

# State Loses Plea On Suspects

Washington

The Supreme Court yesterday refused without comment to hear a plea by California for greater latitude in use of statements made to police by criminal suspects.

The case involves the Supreme Court's controversial demand that suspects be fully advised of their right to remain silent and to have legal help. It also involves application of a later decision that eased the ban against use in court of statements made by suspects who had not been fully advised of those rights.

In its famous 1966 Miranda decision, the Supreme Court banned use at trial of statements made without the warning.

The later decision carved out an exception, saying that voluntary statements in the absence of the warning

could be used, but only when the defendant took the stand and only then to impeach his testimony.

In an attempt to preserve the rape conviction of a Los Angeles man, Robert James Paschall, California Attorney General Evelle J. Younger asked the court for a new twist on the second decision.

Police gave Paschall the Miranda warnings, and he elected to remain silent. While still in custody, Paschall was asked for his "side of the story" since it could not be used in court following his decision to remain silent.

Statements he made then were contradicted by statements he later made on the stand at his trial. The prosecutor summoned the police witness who related the defendant's earlier account.

*Associated Press*