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Mandatory Death Penalty for Attempted Assassination?

INTERVIEW
WITH THE HONORABLE
WILLIAM F. GOODLING

by Larry C. Heim

September 1974 was an ignoble month in the context of American political history: two attempts on the life of the President of the United States were made within seventeen days of each other. These attacks were the tenth and eleventh on an American president or presidential candidate.

On September 23, 1975, the day following the last attempt, Congressman William F. Goodling introduced a bill (H.R. 9783, 94th Cong., 1st Sess. (1975).) in Congress which, if enacted, will change the present law regarding such attacks on the Chief Executive.

FORUM: Section 1751 of title 18 of the *United States Code* provides a penalty of imprisonment for any term of years or for life for attempting to kill the Presi-

William Goodling is a member of Congress from the 19th Congressional District of Pennsylvania. He was elected to the House of Representatives in 1974, thereby succeeding his father, former Rep. George A. Goodling, who retired. Congressman Goodling was graduated from the University of Maryland in 1953, and received his Master's Degree in Education from Western Maryland University in 1956. He now resides in Jacobus, Pennsylvania, with his wife and two children.



dent. How would your bill change the present Law?

GOODLING: All my bill does is amend that particular section of the *Code* by providing the death penalty for anyone found guilty of attempting to kill the President of the United States.

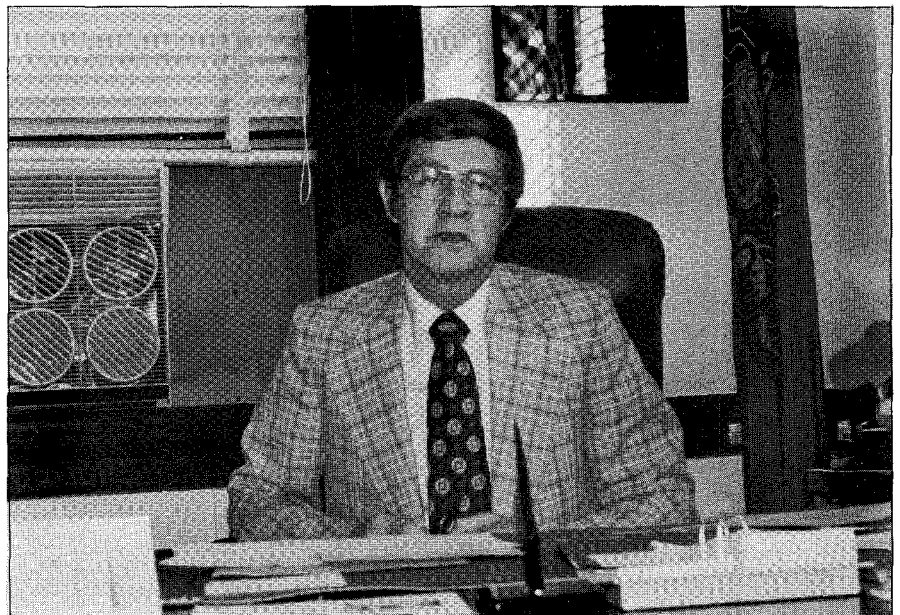
I am very reluctant concerning death penalties and death penalty legislation, however we have had so much instability in our government in the last ten or twelve years through assassinations and the like that I think we just cannot afford any more. I personally would hate to be in the position of determining that some one should be executed, only to find out some years later that he might have been innocent, but I think the stability of the

country is so important at the present time that we must do something to stop this nonsense.

A gentleman just told me over the phone that President Ford doesn't have to worry because this isn't the right year. His theory is that this particular year wouldn't fall into the pattern of other presidential assassinations. To support his theory he informed me that he had once won a \$25 bet that Roosevelt wouldn't be assassinated. I told him that my religion is a little different and that I wouldn't want something this important left up to the chance that this isn't the "right" year.

FORUM: Some have criticized the press for giving such prominence to the two attempts. *TIME* and *NEWSWEEK*, for example, both ran a picture of Lynette Fromme on the cover of their September 15th issue. The Vice President has commented: "Let's stop putting it on the front page and on television. Psychiatrists say that every time there is any publicity it is stimulating to the unstable." What are your thoughts?

GOODLING: I'm sure that people who are not stable are given a little more encouragement, or it upsets them a little more. In fact, Sara Jane Moore indicated that she didn't really have any particular reason for her actions, and that she didn't even want to kill the President. She just got so wound up that she decided she had to do something. Maybe she got wound up reading about



Squeaky Fromme; I don't know. She probably wouldn't have really thought about it had Squeaky not received the kind of coverage that she did.

There is a distinction between our right to know and how to bring about our right to know without generating other problems at the same time. My argument is that there was no reason for Squeaky Fromme to be on the front page of *TIME* and *NEWSWEEK*. The publishers apparently thought it would sell magazines, which is of course the business they are in. It seems to me, however, that along with all of the privileges and freedoms that the press enjoys in this country there is a concurrent responsibility to be very discerning in how it presents material. It's important in the American way of life that we have freedom of the press. It is equally important to have responsibility of the press.

FORUM: *NEW YORK TIMES* columnist William Shannon, in a similar vein, wrote that the press while reporting the essential facts, has a responsibility to deny would-be assassins the gratification of instant celebrity.

GOODLING: I agree, there was no reason for these events to have been sensationalized. Of course an attempt on the President's life is going to be big news, but I think that it could have been news without Squeaky Fromme's pictures and



above all, without her political philosophy.

She got the forum she was looking for; one she could obtain no other way. There was no one that would have listened to her and printed her garbage before. However, the minute she made an attempt, or whatever it was that she did, on the life of the President she got all of the notoriety that she wanted. Another question in my mind is can one get a fair trial with all of that kind of publicity?

FORUM: Assuming, *arguendo*, the constitutionality of the death penalty, do you think your proposed legislation, if enacted, will be a deterrent?

GOODLING: I think it will be a deterrent with certain people. I think it will not be a deterrent with people who are seriously, mentally unstable — they couldn't care less.

Sara Jane Moore, for example, seemed very concerned about her nine year old son after she was arrested. She didn't want to say anything until she was guaranteed that he was picked up from school and was safe. It seems to me that someone who has that kind of concern about family would be deterred if they knew in advance that they would be facing death row.

Squeaky Fromme? I don't know whether it would have been a deterrent or not. Perhaps she really didn't intend to kill the President and was just trying to get publicity for Manson. But even she perhaps would have realized, had she known the penalty would be death, that the price was too high for that kind of publicity. It may have deterred her.

It's just like trying to legislate gun control; there are people who are going to find a way, if they have no care for their own life, to take yours.

As to whether it will turn out to be constitutional or not, the Supreme Court will have to make that decision.

