



# EL GAUCHO

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## Special Showing of 'Obscene' Film Arranged for Today

By STEVE BAILEY  
City Editor

In the latest development of the Magic Lantern's alleged obscenity charges, Santa Barbara District Attorney David Minier has tentatively announced a closed showing of the film in question, "Change of Heart", today at 3 p.m. in the District Attorney's office, "for members of the press."

Up to this date, the only press comment on "Change of Heart" had come from the Goleta Gazette and the Santa Barbara News-Press, both editorially. Alton Block, Gazette Staff Writer, stated: "By getting upset over the film, the police are lagging behind popular-at least by Isla Vista standards

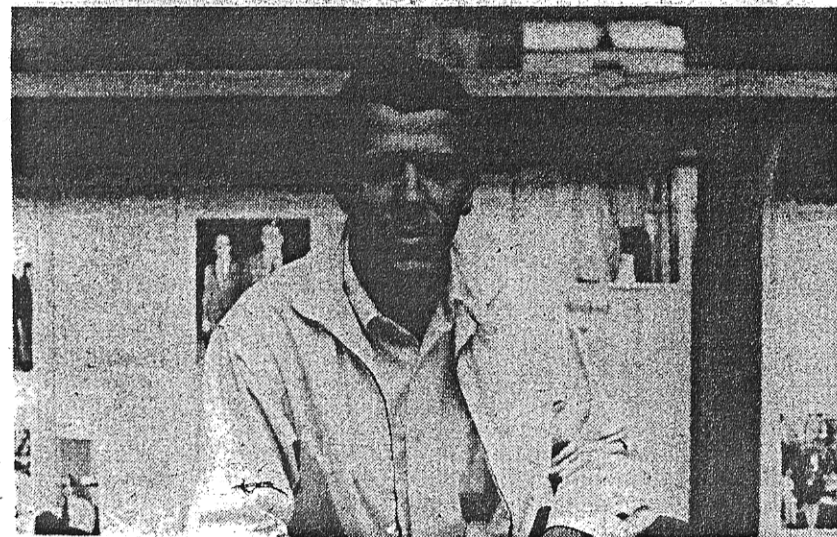
- views of what is obscene and what is not. . . they may be taking a short view of art, life, and morality."

The Magic Lantern first became involved in the controversy on Friday Sept. 8. Manager Jim Babb, currently charged with showing obscene material to the public, along with owner Bill Hess, was approached by William Steele, special investigator from the D.A.'s office, shortly after 9 p.m., and informed that the film was being seized by the District Attorney's office on a search warrant issued by that office.

Outside the theater, an orderly crowd of over a hundred milled about, displaying picket signs and photographing detective sergeant Joel Honey, who accompanied the investigative officers on the case. At one point, police seized the I.D. from a San Francisco Oracle photographer, but returned it after consultation with Honey.

Later that evening the Magic Lantern's management released the following statement regarding the nights events: "The management of the Magic Lantern has always endeavored to bring to the Isla Vista community the best of contemporary artistic creations in the cinema media.

"The film confiscated tonight has enjoyed the enthusiastic support of this community. . . (Continued on p. 3, col. 1)



Magic Lantern Manager Babb

-- Riede photo

## C.O. Speaker Talks At Frosh Assembly

By TERESA CHENERY  
Staff Writer

Compromise between Rep.-at-Large and radical leader Hubert Jessup and Dean of Men Robert Evans led to the presentation of both sides of draft duty at the freshmen assemblies earlier this week.

Originally scheduled for only ROTC speakers in the draft information portion of the all men assembly Tuesday, Evans

fusal on the basis of the time limit, provision by AS Executive Vice-President Paul Bellin was made to let Jessup speak in the Monday night assembly for combined freshmen.

"I was told that Hubert hadn't been allowed to speak at the men's assembly, so I offered him time," Bellin said. "I consider his speeches Monday as too personally opinionated to have given students much draft information."

# Obscenity . . . .

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contemporary Isla Vista society has already expressed its feelings about the police standards rather dramatically tonight by demonstration against this confiscation. . . it is interesting to note that the confiscation of this film by the police has taken place eight days after the first showing, but at the same time that police age meeting in Los Angeles to investigate the category of obscenity."

In a recent EL GAUCHO interview, Bill Hess questioned several aspects of the case, particularly that the warrant was issued not from a complaint of a private citizen, but from the District Attorney's office.

Attorney Tom Sammon elaborated on this point: "I know that apparently on the night of the first or second there were Sheriff's deputies in the audience during the showing of the film."

He went on to judge that the question "is not one of obscenity, but one of censorship—should the police be allowed to censor art?"

# An Issue of Censorship

Censorship rather than obscenity is the issue at stake in the upcoming court proceedings over "Change of Heart," a film seized from the Magic Lantern heater on September 8.

The film was seized just in time to be shown at a peace officer's convention on investigation of obscenity held at Santa Barbara's Biltmore Hotel.

In addition, a special investigator, Michael Serio, from the Los Angeles Sheriff's Office accompanied investigators from the Santa Barbara District Attorney's office in what appears to be an unwarranted raid.

Although the film played for nine days before the raid no complaints from viewers were received by the management. Each patron, in fact, was told at the box office that one of the films being shown was "graphic."

"Change of Heart" has played in numerous cities across the United States. It has passed rigid censorship requirements in several of these cities.

And finally, the District Attorney's own action of September 28 - when a closed showing to members of the Press of the film was permitted - smacks of trying to influence mass media.

Not only have local press members already run frank reviews of the "short underground film" but also noted that the issue involved here is not the film's subject matter but its censorship.

The Lantern's policy of providing underground films for the viewing pleasure of students and non-students alike is one we support. Any adult should be allowed to make the choice of whether to view films like "Change of Heart" or not.

Jim Babb, manager of the Lantern, has not been the University's best friend. He's put severe restrictions on films that student groups might otherwise sponsor for on-campus showings.

He has, however, given Santa Barbara its only independent theatre.

Whether or not we agree with his claim that "Change of Heart" is "about as sexually arousing as a film showing child birth," we do agree he has been victimized.

# Magic Lantern Film Ruled Obscene, Filthy

By RICK ROTH  
EG Reporter

Magic Lantern Theater officials are preparing an appeal today in the wake of Monday afternoon's "obscenity" findings against the film "Change of Heart" shown last summer at the Isla Vista theater.

Labeling it "tawdry . . . cheap . . . and filled with filthy sex scenes," Solvang Municipal Court Judge Arden T. Jensen ruled the film "utterly without social importance," thus setting the stage for an appeal as well as a possible legal assault on state obscenity laws.

Judge Jensen stayed indefinitely a trial for Magic Lantern owner William Hess and manager Jim Babb pending the outcome of the appeal. The pair were originally scheduled to stand trial beginning yesterday on charges of exhibiting an obscene film in public.

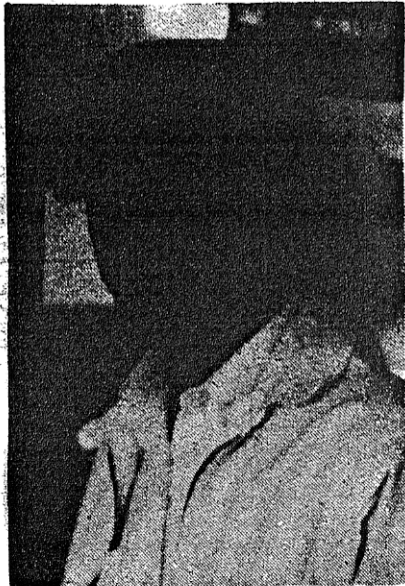
The film was confiscated last Sept. 9 by special investigator William Steele of the District Attorney's office on the basis of a search warrant issued from his office. The confiscation set off a long series of community protests and indignation as well as some judicial mixup surrounding the airing of the film to the press. Eventually a Superior Court order forbidding the District Attorney's office from any further private showings of the film was overturned.

"We were surprised to find the decision of the Municipal Court both as to Constitutional law and the question of the film's acceptance as a protection of free speech," commented Magic Lantern attorney, Buck Hornor. "We are very hopeful of winning," he continued, "there's no doubt we'll win the thing ultimately."

"I hardly know what to say," remarked Magic Lantern manager Jim Babb when contacted yesterday morning. "We certainly plan on winning, and hope to never have to take the case to trial," he added.

Hornor will base his defense on recent U.S. Supreme Court

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JIM BABB

# Obscenity Ruling

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rulings which give state courts a "mandate" in dealing with obscenity cases. "This film is definitely not obscene," Hornor commented, "and would not be considered thusly by the Supreme Court, at least not in the face of their recent guidelines on the subject."

"This is not at all a film on sex, as Judge Jensen seems to believe it is," added Hornor. "It is, rather, a film on death -- the death of a love. The sex scenes are almost clinical . . . and could have been taken from a medical textbook."

The first part of Monday's trial was devoted to Hornor's motions relating to the issuance of the search warrant. The defense attorney told EL GAUCHO that "the judge didn't even see the film before issuing the warrant, he simply took the word of officers, thus making the situation one of illegal search and seizure."

Hornor told Judge Jensen he will file an immediate appeal in the District Court of Appeal in Los Angeles on behalf of the Isla Vista movie house.

Earlier in the case, Tom Sammon, Hornor's partner, commented that the question in this case is "not one of obscenity but of censorship -- should the police be allowed to censor art."

**EDITORIAL****The Eye Of The Beholder**

You there--third little old lady from the left--you can put on your tennies and come out of hiding again. Solvang Municipal Court Judge Arden T. Jensen has made the world safe for motherhood, Lincoln, apple pie, and all that is decent and American.

With the typical clear thinking and sensitivity which we have all come to expect from our local judicial system, Judge Jensen has ruled the Magic Lantern flick, "Change of Heart," obscene. "Utterly without social importance," cited the Judge; "tawdry... cheap... and filled with filthy sex scenes."

Notice the wording: "filthy sex scenes." It's good to be reassured of sex's basic dirtiness and immorality in the face of so many communist-homosexual-hippy types subverting our young minds. Jon Braun would be proud.

For those of you who saw it, and were fooled into believing that the starkness of spiritual necrophilia seemed to have definite, if irregular, social importance, forget it! Be thankful instead that we have potential Academy Award winners, such as "The Dirty Dozen," to show us the clean, American approach to morality. We are sure Judge Jensen is.

But beyond the thousands of words already written about "Change of Heart," what is the significance, the perspective of such a ruling?

It seems only too apparent that the wave of legislative and judicial morality sweeping our country has found a home in Santa Barbara County. The political climate in our locale would gratify William McKinley.

However, for those of you who have never lived in Los Angeles or Orange County, it is no joke. When the artistic, political and cultural activities of a university are stifled, harrassed, attacked and ridiculed as deeply as ours have been an increasingly will be, that university does, in fact, become an isolated "ivory tower." Intellectual stagnation and a loss of contact with the world of the slum and the blue collar worker follow.

We believe it is therefore the responsibility of the student body of this county to initiate a political and cultural campaign to clear the air in Santa Barbara County, to promote cross understanding between two alien cultures. Specifically it is the responsibility of our adolescent political clubs to halt their inter-bickering long enough to originate some of those door-to-door campaigns they sponsored so convincingly of last year. It is the responsibility of Legislative Council to program a broad scale speakers campaign and cultural "round table" with community leaders, Judge Jensen included. And finally, it is the responsibility of our Administration to stop apologizing for our "sinful" college behavior, or pretending that a collision between Twentieth century culture and Santa Barbara County does not exist, and instead arrange a collision between Twentieth century culture and Santa Barbara County.

By STEVE BAI  
EG City Ed