

Reporter Busted At Angela Trial

Earl Caldwell, The New York Times reporter covering the Angela Davis trial in San Jose, was arrested for possession of marijuana yesterday during a routine and long-established security search.

Caldwell, whose vigorous defense of a journalist's Constitutional right not to reveal his sources, is under review by the U. S. Supreme Court in a landmark case, was arrested and had his press credentials removed by court authorities.

Newsmen trooping through the security shed outside the courtroom for the afternoon session were flabbergasted when their 38-year-old colleague was plucked from the line and arrested about 1:15 p.m.

A spokesman for the Santa Clara Sheriff's Office said Caldwell was carrying the marijuana in a small, .35 millimeter film canister.

ROUTINE

The spokesman said Caldwell — routinely obeying the security rules that have been in effect for every session of the five-week trial — emptied his pockets of personal effects into a plastic

basket before passing through the metal detector.

Equally routinely, the sheriff's deputy at the station poked through Caldwell's things and unscrewed the cap of the aluminum film canister. There was enough grass inside, deputies said, to roll four or five joints.

While the members of the press craned their necks in astonishment, Caldwell was led off to one side in the security shed and held for investigation.

BOOKED

At 1:30 p.m., as Miss Davis' trial resumed, Caldwell was booked in county jail for possession of marijuana under the Health and Safety Code.

He was photographed and fingerprinted and was released on his own recognizance after about three hours in custody. He left the scene quickly without talking to reporters.

BACKING

Reached for comment in New York, Caldwell's superiors said the newspaper was publishing a story on their reporter's arrest. They had no further comment.

Caldwell was given the



EARL CALDWELL
N.Y. Timesman

full backing of the The New York Times when he refused to appear before a federal grand jury in San Francisco and disclose confidential sources in connection with articles he had written on the Black Panther party.

Subsequently, the U.S. Court of Appeal for the Ninth District upheld Caldwell, ruling that a reporter need not appear before a grand jury if the public's First Amendment right to be informed would be jeopardized, unless the Government shows a "compelling need"

The Justice Department has appealed the case to the U.S. Supreme Court, which has heard arguments but not rendered a decision.