

Judge Forbids Statements on Shaw Evidence

Criminal District Court Judge Edward Haggerty Jr. today ordered the prosecution and defense in the Clay L. Shaw assassination conspiracy trial to refrain from making public statements about the case concerning evidence.

At a news conference, the judge said he would invoke the canons of professional ethics "to prevent the flow of prejudicial pre-trial publicity" from either Shaw's attorneys or from Dist. Atty. Jim Garrison's staff.

The judge said arraignment for Shaw probably would be held one day next week. Shaw was indicted by the grand jury March 17 on charges of conspiring to assassinate President John F. Kennedy.

JUDGE HAGGERTY said the same security measures in effect at Shaw's preliminary hearing earlier this month would be used at the arraignment. Newsmen required special credentials to cover the hearing, and all cameras were barred.

"This case is going to be handled like every other case," the judge said. "You don't change the rules of law just because it's Clay Shaw on trial."

In a statement to the press today, outlining preliminary guidelines for the news coverage of the trial, Haggerty said:

"**NEWS COVERAGE** of recent criminal cases of national significance, such as the Sheppard and Ruby cases, has underscored the importance of cooperative effort of bench, bar and news media

in resolving serious conflicts between freedom of the press provided for in article one, and fair trial in all criminal prosecutions provided for in article six of the bill of rights.

"The canons of professional ethics must be used to prevent the flow of prejudicial pre-trial publicity from members of the bar. This includes the prosecution as well as the defense . . .

"I am, therefore, at this moment advising the prosecutor and-or his staff and defense counsel to refrain from public statements regarding the defendant's guilt or innocence, and the evidence for or against him."

"**FREEDOM OF** the press is not absolute. In a democracy the great power conferred on the press by the Constitution implies responsibility for its exercise.

"Courts, too, have power and responsibility. Part of their obligation is to see to it that the right to a fair trial is accorded its proper place in society. Liberty of the press cannot be invoked in support of acts which invade the domain within which the authority of the courts is exclusive. Legitimate interests of the press do not require that encroachments on the right to a fair trial be sanctioned."