

# Pressure by Bayh on Kent Probe Denied

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Assistant Attorney General J. Stanley Pottinger said yesterday that 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 shootings — but that Sen. Birch Bayh's statement that Norman may be a "catalyst" was not a factor.

In fact, Pottinger said the Indiana Democrat's written allegation that Norman may have fired the first shot, and the documents supporting that claim, did not reach the Justice Department until after Friday's announcement that Attorney General Elliot L. Richardson had ordered a new investigation.

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



J. STANLEY POTTINGER ... seemed miffed

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 the 24-

year-old Norman, 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 Washington's police force, say, "I think I shot one of the students."

Saying that he had sent that information to the Justice Department, Bayh criticized the FBI for showing little interest in Norman and for not making laboratory tests on Norman's revolver until it had changed hands several times.

Pottinger, who is chief of the Justice Department's civil rights division, told a newsmen that government investigators have long been aware of Norman's movements just before a skirmish line of National Guardsmen opened fire at the students.

Government sources had previously said that Norman was interviewed at least twice by the FBI shortly after the shooting and that a detailed ac-

counting of his movements on the Kent State quadrangle are contained in an extensive file on the incident.

Pottinger appeared miffed that Bayh's statement made it seem that the Justice Department was following the lead of Congress.

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

"We didn't have some new, flashy significant development. What we had were some allegations we wanted to track down," he said. "These included a discrepancy between Norman's recollections about the kind of bullets he had in his revolver and a police accounting of the kind of ammunition removed from the weapon, Pottinger said.

Pottinger repeated his previous contention that the Kent State inquiry was based on a number of events that have occurred since former Attor-

ney General John N. 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.

"There was no single startling development. I kind of wish there were, so we would know exactly where we were going," 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 debunked 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.