

RULING IN KOHN CASE PROMISED

Argument About Alleged Intimidation Given

Criminal district court Judge Edward A. Haggerty Jr. promised a ruling for Tuesday on validity of the public intimidation indictment of Metropolitan Crime Commission managing director Aaron M. Kohn.

Judge Haggerty set the day after defense attorney Milton Brener and Assistant District Attorney William R. Alford Jr. made brief oral arguments Thursday.

Kohn is charged with public intimidation of city Councilman Eddie L. Sapir. Kohn is supposed to have committed the crime by making a statement before the city council Oct. 3.

Kohn questioned Sapir's motives in his deliberations on the proposed charity bingo ordinance and alleged "continuous and close contact" between Sapir and rackets figure Carlos Marcello.

Judge Haggerty took under advisement a supplemental motion to quash. The motion argued that Kohn's statement contained no threats.

Therefore, the motion said, no crime was committed, since use of violence, force, or threats to influence a public official in performance of his duties must be proved to prove public intimidation.

Alford filed a written answer saying that Brener's allegation that the statement attributed to Kohn contains no threats is a conclusion on Brener's part.

It is up to the jury to decide whether or not Sapir was threatened, he added.

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