

Press Curbs On Pretrial News Urged

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The Bar-Press Committee of the American Society of Newspaper Editors suggested yesterday that newspapers refrain from reporting potentially prejudiced material about a criminal case just before it comes to trial.

The committee said such a concession to the bar can often be made without sacrificing full coverage of the law enforcement process.

But the committee, headed by J. Edward Murray, managing editor of the Arizona Republic, reported also that "a nationwide guerrilla war between the press and the bar" may occur "unless the present trend toward suppression of police and court news can be reversed."

Murray's committee stressed that press concessions at the eve of a criminal trial would be fully effective only if newspapers are not hindered in coverage at the earlier crime and arrest stages of a story.

Bar studies, including a

study done for the American Bar Association, have emphasized that the period just before trial is more critical than earlier stages in the impact of prejudicial publicity.

The ASNE report stated:

"The bench and bar have made it clear that what they especially appreciate is press cooperation which results in elimination of the details of prior criminal records, purported confessions, assessment of evidence, or allegations of guilt or innocence in published summaries of a case just before it comes to trial. "Such cooperation tends to protect prospective jurors from any fresh exposure to potentially prejudicial material.

"Given full disclosure at the arrest stage, this is a concession which the press most often can make without interfering with the public's right to a complete report on the commission of a crime, nor with the editor's right to decide what the public needs to know about a crime."

The committee added that judges, lawyers and policemen have "misinterpreted and overacted" to the recent ABA study and the Supreme Court's decision in the Sam Sheppard case.

In case after case officials have cited the fair-trial issue as excuses to close police blotters and other public records and restrict the flow of information, the report said.