

U.S. to Offer Confessions in

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Atty. Gen. John N. Mitchell said yesterday "voluntary confessions" given to federal officials who may not have warned a suspect of his rights will still be offered in court as evidence by government prosecutors.

"We believe that a failure to give a full warning does not necessarily mean that the con-

fession is invalid and that the department should automatically concede an error," Mitchell told a House committee conducting hearings on crime.

The attorney general said that the Supreme Court decision, known as the "Miranda Case," requiring police to warn a suspect of the charges against him and of his right to remain silent and be repre-

sented by a lawyer" was a great psychological blow to the morale of our local police departments."

"If a federal official inadvertently fails to give a full warning, the Department of Justice now believes that the confessions may still be a voluntary confession and should be presented to the court as evidence," Mitchell said.

The attorney general said he has issued an executive order instructing federal officials to follow this new policy. He said he acted under provisions of the omnibus crime bill passed last year by Congress.

Mitchell said the new law provides "that the Miranda warnings were not necessarily mandatory but are only to be

Spite of Miranda Ruling

considered as one aspect of whether the confession is voluntary.

"In general, federal lawyers and law enforcement officers will continue the present practice of giving the full warnings outlined by the Supreme Court," he added.

Mitchell said he has taken action also under another provision of the omnibus

crime bill that struck at the Supreme Court decision that an accused is entitled to have his counsel present at a pretrial identification lineup.

"The omnibus crime bill specifies that the absence of counsel at a line up should not automatically exclude the identification of the suspect at the trial," Mitchell said.

"Where we are convinced

that the lineup was fair—for an example, where the suspect was lined up with a number of suspects of similar physical characteristics—we will attempt to introduce the lineup identification on the grounds that it was based on an independent recollection and not on any inherently coercive features of the lineup procedures."