



NEWS from U.S. Senator Bob Dole

(R.—Kans.)

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DOLE SEEKS RESTRICTIONS ON SUPREME COURT SEARCH WARRANT DECISION

WASHINGTON, D.C. -- Sen. Bob Dole (R-Kan.) said today that Congress should act "swiftly and boldly" to restrict the use of search warrants to search individuals' private papers.

In response to the Supreme Court's ruling Wednesday in Zurcher v. Stanford Daily, in which the Court upheld the right of police to obtain warrants and conduct searches of newspaper offices and files absent any unlawful activity by newspaper employees, Dole said, "The senator from Kansas believes that the decision is not justifiable, and it will have a chilling effect on the freedom of the press."

Sen. Dole's legislation, the Personal Privacy Act of 1978, would require that before a warrant could be issued to search the private papers of a person not involved in a crime, there must be an adversary hearing.

Dole said, "The principle the court laid down permits searches of homes and offices for documentary evidence of crimes committed by anyone. The abuses of this type of conduct are enormous."

"Mr. Justice Stevens in his dissenting opinion, states that: 'The warrant application set forth no facts suggesting that respondent was involved in any wrongdoing or would destroy the desired evidence if given notice of what the police desired.' I share Justice Stevens' view and believe that this type of warrant does not comply with the Fourth Amendment.

"I believe that Congress should act swiftly and boldly in protecting the public against possible abuses by the federal government. There is no greater right that must be protected than to be secure in our private thoughts and in our homes."

The Dole bill provides that if evidence could be shown to indicate that the material in question was in danger of being destroyed, concealed or altered or if the Court believes that interference in the conduct of the investigation would result, the adversary hearing could be dispensed with.