

Time right for shield law

By NAN HENDERSON
Of the Emerald

SALEM (Special) — It appears that the time is right in Oregon — and possibly in Congress — to establish a "reporters' shield law" which would protect journalists from being forced to reveal the names of news sources or unpublished information.

Two related developments are primarily responsible for this new politically favorable atmosphere:

— In 1970, the U.S. Supreme Court upheld a Massachusetts lower court decision by adhering to the view that "there exists no constitutional newsman's privilege . . . to refuse to appear and testify before a court or grand jury."

— Until that ruling, many if not most reporters in the country believed that the First Amendment to the U.S. Constitution which guarantees free speech and a free press implied some sort of reporters' shield.

Analysis

Since that ruling individual journalists and prestigious journalistic organizations have begun to forcefully press for a news shield law, both in Oregon and on a national level, as the number of cases involving reporters who refuse to reveal sources has steadily increased. Currently, about twelve such cases are pending in several states.

A question remains, however, about what kind of shield law should be enacted. And here is where controversy still flourishes.

Four bills which would establish some sort of a shield law have been introduced in the Oregon legislature and are presently being considered by a newly formed Committee on Professional Responsibilities.

The bills each deal with the establishment of a shield law in a different way, with only one (SB 206) extending an "absolute privilege" to newsmen. This bill is considered "unrestricted" and "unqualified" because it grants a shield to any person engaged in gathering information for public dissemination and establishes that sources or unpublished information would not have to be revealed under any circumstance, except "with respect to the content or source of allegedly defamatory information."

SB 206, known as "the Governor's Bill," was drafted by the executive office after Governor McCall twice met with newsmen to discuss what sort of shield law, if any, they supported. The consensus of the Capitol press corps was to support an unrestricted and unqualified shield law.

The other three bills are restrictive and qualified in different degrees as they provide a definition of who is a newsmen and establish or leave room for a procedure by which sources of information could be extracted from a journalist "to meet a compelling and overriding state interest in the information."

At the first hearing on the shield law question held Monday night before the Professional Responsibilities committee, arguments for both

kinds of laws were voiced. Only one person, however, testified in opposition to any shield law.

Nearly all of the professional journalists who testified during the hearing, including Register-Guard reporter Lloyd Paseman, William Wassman, Register-Guard Managing Editor and KXL News Director John Salsbury, urged the committee to pass SB 206.

They also reported that major Oregon journalist organizations including local chapters of The Newspaper Guild, the Radio Television News Directors Association and the Oregon Association of Broadcasters have adopted resolutions in support of the bill, which was drafted from a model recently recommended by the American Newspaper Publishers Association.

Oregonian publisher Robert Notson joined with Don Chalmers, a University of Oregon second year law student, in asking the committee to pass a qualified bill.

Chalmers, who made the longest and strongest case for a qualified law, called upon the committee members to establish "a proper balance of the public's right to know and the right of public protection" in whatever bill they adopted.

He cited cases in states that have a qualified law where courts have established "tests that are very harsh" in determining if it was in the overriding public interest to force a journalist to reveal his or her sources.

"An individual life may be worth the investment of a privilege one time," Chalmers said.

The reporters argued in their testimony that even the possibility that a court or jury may force a newsmen to reveal a source may cause sources to "dry up."

"And if even one source is dried up, that is a disservice to the public," Paseman said.

William Frye, former Lane County District Attorney well-known for his 1966 prosecution of Annette Buchanan, then Emerald managing editor, who refused to reveal the sources of a story she wrote on the widespread use of drugs at the University, disagreed with Paseman.

"The only reason we have four bills and a room full of persons with a singular point of view is that the press is concerned about reporters going to jail," Frye said.

Frye argued that "it is better to do something about crime than to write about crime." He also called upon journalists to give "examples of stories that went unreported because we don't have a shield law."

Eighteen states currently have some sort of reporters shield law, most of which are restricted as to who qualifies as a reporter but give unqualified shields against extracting sources from those reporters.

The Committee on Professional Responsibilities, chaired by Rep. Robert Ingalls (R-Corvallis), editor of the Corvallis Gazette-Times, and ultimately the Oregon legislature will decide in the following weeks if Oregon, too, will establish a shield law.

The next hearing on the question is set for next Monday at 7 p.m. in room 309 of the Capitol.

Council meets with Senate

BY SCOTT PETERSON
Of The Emerald

The ASUO Senate has established formal relations with the Eugene City Council almost a year after the idea was first put forth.

Seven of Eugene's eight City Council members attended a special orientation meeting Tuesday night in the EMU sponsored by the ASUO Community Affairs Committee, and designed to acquaint the city's legislative body with the community activities of the ASUO.

Representatives of the nine ASUO community-oriented agencies presented overviews of their respective programs, which included the areas of student housing, campus transportation and parking, environmental concern, and several community services funded through University Students' incidental fees.

Last night's meeting fulfilled a campaign promise made by Cliff Zukin before he was elected President of the ASUO Senate last spring. Since that time Fred Oregon Daily Emerald

Wasson, who is currently chairer of the Community Affairs Committee, regularly visited City Council meetings as an informal liaison officer between the Council and the Senate. "I didn't know anything about the Council," said Wasson, "but we wanted to show them we were interested in some kind of relationship."

The Community Affairs Committee kept the relationship idea alive over the summer and become its major proponent once fall term began. The plan was finally solidified into a date for an ice-breaking session last Wednesday, giving the ASUO agencies a scant six days to

prepare their descriptive statements.

"Some Council members were apparently uncomfortable with the thought of meeting with students," said Zukin. "I think they were bothered by the old radical stigma," he said.

Now that the initial step has been taken, the ASUO is going to wait to see how the Council members respond, according to Zukin. In the meantime, four recently appointed liaison officers will carry on communication between the ASUO and the city Department of Parks and Recreation, Eugene Planning Commission, the Eugene Police Department, and the City Council itself.

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