"An informed public provided the ultimate guarantee that adequate steps would be taken to apprehend those responsible for the assassination and that all necessary precautions would be taken to protect the national security. It was therefore proper and desirable that the public know which agencies were participating in the investigation and the rate at which their work was progressing.

"The public was also entitled to know that Lee Harvey Oswald had been apprehended and that the state had gathered sufficient evidence to arraign him for the murders of the President and Patrolman Tippit, that he was being held pending action of the grand jury, that the investigation was continuing, and that the law enforcement agencies had discovered no evidence which tended to show that any other person was involved in either slaying.

"HOWEVER, neither the press nor the public had a right to be contemporaneously informed by the police or prosecuting authorities of the details of the evidence being accumulated against Oswald. Undoubtedly the public was interested in these disclosures, but its curiosity should not have been satisfied at the expense of

the accused's right to a trial by an impartial jury. The courtroom, not the newspaper or television screen, is the appropriate forum in our system for the trial of a man accused of a crime."

"Groundless rumors and public confusion" resulted from "the hasty and at times inaccurate divulgence of evidence," the commission said.

The commission said the Dallas Police Department had the primary responsibility for "having failed to control the press and to check the flow of undigested evidence."

"The commission believes, however," the report continued, "that a part of the responsibility for the unfortunate circumstances following the President's death must be borne by the news media."

It was noted that the American Society of Newspaper Editors had discussed the role of the press in its April meeting and that "strong misgivings" had been voiced by editors about the events in Dallas.

"To prevent a recurrence of the unfortunate events which followed the assassination, however, more than general concern will be needed," the commission said.

"The promulgation of a code of professional conduct governing representatives of all news media would be welcome evidence that the press had profited by the lesson of Dallas."