

Iowa Attorney General Asks End To Warning Suspects About Rights

By Mike Pauley

Special to The Washington Post

DES MOINES, Aug. 17 —

Iowa Attorney General Richard C. Turner has launched a nationwide campaign to overturn recent U.S. Supreme Court rulings on the rights of the accused by amending the U.S. Constitution.

Turner, a Republican, has sent copies of a resolution to the Attorney General of every state, calling for an amendment to the Constitution that says:

"Every person shall be presumed to know his rights under this Constitution and nothing herein shall prevent comment in any criminal case upon the exercise of any such rights of the accused."

Turner's resolution contains this paragraph:

"We believe that in seeking the truth it is proper and constitutional to interrogate defendants and witnesses in criminal cases, and to obtain confessions and statements from them, 1. (Whether voluntary or involuntary) 2. (By trickery or otherwise) so long as no coercion or compulsion is used."

Deletion Optional

A note at the bottom of the resolution says: "One or two, or both, may be deleted, although the Attorney General of Iowa prefers to leave them in."

Turner's proposed constitutional amendment would overturn the Supreme Court's 5-to-4 *Miranda vs. Arizona* decision of 1966 and the Court's

6-to-2 *Griffin vs California* of 1965.

According to Turner's resolution, the court acted in these two cases "without sound factual, logical or legal support."

The essence of the *Miranda* ruling is that an arresting officer must inform the individual of his right to remain silent, that what he says can be used against him, that he has the right to an attorney, and that if he cannot afford an attorney one will be appointed for him.

Prosecutor Inhibited

The gist of the *Griffin* decision is to prevent a prosecutor from commenting a jury on the significance of an accused's not taking the stand in his own defense.

Turner plans to present his resolution containing the proposed constitutional amendment at a meeting of the National Association of Attorneys General Aug. 27-31 in Portland, Ore.

Turner was not available for comment today on his resolution. His secretary said he was in Texas.

Iowa Solicitor General

Richard Haesemeyer, the No. 2 man in Turner's office, said Turner also had sent his proposed resolution to a number of national figures, including former President Dwight D. Eisenhower.

Haesemeyer said Turner was acting on his own in his role as Iowa Attorney General and that his action is not an official project of the Attorney General's office.

Iowa Gov. Harold E. Hughes said today he disagrees with Turner's stand but could not disagree with his right to try to change the Constitution.