

# ABA Backs Strict Press Code

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HONOLULU, Aug. 5—The American Bar Association has moved another step toward adoption of a model "fair trial and free press" code restricting the flow of crime information from police, prosecutors and court officials.

Bar officials are making clear at meetings here that bitter opposition from news organizations is not halting their drive for a full ABA approval of code proposals early next year.

Debates over the model code are being staged here in connection with the 90th convention which opens formally on Monday.

A festive mood is prevailing at preliminary sessions but top ABA officials expect battles in the policy-making House of Delegates over foreign policy

issues, crime, civil disturbances and legal ethics.

### Treaties Held Up

A Senate Foreign Relations subcommittee has withheld approval of three human rights treaties of the United Nations to await the ABA's own policy statement. A band of Bar conservatives is insisting that the ABA should not endorse the U.N. conventions on slavery, forced labor and the political rights of women.

The association's liberal-dominated criminal law section is asking the House to go on record against a bill sponsored by Sen. John McClellan (D-Ark.) to permit the use of confessions that are inadmissible under Supreme Court decisions. The section also seeks approval of the Johnson Administration's "war on crime" legislation and a bill, which has passed the Senate, to upgrade U.C. commissioners.

Benchbar skirmishes over the issue of prejudicial crime news began yesterday with a

day-long session of the ABA's judicial administration section, sponsor of a wide-ranging, three-year project on criminal standards.

Justice Paul C. Reardon of the Massachusetts Supreme Court, chairman of the crime news study, rejected a plea for delay by representatives of the American Society of Newspaper Editors, American News-paper Publishers Association, the National Association of Broadcasters and other news organizations.

### Voluntary Codes Rejected

Reardon conceded that some states were working out voluntary codes of their own. But he said metropolitan newspapers in Massachusetts and elsewhere had rejected that approach completely.

The ABA committee wants state legislatures and courts to forbid pre-trial and out-of-court comments by police, prosecutors and court officials that go beyond public records and trial evidence. Media

spokesmen argue that cutting off crime news at its source is fully as effective as censoring the press directly.

Each side has softened its position slightly in recent months. News representatives have called for increased voluntary restraints on publication immediately prior to trial but insist that silencing police at the arrest stage gives low officers the tools of "new management."

The Reardon committee has modified an earlier proposal for holding newsmen in contempt for breaking the code. But the courts would still have power to send newsmen to jail if they found that a calculated attempt to influence a trial's outcome lay behind publication of a defendant's confession or other material not in evidence.



Associated Press  
PAUL C. REARDON  
... won't delay code

is suttng prejudicial information off at the source dd not violate the First Amendment's guarantee of a free press. "A reply of 'no comment' does not violate a publisher's constitutional rights," he said.

The outright opposition to the Reardon proposals was largely confined to the news media representatives, but several other lawyers and judges called for clarification of many sections.