

SEP 18 1971

Press Plea to The Court on News Sources

SFChronicle

Washington

The American Society of Newspaper Editors (ASNE) told the Supreme Court yesterday that newsmen should not be required to disclose information even at the cost of letting a crime go unpunished.

The ASNE, made up of more than 740 daily newspaper editors, urged in a court brief that newsmen be granted "absolute and unqualified protection" against having to disclose information under government subpoena.

The ASNE, was supported in its friend of the court brief by Sigma Delta Chi, a journalistic fraternity with more than 21,000 members.

The brief was submitted in behalf of Earl Caldwell, a New York Times reporter based in San Francisco who refused to testify before a grand jury investigating the Black Panthers.

Caldwell was convicted of contempt of court. The U.S. Court of Appeals for the 9th circuit reversed the conviction, and the government appealed that ruling to the Supreme Court.

Caldwell, a Negro, argued that the Black Panthers would not give him more information if he passed it on to a grand jury. The Supreme Court has agreed to hear his case and two similar ones during the term beginning October 4.

"We concede the possibility that there may exist a situation where a particular crime will go unpunished . . . we believe it is a price which must be paid if the First Amendment is to be respected," the ASNE brief said.

United Press