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Court Puts Restrictions On Pretrial Publicity

PHILADELTHIA (UPI) — In the first such ruling of its kind in the nation, the State Supreme Court has placed tight restrictions on pre-trial information police and district attorneys can give the news media.

In a ruling made public Thursday, the court ordered law enforcement officials to stop releasing the criminal records of suspects. It also prohibits officials from telling the media that an accused has confessed or made a statement about the crime or that he may enter a plea of guilty.

THE NEW rules were outlined by the court in a decision which overturned a 1970 double murder conviction.

The restrictions follow almost verbatim standards recommended by the American Bar Association on pretrial publicity. An ABA spokesman in Washington said it was the first time the rules had been cited in any court opinion.

The court also banned "inflammatory statements" by law officials on the merits of the case or the character of the accused. It also said officials should not permit the accused to pose for pictures at or near the scene of the crime.

"WE HOLD that anything short of compliance with these standards can operate to deprive an accused of due process of law . . ." the court said in an opinion written by Justice Michael J. Eagen.

The court granted a new trial to Alan D. Pierce, who was convicted of the murder of a Catholic seminarian and a lawyer during a holdup on a Media, Pa., street in 1969.

It said Pierce could not get a fair trial in nearby Delaware County because of "the nature and quantity of the publicity which attached

to the crime and his arrest."

"WHILE MUCH of the publicity was routine," the court said, "a great deal of publicity about Pierce was emotionally charged and inflammatory and clearly pointed to his guilt."

The court said newspapers quoted police as saying "he's the triggerman," cited

Pierce's prior record and staged a re-enactment of the crime.

The ABA, through its Committee of Implementation, has actively sought to get the standards included in the law. Those put into effect by the state court here were from the ABA standards relating to fair trial and free press.

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