

Kaufman Says Code Bars
Sitting Judge as Prosecutor

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A United States Court of Appeals Judge said yesterday that it would be "inappropriate" for a sitting judge to become special prosecutor for the Watergate inquiry, and would be forbidden by the code that governs the conduct of Federal judges, according to The Associated Press.

Judge Irving R. Kaufman issued this statement:

"Ordinarily, I would not comment on speculation in the press over the naming of a Watergate special prosecutor; but repeated references to me in the media as one under consideration compel me to make this statement. I consider it inappropriate for a sitting judge to conduct this inquiry. Indeed, the Code of Judicial Conduct, which I helped draft, forbids such an assignment. Under no circumstances would I accept the appointment."

Persons close to Judge Kaufman said Saturday that he had been approached to take the job but had turned it down.

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