

A career in jeopardy—Peter Bridge goes to jail

By CHARLES LONG

PETER BRIDGE didn't have to go to jail. He could have been with his wife when their third child was born.

All he had to do was tell the judge information someone had given him in connection with an alleged bribe of a public official. But because he refused to reveal to a grand jury unpublished details of a story he had been reporting for the Newark (N.J.) *News*, he was cited for contempt.

A little more than two months ago, the Newark *News* had New Jersey's largest evening circulation. Today it doesn't exist, having gone out of business. Thus, the first circumstance of at least three in which Peter Bridge was to be the victim — out of a job, in jail and unable to be with his family at a special time.

Not until 21 days later, on Oct. 24, was he released, in conjunction with an end-of-month dismissal of the Essex County grand jury. Bridge said he and the press had won out because of his refusal to yield to questioning. Upon his release from jail, he said: "It feels very good to be out, but I'd do it again if I had to."

Bridge would not give the grand jury information it was seeking because he felt that would be a violation of his rights to protect his sources. Traditionally, newsmen have claimed absolute immunity in such cases under the First Amendment. Nineteen states, including New Jersey, have enacted so-called "shield" laws to protect reporters in the course of their investigative work, and proposed legislation is also on the calendar in other states. A more concerted effort by U.S. congressmen, meanwhile, is being made to get a strong federal law enacted. More than two dozen bills are before Congress.

Federal or congressional immunity may be the only avenue left for investigative reporters like Bridge, since they can no longer rely on the First Amendment to protect them. The U.S. Supreme Court, in a 5-4 land-

mark decision last June 29, ruled that journalists have no guaranteed constitutional protection against having to reveal confidential sources of information to a grand jury.

The Supreme Court ruling came about as a result of three reporters' refusing to answer grand jury questions. Earl Caldwell of the New York *Times* and Paul Pappas of WTEV in New Bedford, Mass., were summoned for questioning about unpublished and unbroadcast information they had learned in their separate coverage of Black Panther activities. Paul Branzburg, then of the Louisville *Courier-Journal*, was subpoenaed by two grand juries to answer questions about his sources for stories on local drug traffic.

It may appear odd that neither Caldwell nor Pappas has been recalled for interrogation since the June ruling. Caldwell thinks it's because of a loss in official interest in the Black Panthers at the moment, plus an at-

tempt to avoid controversy with the press in an election year. Branzburg, who now works for the Detroit *Free Press*, is under a six-month state contempt sentence in Kentucky and refuses to return there.

As it turns out, Peter Bridge is the first person to be sent to jail after the Supreme Court decision. Even though New Jersey has an immunity statute, it didn't hold up in the Bridge case, and he was taken into custody in early October for an indefinite period. The U.S. Supreme Court declined to stay the sentence, but the case remains under appeal.

From his jail cell Bridge issued the following statement: "A person who is not a news reporter might wonder why it is so important to maintain the confidentiality of sources. I can testify that confidential sources are the single most important device in the effective gathering of information."

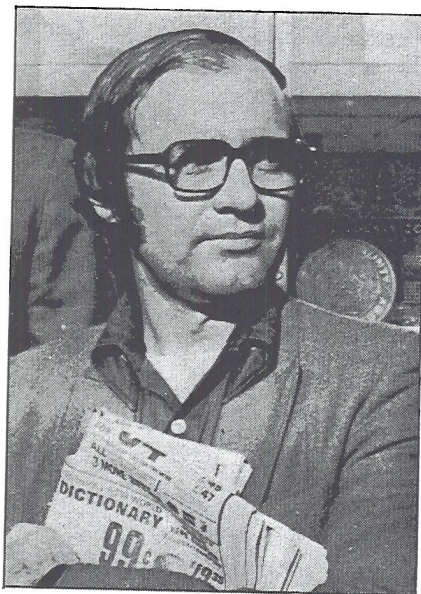
The question mostly on the minds of journalists now is whether investigative reporting will ever be as strong as it was before June 29. Earl Caldwell, for one, has his doubts. "Now," he said, "it's really impossible to do serious reporting in the U.S. if the government doesn't want you to."

SIGMA DELTA CHI, which has long been in the forefront among news organizations in the fight for freedom of information, has taken action both in the way of financial aid to Bridge and in public statements condemning his arrest and seizure.

Said SDX National President Guy Ryan:

"As president of Sigma Delta Chi, I deplore the jailing of Peter Bridge in Newark for his refusal to disclose to a grand jury the source of confidential information which he used in a story about purported malfeasance of an official in one of the departments of his city's government.

"The story was in the public interest, one which the public was entitled to know about. I feel that Peter

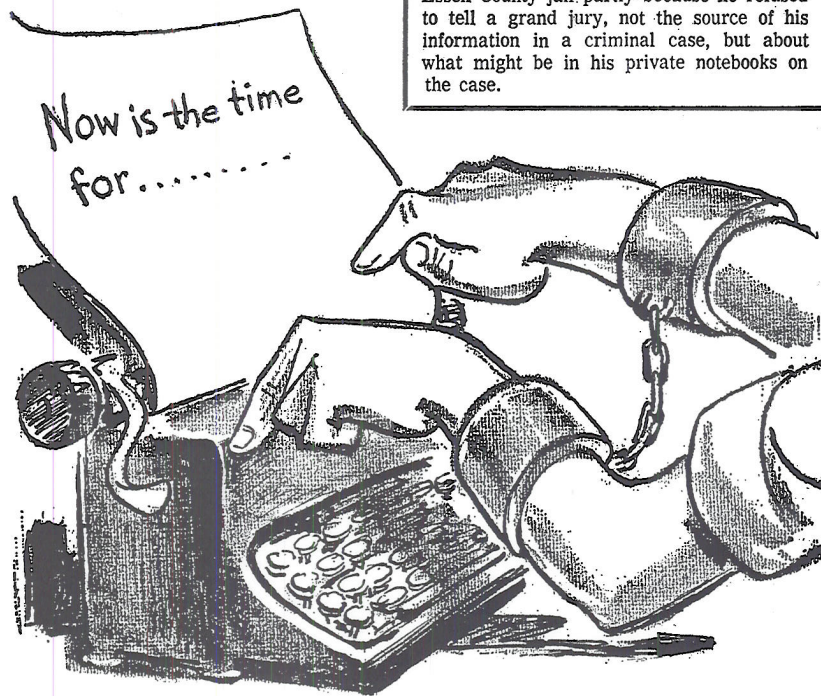


PETER BRIDGE

"One thing is certain. If something isn't done to insure reporters the right to do their jobs, a hell of a lot of newsmen will be moving into jails."

NEWS ITEM

Peter J. Bridge, a reporter for the defunct Newark Evening News, was tossed in the Essex County jail partly because he refused to tell a grand jury, not the source of his information in a criminal case, but about what might be in his private notebooks on the case.



BURCK

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(Jacob Burck in the Chicago Sun-Times)

Bridge was working in the interest of better government when he investigated the situation and disclosed his findings to the public through his newspaper," Ryan continued.

"It's a sad commentary on First Amendment rights when an arm of the judiciary of our country can send a newsman to jail for discharging his duty to the public, especially when the investigative body or the courts have the same opportunities to investigate these matters on their own.

"The penalties which the courts have seen fit to impose on newsmen for such enterprise and investigative activities will certainly act as a damper on the efforts of newsmen everywhere in investigating and disclosing information on improper acts of public officials.

"Thus, many such cases will remain hidden.

"And the public will be the victim."

The SDX national Freedom of Information Committee, through its chairman, Richard Fogel, also came to the defense of Bridge.

"It is a very sorry thing, and frightening, to see the coercive power of the court used to punish a reporter,"

Fogel said. "It is a reporter's function to serve the public through investigation of wrongdoing by officials or anybody else.

"In the long run it is the public which will suffer through loss of knowledge about the functioning of its own governmental institutions. And the public will continue to suffer until it demands adequate shield legislation which would allow newsmen to protect their sources and keep reporters from being used as an investigative arm of government."

Meanwhile, Bridge will appeal his case to the U.S. Supreme Court, and the American Civil Liberties Union

SDX Establishes Defense Fund

A legal defense fund to aid Peter Bridge—and potentially other newsmen jailed for refusal to reveal sources of information—has been established by Sigma Delta Chi, announced President Guy Ryan and FOI Committee Chairman Dick Fogel.

Contributions may be sent to Sigma Delta Chi, 35 E. Wacker Dr., Chicago, Ill. 60601. Checks should be made payable to Sigma Delta Chi.

A resolution of support has been forwarded to all SDX chapter presidents for the signature of SDX members and transmittal to Bridge.

will represent him. Financial assistance for his defense fund has already been donated by three SDX chapters — \$100 from the Chicago Headline Club, \$500 from the San Diego Professional chapter and \$250 from the New Jersey Professional chapter. New Jersey chapter president, Todd Hunt, assistant professor of communication at Rutgers University, also appointed a committee to recommend changes calling for better protection in New Jersey's "shield law." A resolution passed earlier by the chapter deplored the use of reporters in "fishing expeditions" by prosecutors before grand juries.

What Bridge considered to be a fishing expedition in his case were some questions asked of him by a grand jury investigating corruption in Essex County. He honored a subpoena to appear in court and answered many other questions. It was the few he refused to answer that got him in trouble. They were questions he believed went beyond the scope of the investigation and would compromise his confidential sources.

It all started when Bridge wrote a story last May in which he quoted a Newark housing official as saying she had been offered a \$10,000 bribe. He confirmed the statement to the grand jury but refused to disclose anything not printed in his story. Superior Court Judge H. Curtis Meanor told Bridge all he had to do to gain freedom from jail was answer the unanswered questions.

John Finnegan, chairman of the Associated Press Managing Editors freedom of information committee, said Bridge could have been held in jail "for many months," since the grand jury had been on a standby basis.

Finnegan implored editors, reporters and the public to get behind legislation at the national and state levels "which will provide at least a qualified privilege for newsmen . . ." Wendell Phillippi, president of APME, requested editors around the country to write to Bridge and to extend to him all possible support.

The faculty of the S. I. Newhouse School of Public Communications at Syracuse University has begun its own drive to raise funds. Bridge graduated from Utica College of Syracuse University in 1960 and worked for the Newark *Evening News* since 1961.

Jerome A. Barron, dean of the Syracuse College of Law and a contributor to the Bridge fund, added, "It seems

hardly possible to argue that we have freedom of the press when we look around and see reporters in jail. If the Bridge situation were to be repeated to any considerable extent, then I think the Supreme Court would have a real duty to reconsider its decision."

Barron is regarded as one of the foremost experts on communications law.

It's highly probable that Bridge won't be the only newsman to be sent to jail by a grand jury. Several reporters around the country are facing possible imprisonment at this moment. In addition to Caldwell, Pappas and Branzburg, there is William Farr, a Los Angeles newsman, who could get an indefinite jail term for refusing to identify his source for a story concerning the trial of Charles Manson. A more recent case in Memphis affects Joseph Weiler, a reporter for the *Commercial Appeal*. He has been hit with a contempt charge by a Tennessee legislative committee for refusing to reveal the sources of his expose on abuses in a state-run home for retarded children. (See cartoon, page 70.)

Acting FBI Director L. Patrick Gray III defended the jailing of Bridge as "justly deserved." Gray said that someone's profession "in no way frees that person of a citizen's responsibilities."

After Bridge had been ordered to jail and was led away in handcuffs, he decided to remain silent and sit it out. His wife told a United Press International reporter she has received more phone calls than she can count from friends and relatives offering aid. She said "yes and no" when asked if her children understand why their father is in jail. "They get little remarks from school, but the one thing they understand is that he didn't do anything wrong."

Mrs. Bridge said she always supported her husband's stand but never thought he would go to jail. Then she recounted the family problems that have arisen since he was laid off during a lengthy strike before the Newark newspaper closed down. "First there was the layoff. Then the place closed down. Now he is in jail and I will have a baby. You know, when it rains, it really pours."

Bridge said he didn't want to go to jail and had thought that his right to remain silent was protected by the New Jersey shield law. In Washington, a statement by the 36-year-old imprisoned newsman was read to a House Judiciary Subcommittee by John Mulligan, secretary of the New York Press Club.

"My choice of jail against disclosure is not a personally simple thing for me to do," Bridge wrote. "I tell you this for no other reason than to try to impress the importance of this issue on committee members."

Bridge informed the subcommittee that his wife was expecting their third child any day. He said that friends would have to take care of his other two children in his absence. The newspaper he worked for no longer exists, and he would be unable to look for a job or collect unemployment insurance as long as he was in jail.

"The simpler course for me is obvious: Answer the questions, reveal the sources and go home. That would be easy if I didn't have to live with myself, and I can't betray my own principles." ■

Rough Days

By ERIC SEVAREID

Eric Sevareid's commentary for the Walter Cronkite Evening News on CBS-TV, Oct. 5.

A New Jersey newspaperman has been sent to jail for insisting on his indispensable right to confidentiality of his information; a House committee has voted not to investigate the financial aspects of the Watergate bugging scandal; the federal judge for the criminal trial of the suspected Watergate burglars has issued a blanket order forbidding anyone connected with the case to talk about it publicly; a House subcommittee report says the 1967 Freedom of Information Act instructing the federal bureaucracy to open up its rules and procedures is being smothered to death by the bureaucracy.

Rough days for freedom of the press, which translates to the people's right to know. The seven Watergate suspects have the right to an unprejudiced trial, but they are

being tried for burglary; there are many other ramifications, involving men and money in the organization for re-electing the President, in other words, politics. The people can sit as judges on presidential level politics only once in four years and on one day only. The Administration seems to be winning its battle to keep any further evidence from the national jury until that day has come and gone.

The House subcommittee report on general news suppression by government said, "We believe it is better to have too much freedom than too little." This administration does not agree. Nor does a majority of one in the new Supreme Court; it is by reason of that one vote margin in a case of last June that the young New Jersey journalist now sits in jail. He will be by no means the last to do so unless the Congress, as the Court invited it to do, passes new legislation sharply narrowing the grounds on which government can force journalists to

reveal news sources or unpublished information in their possession. Already the new ruling is shutting off sources of important news, people afraid to talk even on the basis of anonymity, because the reporters they talk to can no longer guarantee confidentiality. There are now bills in the House designed to remove this curse — their ultimate passage uncertain.

To all this must be added the organized, relentless, day in, day out, high pressure harassment of reporters, editors and news executives by the White House phalanx.

The distinguished historian, Henry Steel Commager, has said that no administration since that of John Adams has shown such an instinctive distrust of the free press as this one. We weren't around in Adams' time; but in the near quarter century we have been around here, this reporter has never breathed political smog so thick as it is today.