

Katzenbach Sets Crime News Policy

Most Practices
Already Observed,
He Tells Editors

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Attorney General Nicholas deB. Katzenbach announced before the Nation's top editors yesterday a policy that will guide the Department of Justice in giving out information about criminal cases.

He emphasized that the policy statement was directed at his Department's personnel—primarily FBI men and prosecutors — and not at the press.

Addressing the American Society of Newspaper Editors at the Washington Hilton, Katzenbach said:

"It is not for us to regulate the conduct or the content of the press. We, whether in the Department or in the bar, are hardly the exclusive keepers of the keys to the kingdom of justice.

Policies 'Articulated'

"The proper administration of justice is a responsibility in which we all share—public officials, editors and citizens. For us to try to impose our judgment on yours denies your share in that responsibility. While we may, out of valid concern, seek to inform your judgment, it is not for us to override it."

The Attorney General said that his statement, which he sent to Justice Department personnel yesterday morning, outlined policies that are generally already observed. They were being articulated now, he said, to assure the observance of consistent and uniform standards in all offices



Associated Press

Attorney General Nicholas deB. Katzenbach addresses a session of the American Society of Newspaper Editors at the Washington Hilton Hotel.

throughout the country.

Lays Down Ground Rules

He laid down these things that could be done in criminal cases in advance of a trial:

- "We should identify a defendant not only as to name, but wherever possible give his age, address, occupation, marital status and other general background information.

- "The substance or text of a charge—such as a complaint or indictment—should be freely available.

- "We should identify the arresting agency and, if relevant, disclose the length of the investigation preceding

the arrest.

- "Limitations should not apply to the release of information necessary to enlist public assistance in apprehending fugitives from justice.

- "We may make available photographs of a defendant, but only if a valid law enforcement function is thereby served."

Katzenbach then went on to proscribe another category of information, which he said was "so plainly prejudicial that not even the needs of a free press should override it."

"The single most damaging

See ASNE, A4, Col. 1.

Katzenbach Outlines Policies For Release of Crime Information

aspect of pretrial publicity," he went on to say, "is the publication of defendants' confessions or admissions. This prejudice is so great and so well understood among editors that I know many flatly refuse to publish confessions, even if volunteered by law enforcement authorities. We believe that no such confessions—or even the fact that a confession has been made—should

be provided by the Department of Justice."

He told prosecutors not to editorialize in releasing information—not to characterize a defendant as "a mad dog sex killer," for example—and he said that Department personnel should not refer to investigative procedures such as fingerprint, polygraph, ballistics or laboratory tests."

Katzenbach said that he

agreed with the words of the Florida Supreme Court that there was "little justification for a running fight between the courts and the press on this question of a fair trial and a free press."

A press-bar committee of the ASNE earlier had submitted a report rejecting proposals for a blackout of large areas of news in criminal cases.

Alfred Friendly of The Washington Post, chairman of the press-bar committee, said yesterday:

"The policy the Attorney General has enunciated conforms about 1000 per cent with the ideas we tried to put forth in our report. It surely is a policy that we ought to be able to live with and cooperate with."

To Circulate Statement

David C. Acheson, U.S. Attorney for the District of Columbia, said the Katzenbach guidelines would have little effect in Washington since they are for the most part already being followed here.

As the prosecuting arm for most District of Columbia cases, the U.S. Attorney's office here is in the unique position of being not only the District Attorney but the State's Attorney. Therefore the Katzenbach statement of policy applies to information about murders, jewel robberies and street corner muggings.

Everywhere but in the District of Columbia, most such cases come under jurisdiction of local courts, not Federal authorities.

Acheson said he will circulate the Attorney General's new policy statement to his assistants and will discuss it with Tim Murphy, chief assistant U.S. Attorney in the Court of General Sessions.

A spokesman for the FBI

said the Bureau will be bound by the policy, but he declined to say whether it will bring any changes.

Asks Help for Program

In a later panel discussion, Attorney General Edward W. Brooke of Massachusetts told the editors he would like to see them adopt a voluntary code on press treatment of criminal cases. Judge J. Skelly Wright of the U.S. Court of Appeals said he too thought a code would be helpful, although he opposed any gags on the press.

Clifton Daniel of the New York Times said he was not opposed to a voluntary code but noted that there was no constitutional way of enforcing controls over what the press may print.