

COURT STUDIES PLEA IN JURY CALL CASE

Federal District Judge James A. Comiskey today took under advisement a request that a three-judge federal court be appointed to determine whether Life magazine reporter David L. Chandler will have to appear before the Orleans Parish Grand Jury.

Chandler, who worked on three Life stories that sparked a statewide crime probe, claims he will be in a "position of peril" if he is forced to testify before the jurors and that he may be illegally and unconstitutionally required to testify against himself.

The Louisiana Supreme Court has denied Chandler's appeal to quash the grand jury subpoena, and Chandler and his attorney, Cicero C. Sessions, are asking that the state high court's ruling be reversed.

PRIOR to a hearing on the matter today before Federal District Judge James A. Comiskey, Sessions filed a supplemental amended complaint on Chandler's behalf, asking that the complaint be heard by a three-judge court.

The supplemental motion also requests that Judge Comiskey issue a temporary restraining order and a preliminary injunction preventing Dist. Atty. Jim Garrison, his chief assistant, Charles Ray Ward, and the grand jury from prosecuting or indicting Chandler for perjury pending the outcome of the three-judge hearing.

CHANDLER claims that Garrison "is trying to block further stories by Life magazine on organized crime and his connections with it by putting reporters in jail."

He said in the motion filed today that the only reason he has been subpoenaed by the grand jury was to "lure and entrap" him into giving testimony against himself which would be used to illegally prosecute him.

CHANDLER claims Garrison has threatened "to get" him because he has been critical of the DA and his staff. He also says the DA's staff has refused to say why he is subpoenaed and whether or not he is under suspicion.

At the hearing, Sessions introduced the transcript of a

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letter written by Garrison to Richard Billings, associate editor of Life, which Sessions said threatens Chandler.

He also introduced transcripts of statements made by Ward on television broadcasts during which Ward called Chandler a "liar" and said that the Life articles about crime in Orleans were false.

SESSIONS argued that Garrison has said publicly that witnesses before the grand jury have denied the existence of organized crime and that if Chandler verifies the Life articles, he is in jeopardy of being indicted for perjury.

He noted that Ward has said that the grand jury wants to know Chandler's sources of information and he said that state law protects the right of newsmen not to reveal their sources.

He also said that a man who might be under suspicion should have the right to have legal counsel at his side during grand jury sessions. State law does not permit this.

ASSISTANT DA James L. Alcock, appearing on behalf of the grand jury and Garrison, said that Ward had not threatened Chandler during an interrogating session last Jan. 26 as claimed by Chandler and Sessions.

Alcock said that the letter to Billings had been explicit that Chandler would be treated with courtesy if he tells the truth. He said Chandler would not be charged with perjury by verifying the Life articles if he can back up statements made in the stories.

Ward appeared on his own behalf, saying, "I have never threatened Chandler . . . Mr. Sessions makes untrue statements before this court."

SESSIONS became heated at this point and said, "A lawyer is entitled to believe his client."

Sessions also said that he knows of personal threats on Chandler made by Garrison.

He charged that the grand jury investigation is a farce. "The whole thing is an investigation of Life magazine and David Chandler—not organized crime," he told the court.

The letter to Billings said in part that "Life magazine has made a number of serious factual errors in its recent statements concerning organized crime in New Orleans. Every fact brought up in our presence . . . turned out to be either completely wrong or badly distorted."

"The Grand Jury inquiry has indicated that there is no basis in fact supporting the allegations of Life concerning systematic racketeering activities in New Orleans."

GARRISON'S letter said the witnesses testified that Life accusations regarding Orleans Parish were "totally untrue and based on false information."

The letter added that if Chandler testified truthfully "he will be treated with complete fairness and courtesy."

The rest of the letter mainly concerned an attack on Chandler for reporting what Garrison calls false information, saying that the district attorney was disappointed in Billings for not exercising "better judgment in your supervision of these articles."

ON ANOTHER front, the Jefferson Parish Grand Jury probing accusations of organized crime recessed until next week after hearing from half a dozen witnesses.

The witnesses included Aaron M. Kohn, managing director of the Metropolitan Crime Commission; Col. Thomas Burbank, commander of the Louisiana State Police; New Orleans Assistant DA Charles Ray Ward; Joe Johnson, a contractor; Sheriff Alwynn J. Cronvich and two unidentified men.

OTHER WITNESSES who were called to testify included

Parish President Thomas F. Donelon and one of his administrative assistants, Merlin Hudson. After waiting throughout the day in the Gretna courthouse to make their appearance, both were told at 4:45 p. m. that they would not be needed until at least next Tuesday, when they were subpoenaed to appear at 11 a. m.

Jefferson DA Frank Langridge, asked about the investigation, replied: "It is in connection with organized crime. Don't ask me anything else."