GOSSETT CALLS TRIAL CHARADE

American Bar to Seek Probe of Garrison

(Special to The Times-Picayune)

DETROIT, Mich.—The American Bar Association will urge the Louisiana Bar Association to consider disciplinary action against District Attorney Jim Garrison because of the Clay L. Shaw trial, ABA president William T. Gossett said here Saturday.

Gossett said most members of his association viewed the trial which ended in Shaw's acquittal as a "charade."

However, a few hours after being interviewed by a Detroit reporter, Gossett said he had been speaking off the record.

"The whole story is inaccurate," the ABA president said. "I was just having an informal discussion with the reporter and did not expect it to be quoted."

BOARD MUST ACT

Gossett said he would not be in a position to act against Garrison. Any action against the district attorney would have to be taken by the ABA board of governors, he said.

"They will not meet until next May," Gossett noted.

"We have to have the facts," he said. "We have to know that Garrison acted deliberately just to harass this fellow (Shaw) and

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did not just make a mistake in judgment."

Gossett added, "Maybe his witnesses went back on him. They must have been pretty good or the grand jury would not have indicted Shaw."

In the interview with the Detroit reporter he later termed "inaccurate" and "off the record," Gossett was quoted as saying that Garrison's motives for bringing Shaw to trial on a charge that he conspired to kill President John F. Kennedy must be investigated by the LBA, which has jurisdiction in Louisiana where the Orleans Parish district attorney is licensed to practice law.

"The case couldn't have been too strong," said Gossett, after noting the innocent verdict was returned unanimously by the jury after a little less than an hour of deliberationn.

GIVES OPINION

Gossett said he was sure "there was a feeling of outrage among people in Louisiana over what appeared to be an unjustified attack on Shaw.

"I'm sure that attorneys there question whether the indictment was properly founded," he said. "My personal opinion is they will be compelled to investigate."

He said the ABA will ask George B. Hall, LBA president, and Thomas O. Collins Jr., LBA executive counsel, to initiate the investigation against Garrison.

Trials such as the one involving Shaw "tend to create doubt about our judicial process . . . our system of jurisprudence," Gossett said.

Garrison's ethics and representation as a public official now are officially open to question, he added. "I don't know what led Garrison to act in the Shaw case," said Gossett. "He may have had unreliable information."

"Certainly his principal witness seemed to be wholly unreliable."

Gossett referred to Perry Raymond Russo, the star witness whose testimony failed to live up to advance billing by the prosecution. "We don't want to prejudge Garrison because we really don't know what motivated him," said Gossett.

"But the general comment among attorneys has been to wonder about the basis and validity of action he took when he sought Shaw's arrest. Was it appropriate?"

Gossett noted that Shaw was indicted by a grand jury, and that Garrison must have "shown sufficient reason to them (the grand jurors).

"But all they heard is what he told them. They didn't hear the defense."

Shaw can possibly sue for damages, stated Gossett.

"He has had to pay attorney fees, he has lost two years of his life preparing for his trial, and he has had to endure the anxiety," said Gossett.

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In a case of action to disbar an attorney or a civil action for damages, the issue is not whether there has been an error in judgment, but if a deliberately malicious action was taken, Gossett said.

"You can't disbar an attorney for incompetence," said Gossett. "So it is very difficult to prove anything in a disbarment proceeding."

However, he said, the ABA "will agitate for an investigation of Garrison to try to determine whether he had just reason to believe Shaw was guilty as he had charged him."