

How Kent State Probe Re-Opened

Washington

A renewed interest by some Justice Department officials in the movements of former FBI informant Terrence B. Norman influenced the government's decision to reopen the investigation into the 1970 Kent State University slayings, but Senator Birch Bayh's disclosure that Norman may be a "catalyst" was not a factor, Assistant Attorney General J. Stanley Pottinger said yesterday.

In fact, Pottinger told a newsman, Bayh's written allegation that Norman may have fired the first shot, and the documents supporting that claim, did not reach the Justice Department until Friday's announcement that Attorney General Elliot L. Richardson had ordered a new probe into the tragedy.

Four students died during the May 4, 1970, protest of the U.S. invasion of Cambodia.

RELEASE

Three hours after Richardson's announcement on Friday, Bayh held a press conference at which he released three written statements by Ohio National Guardsmen purporting to implicate Norman, 24, who then was also a Kent State student, in the shooting.

In one of the statements, a lieutenant was quoted as

saying he heard Norman, who is now a member of the Washington, D.C., metropolitan police force, say, "I think I shot one of the students."

Pottinger repeated his previous contention that the Kent State inquiry was based on a number of events that have occurred since former Attorney General John Mitchell decided in August, 1971, against launching a federal grand jury investigation.

They include, Pottinger said, civil suits brought by the parents of the victims, other Congressional inquiries, student petitions, lobbying by the academic community, increased pressures for reform of National Guard procedures, and continual inquiries by the press.

NORMAN

"I'm not saying that Terry Norman was not an influence . . . I'm saying that he (Bayh) didn't force our hand," Pottinger said.

Pottinger indicated that the controversy over Norman's role at Kent State may turn out to be as misleading as some of the theories that accompanied the investigation into the assassination of President Kennedy. This would tend to obfuscate the inquiry into what prompted the National Guardsmen to open fire, he said.

Although Norman has refused to comment to reporters, he has told police officials here that he never fired his revolver during the demonstration, but that he struggled with some students and during the melee his revolver fell to the ground.

He told the police here he had worked for the campus police part time and was carrying his gun in that capacity. In an interview with Ohio law enforcement authorities, Norman reportedly said he was working for "the campus police and higher-ups" during the demonstration and intended to use photos he was taking for prosecution purposes.

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