

Polanski Loses Bid to Be Held Under House Arrest

BY DEBORAH BALL

ZURICH—Film director Roman Polanski lost his first appeal Tuesday to be released from a Swiss jail while the U.S. prepares its formal request for the Academy Award-winning director's extradition.

Mr. Polanski, 76 years old, the director of such classic films as "Chinatown" and "Rosemary's Baby," has been a fugitive from the U.S. since 1978, when he fled the country after pleading guilty to one count of unlawful sexual intercourse with a 13-year-old girl. He has lived in France ever since, and was arrested Sept. 26 when he arrived here for a film festival. Last week, Mr. Polanski's law-

yers asked Swiss authorities to allow him to be held under house arrest at his ski chalet in the tony resort of Gstaad. But the Swiss Justice Ministry rejected his plea on fears that Mr. Polanski might flee the country. The U.S. has until late November to produce an extradition request.

Mr. Polanski has one more chance to secure his release while his fate is decided. Last week, his lawyers filed an appeal with a Swiss federal criminal court to release him.

On Tuesday, Mr. Polanski's Paris-based lawyer, Herve Fenime, said the director "undertakes to remain in Switzerland for the duration of the extradition procedure, and to respect

all obligations that could be imposed on him to guarantee this commitment."

Some observers have argued that the age of Mr. Polanski could work in favor of a release. However, while Swiss judges could impose conditions such as forcing Mr. Polanski to pay a very high bail and relinquish his passport, legal experts say it is very rare for prisoners to be released on bail, particularly in extradition cases. They also see little chance of Mr. Polanski successfully avoiding extradition to the U.S.

The arrest of Mr. Polanski, who holds double citizenship in France and Poland, initially provoked outrage in the two coun-

tries, with some politicians and many artists rallying to his defense. In recent days, however, that support has waned and indignation over his crime has surged. The Swiss government has defended the arrest, saying it had no choice but to detain him in light of a longstanding extradition treaty with the U.S.

Mr. Polanski was accused of giving the girl champagne and part of a Quaalude pill during a modeling shoot in 1977, then raping her. A California judge initially indicted him on six felony counts, including rape by use of drugs, child molesting and sodomy. Mr. Polanski later pleaded guilty to the lesser charge of unlawful sexual intercourse.



Roman Polanski, shown in 2006, lost his bid for release in Switzerland.

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