

Morse Blasts New Plan For Police Questioning

Sen. Wayne Morse (D-Ore.) said last night that the Justice Department plan to set up procedures for police questioning was a "subterfuge" to permit investigative arrests.

In a Senate speech, Morse declared that the new ground rules will jeopardize civil liberties. He said they should be incorporated into legislation so that the whole package will receive an early court test.

Morse asserted he has no doubt that the Justice Department guidelines are unconstitutional.

"I'll do nothing to prevent a vote on an omnibus crime bill," Morse declared. "The sooner we get it to the Supreme Court for determination, the better."

Blocked Senate Once

In the last Congress, Morse blocked Senate action on a crime bill, stating that its provisions were unconstitutional.

Under the new police procedures, which are to go into effect next week, police will be able to question a person arrested on probable cause for up to three hours before taking him before a magistrate to be formally charged.

The accused is to be told

that he need not make any statements, and is to be given an opportunity to call a friend or relative and to consult an attorney. Records are to be kept of the interrogation and he is to be arraigned as soon as possible.

Morse said the Justice Department directive is an effort to scuttle the Mallory Rule. In that decision the Supreme Court said a confession is not admissible in court if it is obtained during an unnecessary delay between arrest and arraignment.

'No Questioning Needed'

Police have no need to question an arrested person, Morse declared. If they have probable cause, they should take him before a magistrate immediately and have him arraigned, he asserted.

Morse said that Deputy Attorney General Ramsay Clark and U.S. Attorney David Acheson, who worked up the guidelines with Police Chief John B. Layton, do not want legislation because of their fears that it would be unconstitutional. Instead, he said, they want administrative procedures to be tested "on an installment basis."

He said Clark and Acheson have offered no evidence that the Mallory Rule had impeded police investigations or is in any way a cause for the increase in crime in the city.