

Mitchell Asks New Name For 'No Knock' Authority

By WARREN WEAVER Jr. JUL 21 1970
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WASHINGTON, July 20—Attorney General John N. Mitchell told a House committee today that the "no knock" authority Federal agents are seeking to strengthen their search powers had become a widely misunderstood "catchword."

The Attorney General, defending the principle of forced entry without warning after a warrant has been obtained, proposed that "no knock" be renamed "quick entry." The latter term, he said, would be less misleading and prejudicial.

Testifying before the Ways and Means Committee, Mr. Mitchell emphasized that if Federal agents were granted "no knock" power, they nevertheless would not be authorized

to enter private homes at any time on their own decision.

"Under the 'no knock' rule," he said, "an agent may enter a person's premises without announcing his authority and purpose only if he has obtained a search warrant from a judge and the judge has been persuaded there is probably cause that evidence will be quickly and easily destroyed or that there is a danger to life and limb of the agent."

Authority for "no knock" searches is contained in the District of Columbia Crime Bill now before the Senate for final approval and in a new tough narcotics bill that was approved by the Senate last January and is now pending in

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the Ways and Means Committee.

This anticrime weapon was attacked and defended on the Senate floor today in the third day of inconclusive debate on the District of Columbia measure. Under an agreement reached today, the bill will come up for a final vote Thursday afternoon.

The 500-page measure before the Senate is a conference report, the product of three

months of effort by representatives of the House and Senate to compromise differences between the separate bills they passed earlier.

As a conference report, it is not subject to amendment—for example, to delete the "no knock" provision—but must be adopted or rejected as a whole. Although a group of Senate liberals is debating the crime bill extensively, their voting strength is estimated at only 25.

Senator Charles E. Goodell, Republican of New York, led the attack on the crime bill today, charging that the "no knock" provision was "noxious policy, bad law that is likely to be unconstitutional."

Mr. Goodell also criticized sentencing provisions in the

bill that would make a five-year jail sentence mandatory on the second conviction for a crime of violence while armed and would permit a life sentence on the third conviction or a felony. He said such sentences had not discouraged crime in the past.

Senator Joseph D. Tydings, Democrat of Maryland, the chief sponsor of the bill, said that the House would not accept any "watered down" version that might be drafted if the present conference report should be voted down.

"If this conference report fails," Mr. Tydings said, "there will be no D.C. crime legislation in this Congress. And any D.C. crime legislation in the future will have in it every feature this bill contains and

perhaps even some of the odious features the Senate conferees eliminated from the House-passed bill in conference."