

## SHIELD FOR NEWSMEN CLEARS PANEL

(By Paul Schatt)

The Senate Judiciary Committee yesterday approved a bill extending the state newsmen's shield law to protect confidential notes, tapes and files, but rejected a memorial urging congress to ban government interferences with broadcast news.

The shield law amendment, which also retains a reporter's privilege to protect his confidential sources after he leaves his news job, was approved unanimously after the word "confidential" was added to limit the law's application.

Sen. Sandra O'Connor, R-Paradise Valley. Senate majority leader, moved passage of the bill after sponsoring the amendment to limit the protection to confidential sources.

Jonathan Marshall, publisher of the Scottsdale Daily Progress and legislative committee chairman of the Arizona Newspapers Association, said he had no objection to the amendment.

Marshall said the bill would close a loophole in the current shield law by providing protection for reporters after they leave the employer for whom they obtained the information by including notes, tapes, photographs and other material of the trade in the protection.

The law currently provides that a newsman cannot be compelled to testify or disclose in a legal or informal proceeding the source of information obtained for publication or broadcast. But it does not protect his notes, tapes or files.

Sen. Robert Strother, R-Phoenix, asked Marshall how he justified a reporter's failure to report a crime he observes in the course of his job.

Marshall replied that the bill does not apply in such cases, that a reporter would have a citizen's duty to report a crime he witnessed. But, he added, this is different from a situation in which a confidential source told a reporter of a crime.

"Almost every major scandal during the past 20 years was revealed this way," Marshall told the committee, "because some little guy talked with a reporter in confidence because he knew the reporter could protect his source. He would be afraid to tell the police for fear of losing his job or being killed."

The memorial on broadcast news freedom was severely criticized by Sens. Strother and O'Connor.

"I find, myself unhappily unable to suspect this because of its broad implications," Sen. O'Connor said.

She objected to wording in the bill asking Congress to prohibit any governmental agency from "dictating, influencing, or regulating in any way programming or content" of news broadcasts.

Strother, who said he found television news biased, contended that television stations should have responsibilities of accuracy in return for their government licenses to broadcast.

Sens. O'Connor, Strother and Trudy Camping, R-Phoenix, opposed the bill, Sen. William Swink, D-San Manuel, was the only "aye" vote, but acting chairman Sen. John Roeder, R-Scottsdale, said he favored the bill. Sen. Charles Await D-Safford did not vote.

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This is to certify that the attached copy of "House Concurrent Resolution 2003" (two pages) and the copies of the "Minutes of Judiciary Committee" for April 9, 1973 and attached herewith were personally received by myself from the Secretary of the Arizona State Senate. The attached copy of a newspaper article was obtained from the main branch of the Phoenix Public Library and was copied from their files. It is from the Arizona Republic dated April 10, 1973.

Rev. JIM NICHOLLS.

SEPTEMBER 14, 1981.

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[From the Christian Beacon, Oct 6, 1981]

Mr. Nicholls brought back more than 50 pages of documentation. Concerning Judge O'Connor's vote on the opposing of the Memorial to the President in Congress on the First Amendment rights of broadcasters, Mr. Nicholls secured from the *Arizona Republic*, April 10, 1973, an account written by correspondent Paul Schatt. The Memorial passed the lower house, and when it went to the Senate, Judge O'Connor's vote was decisive in killing and defeating it. Schatt reported the Memorial was severely criticized by Senator O'Connor. Mr. Schatt states Senator O'Con-