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FILED IN THE
UNITED STATES DISTRICT COURT
Western District of Washington
Northern Division

FEB 3 - 1969

HAROLD W. ANDERSON, CLERK
By R, Deputy
G. O. Bitt 23, P. 31-32

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

In the Matter of the Local)
Rules of the Western District) O R D E R
of Washington)

IT IS ORDERED that the Local Rules for the Western District of Washington are amended by adoption of the following criminal rules:

Rule 60. Release of Information by Attorneys.

It is the duty of the lawyer for the prosecution or for the defense not to release or authorize the release of information or opinion for dissemination by any means of public communication, in connection with pending or imminent criminal litigation with which he is associated, if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.

With respect to a pending investigation of any criminal matter, a lawyer participating in the investigation shall refrain from making any extrajudicial statement, for dissemination by any means of public communication, that goes beyond the public record or that is not necessary to inform the public that the investigation is underway, to describe the general scope of the investigation, to obtain assistance in the apprehension of a suspect, to warn the public of

1 any dangers, or otherwise to aid in the investigation.

2 From the time of arrest, issuance of an arrest warrant
3 or the filing of a complaint, information, or indictment in
4 any criminal matter until the commencement of trial or
5 disposition without trial, a lawyer associated with the
6 prosecution or defense shall not release or authorize the
7 release of any extrajudicial statement, for dissemination
8 by any means of public communication, relating to that
9 matter and concerning:

10 (1) The prior criminal record (including
11 arrests, indictments, or other charges of crime),
12 or the character or reputation of the accused,
13 except that the lawyer may make a factual state-
14 ment of the accused's name, age, residence, occu-
15 pation, and family status, and if the accused
16 has not been apprehended, a lawyer associated
17 with the prosecution may release any information
18 necessary to aid in his apprehension or to warn
19 the public of any dangers he may present;

20 (2) The existence or contents of any con-
21 fession, admission, or statement given by the
22 accused, or the refusal or failure of the accused
23 to make any statement;

24 (3) The performance of any examinations or
25 tests or the accused's refusal or failure to
26 submit to an examination or test;

27 (4) The identity, testimony, or credibility
28 of prospective witnesses, except that the lawyer
29 may announce the identity of the victim if the
30 announcement is not otherwise prohibited by law;

31 (5) The possibility of a plea of guilty to the
32 offense charged or a lesser offense;

1 (6) Any opinion as to the accused's guilt or
2 innocence or as to the merits of the case or
3 the evidence in the case.

4 The foregoing shall not be construed to preclude the
5 lawyer during this period, in the proper discharge of his
6 official or professional obligations, from announcing the
7 fact and circumstances of arrest (including time and
8 place of arrest, resistance, pursuit, and use of weapons),
9 the identity of the investigating and arresting officer
10 or agency, and the length of the investigation; from
11 making an announcement, at the time of seizure of any
12 physical evidence other than a confession, admission or
13 statement, which is limited to a description of the evidence
14 seized; from disclosing the nature, substance, or text of
15 the charge, including a brief description of the offense
16 charged; from quoting or referring without comment to public
17 records of the court in the case; from announcing the
18 scheduling or result of any stage in the judicial process;
19 from requesting assistance in obtaining evidence; or from
20 announcing without further comment that the accused denies
21 the charges made against him.

22 During the trial of any criminal matter, including the
23 period of selection of the jury, no lawyer associated with
24 the prosecution or defense shall give or authorize any
25 extrajudicial statement or interview, relating to the trial
26 or the parties or issues in the trial, for dissemination
27 by any means of public communication, except that the lawyer
28 may quote from or refer without comment to public records
29 of the court in the case.

30 After the completion of a trial or disposition without
31 trial of any criminal matter, and prior to the imposition of
32 sentence, a lawyer associated with the prosecution or

1 defense shall refrain from making or authorizing any
2 extrajudicial statement for dissemination by any means of
3 public communication if there is a reasonable likelihood
4 that such dissemination will affect the imposition of
5 sentence.

6 Nothing in this rule is intended to preclude the
7 formulation or application of more restrictive rules relating
8 to the release of information about juvenile or other
9 offenders, to preclude the holding of hearings or the
10 lawful issuance of reports by legislative, administrative
11 or investigative bodies, or to preclude any lawyer from
12 replying to charges of misconduct that are publicly made
13 against him.

14 Rule 61. Release of Information by Courthouse
15 Personnel.

16 All courthouse personnel, including among others,
17 marshals, deputy marshals, court clerks, bailiffs, court
18 reporters, law clerks, secretaries and probation officers,
19 are prohibited from disclosing to any person, without
20 authorization by the court, information relating to a
21 pending criminal case that is not part of the public records
22 of the court. All such personnel are specifically prohibited
23 from divulging information concerning arguments and hearings
24 held in chambers or otherwise outside the presence of the
25 public.

26 62. Conduct of Proceedings in a Widely Publicized
27 or Sensational Case.


28 In a widely publicized or sensational case likely to
29 receive massive publicity, the court, on its own motion, or
30 on motion of either party, may issue a special order governing
31 such matters as extrajudicial statements by lawyers, parties,

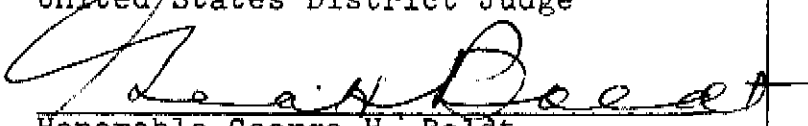
1 witnesses, jurors and court officials likely to interfere
2 with the rights of the accused to a fair trial by an impartial
3 jury, the seating and conduct in the courtroom of spectators
4 and news media representatives, the management and sequestra-
5 tion of jurors and witnesses, and any other matters which the
6 court may deem appropriate for inclusion in such an order.


7 The effective date of these rules shall be


8 February 3, _____, 1969.

9 DATED this 3rd day of February, 1969.

10
11 
12 Honorable William J. Lindberg
13 United States District Judge

14 
15 Honorable George H. Boldt
16 United States District Judge

17 
18 Honorable William T. Beeks
19 United States District Judge

20 
21 Honorable William N. Goodwin
22 United States District Judge