

FBI

9 Mar 1964  
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NEW YORK, MARCH 9 (AP)-THE AMERICAN CIVIL LIBERTIES UNION DISCLOSED TODAY IT HAD WRITTEN TO ATTY. GEN. ROBERT KENNEDY A MONTH AGO CRITICIZING FBI DIRECTOR J. EDGAR HOOVER FOR PUBLICIZING PREVIOUS ARREST RECORDS OF THE ALLEGED KIDNAPERS OF FRANK SINATRA JR.

THE ACLU SAID THE FEB. 4 LETTER, NOT MADE PUBLIC WHILE THE TRIAL OF THE ALLEGED KIDNAPERS WAS IN PROGRESS, URGED KENNEDY TO SET UP A NEW POLICY IN THE JUSTICE DEPARTMENT, BANNING RELEASE OF "SUCH PREJUDICIAL INFORMATION."

LAST DECEMBER, IN A STATEMENT ISSUED AT THE TIME OF THE ARREST OF THE THREE MEN LATER CONVICTED IN THE KIDNAPING, HOOVER GAVE A DETAILED ACCOUNT OF THE POLICE RECORDS OF THE THREE MEN. THE RECORDS INCLUDED ARRESTS FOR ASSAULT AND BATTERY, DESERTION, DRUNK AND DISORDERLY, BURGLARY, LIQUOR VIOLATIONS AND TRESPASSING.

THE ACLU LETTER CALLED HOOVER'S ACTION "AN EXTRAORDINARILY DAMAGING PRECEDENT FOR THE CONDUCT OF LAW ENFORCEMENT OFFICERS THROUGHOUT THE COUNTRY," ADDING:

"THE INEVITABLE EFFECT OF SUCH AN ANNOUNCEMENT IS TO PREJUDICE THE ACCUSED MEN AND TO MAKE MORE DIFFICULT THE PROSPECT OF RECEIVING A FAIR TRIAL BY AN UNBIASED JURY."

NOTING THAT SUCH INFORMATION COULD NOT BE PRESENTED AT THE TRIAL UNLESS THE DEFENDANTS ELECTED TO TESTIFY IN THEIR OWN BEHALF, THE ACLU ASKED KENNEDY TO INSTRUCT HIS DEPARTMENT TO STOP MAKING PUBLIC STATEMENTS THAT CAN "SERIOUSLY ENDANGER THE BASIS OF A FAIR TRIAL."

REFERRING TO THE LEE HARVEY OSWALD CASE, IN WHICH THE AMERICAN BAR ASSOCIATION AND OTHERS HAVE CRITICIZED PREMATURE PUBLICATION OF INFORMATION PREJUDICIAL TO OSWALD, WHO WAS SLAIN BEFORE HE COULD COME TO TRIAL, THE ACLU ADDED:

"MR. HOOVER, HIMSELF, RECOGNIZED THIS PROBLEM WHEN HE WROTE CRITICALLY RECENTLY...ON TELEVISION'S ROLE IN REPORTING CRIMES AND COURT TRIALS. WE REGRET THAT MR. HOOVER IS NOT APPLYING HIS EXCELLENT ADVICE TO LAW ENFORCEMENT OFFICIALS, WHO, WITH THE PRESS, SHARE MAJOR RESPONSIBILITY WHEN THE ADMINISTRATION OF JUSTICE IS ABUSED BY PRE-TRIAL PUBLICITY."

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