

# KOHN FREED BY HIGH COURT

*State J. J.*  
*12-15-67*

Metropolitan Crime Commission Director Aaron M. Kohn went free today after a night and morning behind bars. His release was ordered by the Louisiana Supreme Court early this afternoon.

Kohn was jailed last night after being held in contempt of court by Criminal District Judge Matthew S. Braniff for refusing to reveal the name of an informant.

The Supreme Court issued an order at 1:15 p. m. freeing Kohn at least until Jan. 15. A hearing on the case was set for that date.

The court ordered Judge Braniff to file a return on that date answering the following two questions:

1. Were the district attorney and the trial judge lawfully entitled to compel Kohn to testify in view of the fact that Supreme Court's order of Dec. 11 in the same controversy had not become final?

2. Are the claims of Kohn that he is protected by the Fifth Amendment to the U.S. Constitution and pertinent provisions of the state Constitution without merit?

The Dec. 11 (Monday) ruling the court cited was in another phase of the same matter, in which the Orleans Parish grand jury sought the same information. Kohn refused to give last night by subpoenaing the records and membership lists of the MCC.

The court on Monday stayed the subpoena and gave both sides 14 days to file answers. The 14 days have not expired.

The justices signing today's order were Frank W. Summers, E. W. McCaleb, W. B. Hamlin and Joe W. Sanders.

**TOLD OF THE COURT'S ACTION**, a delegation of MCC members left International House to greet Kohn on his release. They included MCC President E. C. Upton and Dr. J. D. Grey, pastor of the First Baptist Church, a MCC executive committee member. They were to meet Kohn in the office of Criminal Sheriff Louis A. Heyd Jr.

Dr. Grey said:

"We want to show our encouragement and express our indignation at yesterday's events. We have the utmost confidence in Mr. Kohn and in his integrity and back him 100 per cent. We feel that justice will be done—eventually."

**LAWYERS FOR THE COMMISSION** had filed two motions with the high court this morning aimed at obtaining Kohn's release from Parish Prison.

Meanwhile, in the mouse-infested cubicle where he spent the night behind bars, the prison stripe-clad crime commission executive declared he would protect his informants even though he had "in effect been sentenced to prison for the rest of my life."

"I DON'T KNOW any limitations on a person's meeting of obligations," Kohn asserted. "The whole reason for my imprisonment is our refusal to betray the people who have placed confidence in us."

Kohn was ordered into Parish Prison last night by an angry Criminal District Court Judge Matthew S. Braniff, who told the MCC official:

"If Mr. Kohn wants to play cops and robbers, he is going to have to come up with something in the way of proof instead of making a sham of the judiciary."

MCC attorneys contended the judge's action violated Kohn's constitutional rights. At the same time, they asked the court to implement the Dec. 11 decision.

At Parish Prison, Kohn attacked District Atty. Jim Garrison and criticized Judge Braniff for his treatment of MCC officials.

"I have in effect been sentenced to the rest of my life in prison," he declared, "unless I expose an informant to a vicious prosecutor with a clear record of trying to hurt anyone who helps prove organized crime—which Gar-

Prison denies—exists."

**HE ACCUSED THE DA** of coddling Jefferson Parish rackets figure Carlos Marcello when he appeared recently before the Orleans Grand Jury.

"He spent only 10 minutes before the grand jury. It was clear that he could not possibly have been questioned about the great amount of data available about Marcello's racketeer history," he said.

Kohn criticized what he termed "Judge Matt Braniff's vehement attack from the bench after he sentenced me." He said the judge's conduct reflected his "deeply emotional disdain for the Metropolitan Crime Commission and its purposes."

"It was clear," Kohn asserted, "that impartial justice was not available there."

**KOHN SAID THE** "whole reason" for his imprisonment was "our refusal to betray the people who have placed confidence in us.

"We are committed," he said, "to protect them against revenge and recrimination. My very presence in Parish Prison indicates that such a threat is real and not imagined."

Kohn said, "I just believe our system of justice, when it is fully tested, will not permit the powers vested in Garrison to be abused in a manner which encourages racketeers and hurts the ability of our laws to protect this community against its criminal marauders."

He contended that the district attorney's office does not want to act against organized crime in Orleans Parish, even though it does exist.

**HE SAID** Garrison's office "has been the defenders rather than the aggressors against organized crime."

Asked if he still believes that organized crime exists, Kohn said:

"There is no doubt about it. To accept Garrison's conclusion is to believe that the FBI, that the Internal Revenue Service, that the U.S. attorney's office and the crime commission have something to gain by manufacturing a serious problem when it really doesn't exist."

"Why does the New Orleans Police Department maintain an organized crime intelligence unit under the command of Capt. Tom Drake?" Kohn asked.

Kohn was in good spirits this morning, despite the fact that he got little sleep during the night.

Kohn was housed in a room that was formerly used

for externs from Charity Hospital who serviced the prison.

The light green room was furnished with a cot, a dresser with one drawer missing and an Angola Penitentiary green bean can serving as an ash tray.

**BESIDES THE** mattress on his bed, Kohn said there were eight more mattresses piled in a corner of the room.

"My wife makes hamburgers that are thicker than the mattresses," said Kohn.

But the crime commission director said he was not complaining about the accommodations since they are the best in the prison.

He said he just wanted to point up the conditions that exist, in the hope that something will be done.

He said that "every citizen who doesn't give a damn" should spend a night in the best facility the prison

has to offer. He said three mice made themselves at home in his room during the night and on occasions crawled across his mattress.

Kohn said there was never any doubt in his own mind that he would be jailed.

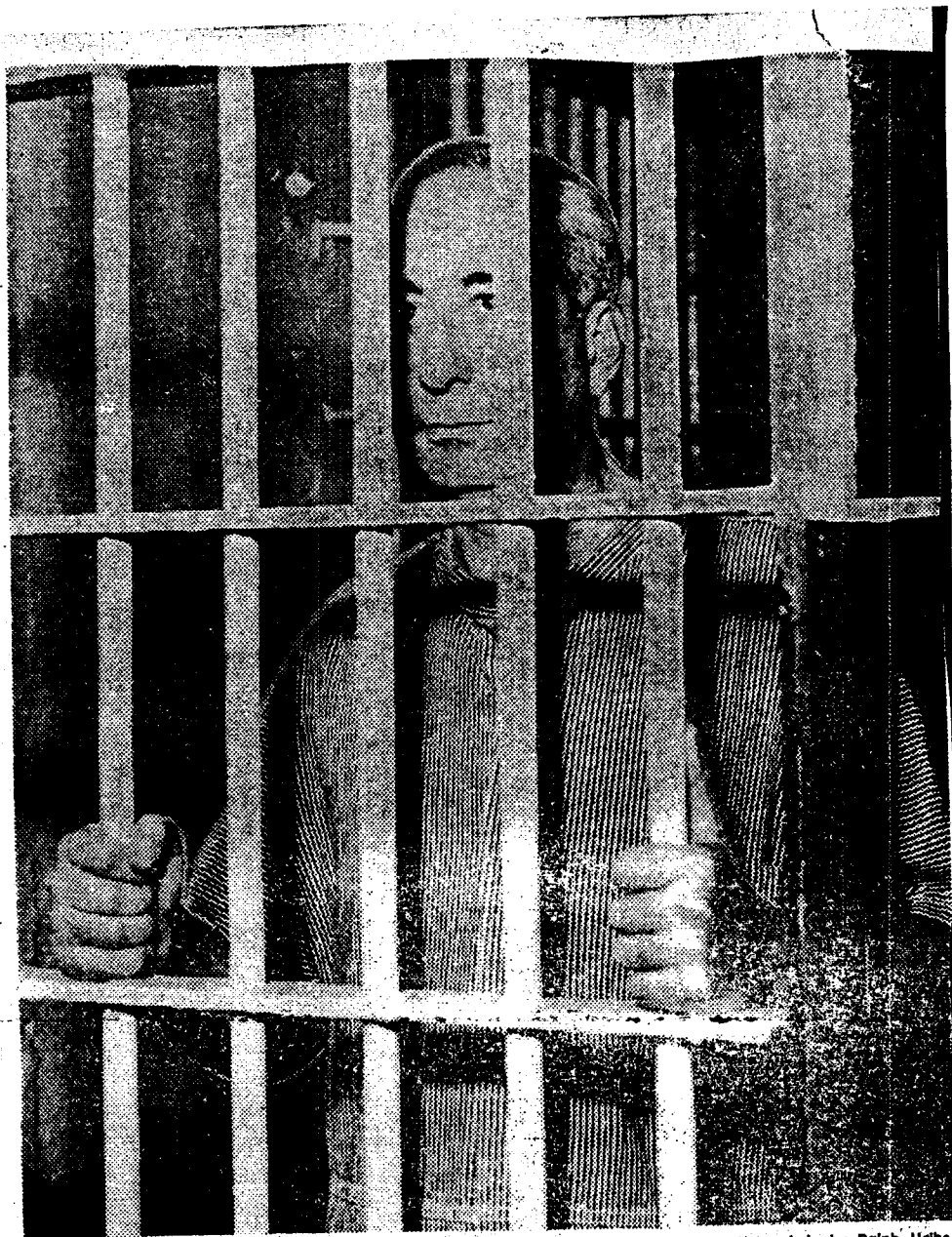
**"THE INTENTION** of the district attorney's office was made very clear and repeatedly reaffirmed every time I have been before the grand jury under the interrogation of the district attorney's staff. . . ."

He said the office has "consistently made it very clear that the purpose was to manipulate me into a situation where I would have to shut up."

For the first time in its history, said Kohn, "the crime commission has been forced to temporarily set aside its real purposes, which are to help public officials and grand juries in any way it can.

**"THERE HAS** always been in these calls before the grand jury . . . a deliberate harassment process."

Kohn said Garrison "has used his assistance and the jury's" in an effort to disband the crime commission. *and*



—States-Item photo by Ralph Uribe.

**CRIME COMMISSION MANAGING DIRECTOR AARON KOHN**  
Citizen watchdog behind bars.