

~~Stories on proposed Justice Dep't test of Miranda ruling, filed  
Warren Commission, Warren resignation, in separate section under date of  
15 Aug 66.~~

"In a memorandum now being circulated throughout the department, its lawyers have been instructed that they may offer confessions as evidence in court, even though the suspects who confessed were not given all of the warnings required by the Court's decision in *Miranda v. Arizona*."\*\* NYTimes 28 Jul 69.

"Mr. Mitchell told a special House committee on crime that the Justice Department no longer considered itself absolutely bound by the Court's 1966 decision in *Miranda v. Arizona*." NYTimes 1 Aug 69.

"Until last month\*, the Justice Department had been automatically conceding error in cases where confessions had been obtained without the proper warnings. . . . . Mr. Mitchell's declaration confirmed President Nixon's hope -- stated often during the campaign last year and reiterated last May when Mr. Nixon named Warren E. Burger as Chief Justice to succeed Mr. Warren -- for reversal of the Court's controversial decisions on police procedure. . . . . In the matter of the *Miranda* doctrine, the Justice Department's new policy is buttressed by Congress's declaration last year that a confession should be admissible in Court unless the trial judge ruled that it was involuntary. In title II of the 1968 Omnibus Crime Control Act, Congress stated that the failure of the police to warn a suspect of his rights would not necessarily make a confession involuntary." NYTimes 1 Aug 69.

\*Burger sworn in as Chief Justice.

\*\*Supreme Court's opinion, 5-to-4 majority, was written by Warren.