

# Allow Prison Interviews, U.S. Ordered

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U.S. District Court Judge Gerhard A. Gesell yesterday ordered the government to allow press interviews with inmates of the nation's 28 federal prisons on a case-by-case basis.

Gesell ruled that a policy by the Federal Bureau of Prisons, refusing to allow the press to interview any of its 21,500 inmates, violated the inmates' constitutional rights under the First Amendment.

"There is no law that deprives prisoners of their right to speech by communicating with the press," Gesell wrote. The decision came in a suit brought by The Washington Post Co. and one of its assistant managing editors, Ben H. Bagdikian, author of a series in The Post on prison conditions. He was denied interview access with those inmates he had asked to see at federal prisons in Lewisburg, Pa., and Danbury, Conn.

A Justice Department spokesman said last night that no decision has been made whether to appeal Gesell's ruling. He said the department would have no comment.

**Deadline for New Rules**  
The judge did not rule that prison inmates have an absolute right to be interviewed. But he said the Bureau of Prisons' regulations "must be more precisely drawn to prohibit interviews only where it can be clearly established that serious administrative or disciplinary problems are being created."

Gesell gave the Bureau of Prisons 30 days to draw up new regulations. "The threat

of new press regulations," he said, "should be permitted unless censored confidentially, interviews wherever possible."

The ruling was a setback for the Bureau of Prisons. Until February, it had simply refused to allow contact between reporters and inmates.

On Feb. 11, with its press policies already under attack in other lawsuits, the bureau adopted a new series of regulations under which the press was allowed casual "conversations" with inmates whose identities were not to be made public.

But full-scale interviews with particular inmates were still outlawed. Gesell's ruling struck down the new policy less than two months after it went into effect.

"Prisons are public institutions," Gesell wrote. "The conduct of these institutions is a matter of public concern. Whenever people are incarcerated, whether it be in a prison,

an insane asylum or an institution such as those for the senile and retarded, opportunity for human indignities and administrative insensitivity exists."

"These thus deprived of freedom live out of the public view. It is largely only through the media that a failure in a particular institution to adhere to minimum standards of human dignity can be exposed."

Gesell is the same judge who ruled last June that the federal government did not have the authority to keep The Washington Post from publishing stories about a secret Pentagon study of the Vietnam war.

In his decision yesterday, the judge was not entirely complimentary to the Fourth Estate. "The press can be superficial, overly persistent and sometimes lacking in objectivity," he wrote. "But nonetheless, the need to grant sub-

stantial press access to prison-ers is readily apparent."

Prison officials had argued before Gesell during a full-day hearing March 23 that prisoners sometimes use the press to foster revolt within a prison and to inflame their own sense of importance.

The officials also maintained that excessive press attention to certain well-known inmates — such as Teamsters president James Hoffa or Congressional aide Robert G. (Bobby) Baker — detracted from their rehabilitation and created administrative problems.

### Grievance Aired

Gesell found that these arguments were "real considerations" and were "advanced in good faith." But, he said, those factors do not justify a blanket denial of press access to all individual inmates willing to be interviewed.

Bagdikian, who initiated the lawsuit, said he had no immediate plans to conduct inter-

views at Danbury and Lewisburg now. Many of the prisoners he had wanted to interview testified about their grievances in a court hearing last week, Bagdikian explained. He covered the hearing and wrote an article about it.

Bagdikian said that Gesell's decision "will remove much of the frustration of non-communication felt by prisoners generally, and if the press does its job, many of the hidden and forgotten cases of cruelty and injustice will be remedied."

### Sihanouk in N. Korea

HONG KONG, April 5—Deposed Cambodian head of state Prince Norodom Sihanouk arrived in Pyongyang today on his third visit to North Korea following his ouster in March, 1970.