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THE

BLACK NEWSMEN VOW RESISTANCE

70 Join to Oppose Any Bid
to Make Them Testify

By ALBIN KREBS

A group of about 70 black journalists announced yesterday that they would resist any attempt by the Government to force them to appear before any investigation or law enforcement agency with unpublished or unbroadcast material they had gathered.

"We will protect our confidential sources by using every means at our disposal," the journalists said in a statement, the full text of which will appear in advertisements in two Negro newspapers next week.

The statement was inspired by the case of Earl Caldwell, a reporter for The New York Times, who received a subpoena to appear before a Federal grand jury in San Francisco investigating the Black Panthers. Mr. Caldwell was instructed to appear with his unpublished notes and tape recordings of interviews with Black Panther leaders.

Mr. Caldwell takes the position that he declines to appear before the grand jury under the terms of the subpoena that was issued last week. His position is supported by The Times.

The Times has given the Justice Department a copy of the legal opinion on which Mr. Caldwell acted, and his appearance before the grand jury has been indefinitely postponed.

Reasons Are Specified

The black journalists' statement specified why they supported Mr. Caldwell.

"We feel," it said, "that he was subpoenaed because it was felt that as a black man he had special access to information in the black community. Thus the role of every black newsman and woman has been put into question. Are we Government agents? Will we reveal confidential sources if subpoenaed? Can our employers turn over files or notes if we object?"

The statement noted that some news gathering organizations had turned over files and film to grand juries. The signers said they would try to prevent materials obtained by them in the black community from being submitted to law enforcement or investigative agencies.

"We are not the white world's spies in the black community," they said. "We are not undercover agents for local, state or Federal law enforcement agencies. We are black journalists attempting to interpret, with as great an understanding and truth as possible, the nation's social revolutions."

Appearance of 'Deal' Decried

The statement also said:

"Any appearance of a police-newsman 'deal' would adversely affect a reporter's credibility in the community. Any appearance of such a 'deal' between police and black journalists kills the credibility and trust that black reporters have built up over the years.

Some white reporters face similar situations, but from our perspective, black and white reporters are not interchangeable. The black reporter, for one thing, goes 'home' when he leaves the office to cover a black story."

The statement chided the American Newspaper Guild and Sigma Delta Chi, the professional journalism fraternity, for not taking a vigorous stand on

the recent series of subpoenas served on newsmen.

The statement will appear in advertisements next week in The Amsterdam News and The York Courier.

Among its signers are Gordon Parks and Charles Childs of Lif magazine, Ernest Dunbar of Look, Gene Simpson of the American Broadcasting Company, Ed Bradley of the Columbia Broadcasting System, Ted Poston of The New York Post, and Nancy Hicks, Barbara Campbell, C. Gerald Fraser, Thomas A. Johnson and Charlayne Hunter, all of The New York Times. Other signers are employees of such organizations as The Daily News, The Associated Press, Newsweek and the National Broadcasting Company.

Guild Reaffirms Stand

Special to The New York Times

WASHINGTON, Feb. 13—The American Newspaper Guild reaffirmed today its position that newsmen's notes and other confidential material should not be subject to subpoena.

DETROIT, Feb. 13—Frank Angelo, managing editor of The Detroit Free Press, who is president of Sigma Delta Chi, said tonight that the criticism of the national journalism society was "unwarranted" because the organization "has been fighting for freedom of information for several decades."