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High Court Rejects a Newsman's Petition for Review

Special to The New York Times

WASHINGTON, Nov. 13—

The Supreme Court rejected today a petition for review filed by William T. Farr, a former reporter for The Los Angeles Herald-Examiner, who refused to tell the trial judge in the Charles Manson murder case who had given him a copy of a statement by a witness about the Manson "family's" murderous schemes.

The Court thus declined to disturb one of the growing number of court actions against journalists for refusing to disclose confidential sources.

By rejecting Mr. Farr's appeal, the Court appeared to add new limitations on newsmen, beyond the Supreme Court decision of last June that said grand juries might force reporters to disclose confidential information.

The new development grew out of the American Bar Association's new ethical rules that permit judges to order attorneys not to give the press certain information about cases prior to trial. When the new rules of ethics were adopted in 1969, the A.B.A.'s leaders stressed that they would give judges new powers only over lawyers not newsmen.

However, after a judge in the Manson trial invoked the new rule to impose a "gag" order on the lawyers in the case, Mr. Farr was called in to explain how he had nevertheless obtained a copy of the statement by the witness. He declined to disclose his sources. Later, Superior Court Judge Charles H. Older ordered him to jail until he agreed to disclose which lawyers had violated the "gag" order.

He has remained free pending the Supreme Court's action on his appeal. It was supported by Sigma Delta Chi, the journalists' fraternity, which charged that the case's precedent would allow judges to punish reporters, as well as lawyers, for violating the legal profession's new ethical rules.

Mr. Farr, who is now a reporter for The Los Angeles Times, said today that "despite the consequences I am still going to have to refuse to answer," because he "gave someone both my personal and professional promise to keep the sources secret."

Won't Disclose Sources

By ROBERT A. WRIGHT

Special to The New York Times

LOS ANGELES, Nov. 13—

William T. Farr, a Los Angeles reporter facing an indefinite jail term for contempt of court, said today he had no intention of disclosing his sources for a 1970 news article, although that would guarantee his freedom.

Refusal today of the United States Supreme Court to grant a hearing of his conviction exhausted Mr. Farr's legal moves to avoid jail. The case grew out of an article Mr. Farr wrote based on restricted court documents in the murder trial of Charles Manson and three co-defendants.

The decision was the latest in a series of recent cases pitting the government and the courts against journalists who maintain that they are asserting their First Amendment rights, which guarantee free-

dom of the press. But the Farr case is different in several respects.

In earlier decisions, the Supreme Court held that newsmen had narrow constitutional privilege to refuse to identify sources under questioning by grand juries. The liability to jail terms for reporters in those cases ended with the adjournment of the grand juries involved. But Mr. Farr, who is 37 years old, was convicted of violating an order of a judge, who presumably could enforce the jail term as long as he remained on the bench.

Another distinction in the Farr case is that, although he declined to respond to the judge's order at the time his article was published, he was

not held in contempt until seven months later, when he was no longer employed by any of the news media.

During the Manson trial, Mr. Farr, then a reporter for The Los Angeles Herald-Examiner, obtained copies of a statement by a prosecution witness, Mrs. Virginia Graham.

In her statement, Mrs. Graham said one of the defendants, Susan Atkins, had confessed the crimes to her. It also quoted Susan Atkins as saying that the Manson "family" had planned to commit a series of bizarre murders of prominent people, including Elizabeth Taylor, Richard Burton, Tom Jones and Frank Sinatra.

Mrs. Graham's lawyer learned

that Mr. Farr had obtained a copy of her statement, which had been distributed by a court order to defense counsel, and told Superior Court Judge Charles H. Older, who was presiding over the case.

Judge Older, who had issued a so-called "gag-rule" forbidding witnesses, lawyers and court officers from releasing any information about the case, called Mr. Farr to his chambers for an informal hearing. At that session, Mr. Farr declined to disclose his sources, citing Section 1070 of the California Evidence Code. That statute states that a reporter cannot be held in contempt of court for refusing to disclose his sources.