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Sen. Ervin Assails 'No-Knock' Laws

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San Diego

U.S. Senator Sam J. Ervin Jr. (Dem.-N.C.) made a sharp attack here yesterday on federal preventive detention and "no-knock" laws.

And he called for repeal of "repressive" sections of these laws: The District of Columbia preventive detention law, The Federal Drug Control Act, and the District of Columbia Court Reform Act.

Ervin, the leading congressional expert on constitutional law, addressed a joint meeting of the Conference of California Judges and the 44th annual State Bar Convention.

RATE

Riots, demonstrations, a soaring crime rate and uneasy world peace, the Senator claimed, frighten Americans, "including many in high office."

"These Americans have lost faith in America's commitment to freedom," he said.

"When campaigning . . . President Nixon stressed the law-and-order issue," the senator said, "which had much vote-getting potency . . ."

After his inauguration, the

President insisted "that Congress forsake the traditions of our land and enact preventive detention laws, 'no-knock' laws and other repressive measures," Ervin said.

LAWS

Ervin's attack on the detention and no-knock legislation boiled down to a claim that the laws, besides being unfair, just don't work.

Urging repeal of the "shameful" District of Columbia preventive detention law, he cited a Federal study showing that only 5 per cent of those arrested for dangerous or violent crimes and released before trial are re-arrested for subsequent serious crimes.

"And virtually all of the re-arrests," Ervin said, "occurred more than four months after the original arrests."

He argued that the law actually clogs courtrooms because of the extra hearings which must be held to decide whether to use preventive detention in many cases.

His criticism of the two Federal "no-knock" laws — letting federal officers under certain circumstances break down a suspect's door without any warning — followed similar lines.

"When the Drug Control

Act was under Senate consideration," Ervin said, "I predicted that its implementation would result in the deaths of both law enforcement officers and householders. Unfortunately, this unhappy prediction has materialized."

The State Bar Convention ends today.