

34 Crime Abroad

1967 —Closing

NEW YORK POST, WEDNESDAY, JUNE 28, 1967 The Loopholes

Citing "areas of law that I find do need correction," Rep. Kupferman (R-Man.) today introduced a bill in the House which would give federal district courts jurisdiction over some criminal cases overseas.

The New York lawmaker said his bill was intended to fill a "jurisdictional void" resulting from a U. S. Supreme Court ruling. This ruling prevents military tribunals from trying U. S. civilians for crimes while "employed by or accompanying the armed forces outside the United States," according to the congressman.

A basis for the Supreme Court ruling is that military tribunals do not provide the defendant with the constitutional right to trial by jury and a grand jury indictment.

Provide Safeguards

Kupferman's bill would enable Federal district courts to try non-military personnel while providing them with "the necessary safeguards of grand jury indictment and trial by jury."

"Unfortunately," Kupferman says, "the effect of the Supreme Court ruling has been to provide a legal loophole through which criminal offenders have escaped prosecution when the foreign governments decline to prosecute."

According to Kupferman, there are almost 1,000 serious offenses committed overseas with no tribunal empowered to act.

Woman Released

The congressman noted one offense in which the wife of a military man overseas, charged with his murder and subsequently found guilty by a general court martial, was later released, since she had been denied right to a grand jury indictment and a jury trial.