

# POLICE WILL TAPE SUSPECTS' WORDS

Leary Says Test Recorder Will Run 24 Hours a Day

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Special to The New York Times

WASHINGTON, Dec. 14 — A tape recorder will turn 24 hours a day in a police interrogation room somewhere in Manhattan.

A camera will run 24 hours a day in the same room, or another of the rooms where the police question suspects in major crimes.

An observer who will not be a policeman will sit in, too.

The recorder and the camera will run whether or not anything is going on in the room, and their contents will be sealed at day's end.

This will be New York City's test of a new approach to the restrictions that the United States Supreme Court has placed on police questioning of suspects.

The plan was revealed today by the city's Police Commissioner, Howard R. Leary, in testimony before a Senate Government Operations subcommittee.

It was been worked out in cooperation with the Vera Institute of Justice, a foundation that conducts research projects in criminal justice.

The idea, Mr. Leary said, is to provide for an impartial observation of the length of interrogation and the way the police and the suspect behave during it.

The pilot project, he said,

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"will focus specifically on homicide, kidnapping, robbery, forcible rape, other felony sex crimes, assault with a weapon and narcotics."

Aides of the Commissioner said that the pilot project, to run for six months, will begin early next year. It has not been decided whether to split the test among three Manhattan precincts or concentrate it in the spacious new quarters of the city's 13th precinct, the building that also houses the Police Academy, at 235 East 20th Street.

Mr. Leary noted in his testimony that the Miranda decision by the Supreme Court had set new guidelines as to what constituted coercion in police questioning of suspects.

Mr. Leary referred to a Su-

preme Court decision that overturned the rape conviction of Ernesto A. Miranda in Phoenix, Ariz., on the ground he had not been advised or warned of his right against self-incrimination.

But this decision, he said, "only outlined the perimeters of permissible questioning by prescribing minimal standards for the police interrogation of suspects."

"It left to the individual jurisdictions the continuing search for the optimal balance between law enforcement efficiencies and the protection of individual rights," the Commissioner explained.

The lay observer who will watch police interrogations as part of the experiment will function, the Commissioner said, as an "impartial witness to the statements of the police, the responses of the suspect, any

voluntary statements he makes and the time and method of interrogation."

Where recording devices are used, he said, the day's tape or film "will be removed and sealed under maximum security conditions."

Mr. Leary presented the details of the project as he traced new problems of his expanding department and, to this subcommittee which is looking into the Federal Government's relationships with the nation's cities. He made a brief plea for financial help.

"Fiscal experts have indicated," he said, "that the budget of the New York City Police Department will more than double by 1974 to an estimated \$860-million."

"I sincerely doubt that our city—or any city—can bear this staggering burden alone."

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