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DEPARTMENT of PUBLIC INFORMATION

James E. Murphy, Director - Richard W. Conklin, Assistant Director

[Feb 11, 1965]

For Immediate Release

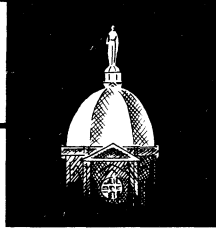
Following is the text of a statement issued today (Feb. 11) by the Rev. Theodore M. Hesburgh, C.S.C.

"On behalf of the University community, I should like to thank personally Mr. Philip Faccenda, Dean William Lawless, and the other members of the University administration for their attempts to prevent disturbance and maintain a spirit of civility, rationality, and good will in the University community during the past few troubled days.

"Although it was not possible to avoid disturbance, we should not forget that Mr. Faccenda and others, in conversations with those who were determined to initiate legal action, stressed that the members of the University community should be given an opportunity to become acquainted with the facts and make a decision in a calm, academic atmosphere.

"These deterring efforts failed, and when an irresponsible public statement was made late Thursday that state law, in effect, was to be violated Friday at a certain time and place, it was evident the University had no legal right to bar entry of the prosecutor and his deputies to campus.

"The events that followed were, of course, beyond the control of the University administration. I am confident the Student Life Council will study the matter thoroughly and objectively and make appropriate recommendations."

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Notre Dame, Ind., Feb. 10—The University of Notre Dame administration today issued a statement clarifying its role in the appearance of police deputies on campus Friday (Feb. 7) to confiscate an allegedly hard core pornographic film.

The statement issued by Philip J. Faccenda, an attorney and special assistant to Notre Dame's president, read as follows:

"I was informed about 8 a.m. Friday by Mr. Raymond Gauer, executive director of the national office of the CDL, and other CDL representatives that St. Joseph County Prosecutor William E. Voor wanted to speak with me. I called Mr. Voor who told me he was aware that incomplete screenings of two films, 'Kodak Ghost Poems' and 'Flaming Creatures,' took place as part of a Censorship and Pornography Conference film screening on campus Thursday (Feb. 6) and that an announcement had been made later that day that these films would be shown again Friday in the Student Center.

"Mr. Voor asked for a meeting, which took place at about 9:35 a.m. Friday. At the meeting, I stressed the University administration's desire if at all possible to prevent the screening of these films through means available to members of the University community. Mr. Voor informed me that Mr. Gauer, who was at the screening Thursday, had made out an affidavit alleging that 'Kodak Ghost Poems' was hard core pornography. Mr. Voor stated that under these circumstances it was his duty to obtain a warrant and impound this film. Mr. Voor agreed to allow the University to take every possible action within its power to prevent its screening. He emphasized that it would be necessary for him to take action if the University was not successful in preventing screening. I agreed that the University would cooperate in every way with Voor in carrying out his duty as chief law enforcement officer in St. Joseph County.

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"Mr. Voor came to campus with a warrant which I saw and waited with his deputies about $2\frac{1}{2}$ hours while an assembly of some 350 students debated, among other things, whether or not they would screen these films. When it became evident that the University could not of itself prevent the assembly from screening 'Kodak Ghost Poems' Mr. Voor then moved to confiscate the film."

The Notre Dame Student Life Council, composed of equal representation from students, faculty, and administration, had requested at a Sunday night meeting (Feb. 9) that a clarification of the University's role be made public.