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Supreme Court**A Ruling Limits
'Miranda' Rights****Washington**

The Supreme Court yesterday broadened the power of prosecutors to use evidence indirectly obtained from defendants who are not fully informed of their rights. The court's 8-to-1 decision stemmed from the conviction of Thomas W. Tucker of Pontiac, Mich., on a rape charge. Tucker appealed on the ground that the prosecution learned of a witness only through a statement that Tucker gave police.

Police had not told Tucker that he had the right to have a lawyer provided free. Such a statement to suspects is required by a 1966 decision of the Supreme Court known as the Miranda ruling.

Tucker was arrested and questioned before the Miranda decision, but his trial came after it.

Justice William H. Rehnquist, speaking for the majority of the court, said Tucker's interrogations showed "inadvertent disregard" of the procedural rules established under the Miranda decision.

But Rehnquist said it did

not violate Tucker's constitutional right not to be required to incriminate himself.

"Just as the law does not require that a defendant receive a perfect trial, only a fair one, it cannot realistically require that policemen investigating serious crimes make no errors whatsoever," Rehnquist wrote.

He said there was no reason to believe the testimony of the witness was untrustworthy simply because Tucker was not advised of his right to appointed counsel.

Justice William O. Douglas, dissenting, said the circumstances did not meet constitutional standards for protecting Tucker's privilege against self-incrimination.

Justices William J. Brennan and Thurgood Marshall said a ruling that the testimony was inadmissible, coming years after the crime was committed, "would severely handicap any attempt to retry the defendant."

One lawyer who has made a special study of the case

said the decision appeared to affect directly only those defendants who were questioned before the Miranda ruling and tried afterward.

The Oakland county, Mich., prosecutor, L. Brooks Patterson, said Tucker was sentenced to 20-to-40 years in the Michigan State prison, where he has been since 1966.

Associated Press