

# Pre-Trial Curb on Press Declared Impractical

NEW YORK, Oct. 13 (UPI)—Los Angeles Police Chief W. H. Parker said today that voluntary imposition of restrictions by the press on pre-trial publication of criminal information "is all that can be reasonably hoped for or reasonably justified at this time."

In a paper entitled "Fair Trial vs. a Free Press" published by the Center for the Duty of Democratic Institutions, Parker said he does not believe the Nation is ready yet to impose controls on its public media in reporting crime and the trial of criminal cases.

"The judiciary as a whole shows no disposition to tangle with the public press," Parker said. "It is doubtful that the imposition of such controls would enhance the constitutional guarantees afforded by the defendant in criminal cases by any appreciable sense."

Parker said that although the refusal of police to divulge any information concerning alleged criminality prior to actual trial would be "satisfactory," such a policy would be ineffectual unless restrictions were also placed on public media. He noted that information prejudicial to defendants often can be found in newspaper files without any reference to police files.

Other contributors to the paper were Alfred Friendly, managing editor of The Washington Post; Gene Blake, Los Angeles Times staff writer; Dean Zelman Cowen of the University of Melbourne Law School in Australia, and Donald H. McGannon, president

of the Westinghouse Broadcasting Co., Inc.

Friendly said he found it difficult as a practical matter "to see what kind of protective regulations could be developed that would not mean in essence an absolute blockage of news on crime in those nine out of ten cases where the crime is committed and the suspect is arrested within an hour or a day or two."

"Agreement by the bar and the courts to withhold some of the really prejudicial information that comes out, matched by a decision on the part of the press to accept

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from the bar a number of restrictions simply as a matter of good taste—this is where a solution must lie," Friendly said. "By acceptance I mean an agreement, perhaps even without enforcement, but one that I believe would be readily observed."

[All the contributors but Cowen opposed legal restrictions on press coverage of pre-trial proceedings. Cowen favored the British system of using the contempt power to try newsmen accused of publishing matter prejudicial to accused persons. But he favored jury trials in such cases, rather than summary trials used in British and Commonwealth law.]