

The Wx. Post used this little squib and ignored all the sex that that evening's local TV news featured in such detail from that article/. Going back to Gary Hart it has given all sex scandals great attention but this one involving Gingler and both of his wives they suppress?

While at the same time suppressing and misrepresenting by omitting what they suppressed from the Simpson trial, the major basis for that defense request and the factual incorrectness of the judge's decision, which also ignored it. The question raised by the defense of was denial of a fair trial by leaks and the attention they got. The accuracy of the leaks is irrelevant. Beside which accuracy was not possible, the test not having been conducted. But the only way the leak could have contained the information in it was because the police had manufactured the alleged evidence. That is the only way they could have know that Nicole Simpson's blood was allegedly found on a Simpson stocking.

The actual testimony is not what the judge reflects, a single source of a single leak. The woman TV reporter testified to many, all informed and connected.

Of the few in a position to do that leaking, also not mentioned ~~etc~~ is in the testimony: a copy was faxed to the prosecution.

The Last Lady

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■ Marianne Ginther Gingrich, wife of the speaker of the House, may prove to be a thorn in his side if he decides to run for president. In September's Vanity Fair, she is quoted as saying she doesn't want to be first lady.

"Watching Hillary has just been a horrible experience. . . . Hillary sticking her neck out is not working."

And if her husband runs?

"He can't do it without me. . . I told him if I'm not in agreement, fine, it's

easy. I just go on the air the next day, and I undermine everything. . . I don't want him to be president and I don't think he should be," she said.

"Right now, the presidency is not a single person. It's not so much what he'd be doing. It's what I'd be doing."

*What the defense argued is that the leak was
prejudicial to the jury & not that the leak was wrong.
That's really not material because the fact had not been*

Judge in Simpson Trial Won't

*make. What I said is that the leak
was and would be prejudicial
was possible only because the officer*

THE WASHINGTON POST

*when was manufactured by a police confirmed by me
refuted that fact. The defense did not
argue that the reporter had to disclose their source,
with the TV reporter in any case.*

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Order Reporters to Testify About News Leaks

By William Claiborne
Washington Post Staff Writer

LOS ANGELES, Aug. 9—A First Amendment confrontation in the O.J. Simpson murder trial was averted today when Superior Court Judge Lance A. Ito ruled that two reporters will not be forced to testify about their confidential sources for reports on DNA tests. Ito also ruled that the defense is not entitled to access to a police investigation into news leaks.

Simpson's lawyers had argued that the reporters' testimony about the source of news leaks before the trial was crucial to their case of an alleged frame-up of Simpson. They said it would help illustrate a systematic police campaign to prejudice the case against him before the jury was sequestered and potential jurors were still exposed to news reports about circumstantial evidence being collected.

The defense has suggested that police plant-

ed traces of blood from Nicole Brown Simpson on a sock found in the former football star's bedroom shortly after his ex-wife and her friend, Ronald L. Goldman, were murdered on June 12, 1994. The defense maintains that police later leaked to reporters information that genetic testing of the blood indicated a DNA match with Nicole Simpson's blood.

Los Angeles television station KNBC reported the alleged match on Sept. 21, before results of DNA testing had been forwarded to the Los Angeles Police Department. The defense maintains that whoever leaked the information to the television station knew there would be a DNA match because blood found on the sock came from a vial of Nicole Simpson's blood that had been obtained from the coroner's office. The tests ultimately showed the victim's genetic marker in the blood on the sock.

However, after an hour-long hearing outside the presence of the jury, Ito ruled that the

news leak was not material, or relevant, to issues before the jury. "This record does not support a finding that access to the results means access to the evidence itself," Ito said.

The defense needed a finding of materiality in order to be able to proceed to arguments that KNBC reporter Tracie Savage and freelance writer Joseph Bosco, who also reported on the alleged match in Penthouse, should not be able to invoke the California law protecting reporters from being forced to disclose confidential sources. The reporters' continued refusal to disclose their sources could have resulted in their jailing for contempt of court.

Noting that Savage had testified at a procedural hearing that her unidentified informer was "close to the investigation" and "knowledgeable," Ito said the fact that the source had imparted incorrect information—a DNA match before one had been forwarded to police—

showed that the source was neither knowledgeable nor close to the investigation.

Ito also ruled immaterial a police department Internal Affairs Division report on news leaks that the judge requested after a flurry of news reports last fall on evidence that the police had collected for the case against Simpson. The defense had sought access to statements in the report made by police laboratory officials concerning the spate of leaks, arguing that the statements could help them prove their allegations of a systematic police campaign to prejudice the case against Simpson.

"We're talking about passing out test results out the back door. And what we're trying to get at in this case is who's responsible for that, and that is an issue that we're entitled to present to this jury if we can show that the Los Angeles Police Department is responsible for that," defense attorney Gerald Uelmen argued.

In response, Deputy City Attorney Arthur

Walsh, said, "Basically, the defense here is bootstrapping the fact that this is almost certainly the most publicized criminal case in modern history . . . and having observed that it's subjected to that kind of pressure, [defense lawyers] stated that, well, this proves the LAPD must have some ulterior motive in being subjected to this pressure."

Prosecutor Hank Goldberg argued that even if police officials had leaked information, they would not have violated any legal ethics or evidence codes, but would merely have been in conflict with a policy in the department and the district attorney's office not to try the case in the news media. Such leaks, he said, would not demonstrate that detectives conspired to falsify evidence, as suggested by the defense.

After issuing his ruling, Ito adjourned for the day because defense attorneys said their only scheduled witness, forensic pathologist Michael Baden, would not be available until Thursday.