

# POLICE REPROVED ON OSWALD RIGHTS

Liberties Union Also Indicts  
TV, Radio and the Press

NY-12/6  
By HOMER BIGART

The American Civil Liberties Union charged yesterday that the police and prosecuting officials of Dallas committed gross violations of civil liberties in their handling of Lee H. Oswald, the accused assassin of President Kennedy.

The group said that it would have been "simply impossible" for Oswald, had he lived, to have obtained a fair trial because he had already been "tried and convicted" by the public statements of Dallas law enforcement officials.

The organization proposed that the special panel created by President Johnson to investigate the assassination of President Kennedy should also examine the treatment accorded Oswald. The Dallas police and District Attorney Henry Wade have contended that Oswald's rights were not infringed.

The liberties union raised these questions:

¶ "How much time elapsed before he [Oswald] was advised to his right to counsel?"

¶ "How much time elapsed before he was permitted access to a telephone to call his family and an attorney?"

¶ "During what periods and for how long was Oswald interrogated?"

¶ "What methods of interrogation were used?"

¶ "Was he advised of his right to remain silent?"

The organization indicted television, radio and the press for the "pressure" they exerted on Dallas officials. It described the transfer of Oswald from the city jail as "a theatrical production for the benefit of the television cameras." It held the Dallas police responsible for the shooting of Oswald, saying that minimum security considerations were flouted by their "capitulation to publicity."

It was by mingling with a crowd of television cameramen, announcers and reporters that Jack Ruby, Oswald's alleged slayer, was able to gain access to the police headquarters basement while Oswald was being transferred.

## Trial Rights Infringed

But even had he lived, Oswald "would have been deprived of all opportunity to receive a

fair trial by the conduct of the police and prosecuting officials in Dallas," the report said.

"From the moment of his arrest until his murder two days later, Oswald was tried and convicted many times over in the newspapers, on the radio and over television by the public

statements of Dallas law enforcement officials," the report said, continuing:

"Time and again high-ranking police and prosecution officials stated their complete satisfaction that Oswald was the assassin. As their investigation uncovered one piece of evidence after another, the results were broadcast to the public.

"All this evidence was described by the Dallas officials as authentic and incontestable proof that Oswald was the President's assassin.

"The cumulative effect of these public pronouncements was to impress indelibly on the public's mind that Oswald was indeed the slayer."

With such publicity, it would have been impossible for Oswald to get a fair trial in Dallas or anywhere else in the country, the report said. The trial would have been nothing but a hollow formality.

The report supported President Johnson's appointment of a special investigation commission under the chairmanship of Chief Justice Earl Warren. "It would be dangerous to allow any lingering uncertainty over who killed the President," the statement said.

## Lawyers Visited Jail

The liberties union statement released by its executive director, John de J. Lamberton Jr., was prepared after consultation with the Dallas Civil Liberties Union.

It recalled that Greg Olds, president of the Dallas Civil Liberties Union and three volunteer lawyers went to the city jail late in the evening of Nov. 22, the day the President was assassinated. They were told by police officials, including Capt. Will Fritz, head of the homicide bureau, and by Justice of the Peace David Johnston, before whom Oswald was first arraigned, that Oswald was being advised of his right to counsel but that he had declined to request counsel.

"Since the [A.C.L.U.] attorneys had not been retained by either Oswald or his family, they had no right to see the prisoner nor to give him legal advice," the statement said.

Dallas County District Attorney Wade insisted yesterday that "the police told [Oswald] immediately that he had a right to an attorney, and so did the justice of the peace."

Mr. Wade also said that the

police had the right to question a suspect immediately upon his arrest.

The Dallas police would not say whether Oswald had been given access to a telephone, nor would they comment on the duration and intensity of the questioning.

Police chief Jesse Curry said: "We were conscious of the fact that it was necessary that he (Oswald) be given his civil rights."

Captain Fritz said:

"It wouldn't be any trouble at all to answer that statement and the answer would show that there was nothing unfavorable as far as the Police Department is concerned. He [Oswald] did have all his rights."