

Press And Dallas Police are Blamed for

PANEL SUGGESTS A CODE OF ETHICS

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Statements From Officials
Are Called Prejudicial to
Fair Trial for Assassin

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WASHINGTON, Sept. 27—The Warren Commission declared today that news media must share with the Dallas police the responsibility for the breakdown of law enforcement that led to Jack L. Ruby's killing of Lee Harvey Oswald.

The Commission noted that the prime responsibility was the police department's. However, the Commission made a recommendation for a new code of professional conduct in the collection and presentation of information to the public.

The new code of "ethical standards," the Commission said, is needed so that in the future "there will be no interference with pending criminal investigations, court proceedings, or the right of individuals to a fair trial."

Promulgation of such a code of ethics, the Commission continued, should go beyond an expression of "general concern" in order to make clear "that the press had profited by the lesson of Dallas."

It proposed that representatives of the bar, law-enforcement associations and news media work out the suggested code.

Press Activities Described

The Commission described the pressur of press, radio and television for information about Oswald. It told how police catered to the press and allowed newsmen to overrun the police and courts building.

The Commission accused news media representatives of "regrettable lack of self-discipline." It emphasized that basic responsibility for the course of justice in Dallas in the two days that followed the assassination of President Kennedy lay with the police authorities.

The report rebuked the Dallas police on two counts: First, that its security precautions were inadequate; second, that statements by its members prejudiced Oswald's rights.

The report pointed out that Dallas police officials made no distinction between their customary efforts to accommodate the press and the special situation in which they found themselves.

As a consequence, the report said, Ruby was able to enter

Confusion That Permitted

Slaying of Oswald

the basement of the Dallas police and court building and shoo Oswald in full view of the police, press, radio and TV men.

Television cameras brought the scene to viewers throughout the nation.

The consequence of Oswald's death was that "it was no long possible to arrive at the complete story of the assassination through normal judicial pro-

cedures during a trial of the alleged assassin," the Commission said.

It declared that "the acceptance of inadequate press credentials posed a clear avenue for a one-man assault." It cited the "inadequacy of coordination" among the police authorities in arranging for the planned transfer of Oswald to the county jail. And it declared that "re-

gardless of whether the press should have been allowed to witness the transfer, security measures in the basement for Oswald's protection could and should have been organized and more thorough."

"These additional deficiencies were directly related to the decision to admit newsmen to the basement," the report stated. "The Commission con-

cludes that the failure of the police to remove Oswald secretly or to control the crowd in the basement at the time of the transfer were the major causes of the security breakdown which led to Oswald's death."

Forrest Sorrels, a Secret Service agent, also suggested that Oswald be moved at an unannounced time when no one was around, but Captain

Fritz told him, the report continued, that Chief Curry "wanted to go along with the press and not try to put anything over on them."

The Commission cited interviews given by Dallas police officials during their detention of Oswald and said:

"The running commentary on investigations by the police inevitably carried with it the disclosure of many details that

proved to be erroneous.

Fair Trial Endangered

The police furnished the press with opinions, hearsay items and erroneous information to the point where it not only endangered Oswald's constitutional right to a trial by an impartial jury but also "created a further risk of injuring innocent citizens by unfavorable publicity," the Commission charged.

The Commission devoted a substantial section of its report to newsmen in Dallas and what it termed "the responsibility of news media."

The Commission said it recognized the "deep-felt interest" throughout the world in the events surrounding President Kennedy's death. It endorsed the public's right to know many of the developments surrounding the apprehension and detention of Oswald.

"However," the Commission declared, "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," it went on, "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."

The Commission called attention to the discussion among editors at the annual meeting of the American Society of Newspaper Editors in Washington last April in support of its criticism of the role of the press at Dallas.

Editors' Misgivings Cited

"The discussion revealed the strong misgivings among the editors themselves about the role that the press had played and their desire that the press display more self-discipline and adhere to higher standards of conduct in the future," it said.

The Commission's proposal for new ethical standards was similar to a proposal made by Associate Supreme Court Justice Arthur J. Goldberg at the

April meeting of editors. Justice Goldberg, in a speech, called for an addition to the society's code of ethics that would "adequately safeguard the rights of an accused" in crime reporting.

The editors issued a statement by their society's Freedom of Information Committee warning of possible information curbs because of the events in Dallas. The committee said the curbs were probably aimed primarily at television but called upon newspapers to "re-examine our own shortcomings and rid our own house of irresponsibility."

The existing seven-point code of ethics of the editors' group contains references to the responsibility of newspapers to consider public welfare, to be truthful and to be cognizant of the requirements of fair play.

The section on fair play constrains a newspaper not to publish unofficial charges affecting the reputation or moral character of an individual without giving the accused an opportunity to be heard.

The same section provides that "right practice demands the giving of such opportunity in all cases of serious accusations outside judicial proceedings."

In the only other specific reference to the courts, the section on decency is devoted chiefly to an admonition that details of crime and vice should not be published that could supply "incentives to base conduct" and are "not demonstrably for the public good."