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Radio Station Head Jailed Over Tapes

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NEW YORK — (AP) —

The general manager of radio station WBAI is in jail for refusing to turn over tapes of a 1970 prison uprising to a district attorney for use as evidence.

State Supreme Court Justice Gerald P. Culkin rejected WBAI's contention that the tapes were privileged Friday and sent Edwin A. Goodman to jail for 30 days for contempt of court.

The station, which had made and broadcast tapes of the inmate disturbance at the Manhattan House of Detention for Men in October, 1971, was fined \$250.

Culkin ruled that the station had forfeited its rights to call the tapes privileged once they were broadcast.

Tapes Subpenaed

The Manhattan district attorney's office had subpoenaed the tapes to use as evidence in prosecuting persons involved in the disturbance.

The station's lawyers had argued that the ruling would have "a drastic, chilling effect upon the newsgathering capacity of the press" by discouraging news sources from speaking "freely and spontaneously over the air waves."

The case is one of the first judicial tests of the state's "newsman's privilege" statute, which provides that "no professional journalist or newscaster . . . shall be adjudged in contempt of court . . . for refusing or failing to disclose news or the source of any such news coming into his possession in the course of gathering or obtaining news."

Social Worker

Goodman is the only son of Andrew Goodman, former owner of the Bergdorf Goodman department store.

The younger Goodman worked at the store from 1963 to 1967, then spent two and a half years working for the Bedford - Stuyvesant project started by the late Sen. Robert F. Kennedy.

It was his decision to become involved in social issues rather than continue in the family business that prompted Andrew Goodman to sell the store a year ago.

WBAI is a listener-sponsored Pacifica station.