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Edition

Full Sports

# SANTA BARBARA NEWS-PRESS



The Oldest Daily Newspaper in Southern California

## WEATHER

Santa Barbara: MOSTLY SUNNY  
Santa Maria: MOSTLY SUNNY  
Lompoc: MOSTLY SUNNY

(Details on Page B-2)



**SEIZED FILM** is carried from Magic Lantern Theater last night by officers, followed by young sign bearers protesting the action. William H. Steele, right, chief investigator for the Santa Barbara district attorney, holding film, is accompanied by Michael Serio of the Los Angeles sheriff's office.

# DA's Office Seizes 'Adults Only' Film

By Helen Benson  
News-Press Staff Writer

Confiscation of a film on suspicion of obscenity at the Magic Lantern Theater last night was met with a stand-around censorship protest by youthful Isla Vista residents.

"Change of Heart," one of four films on the theater's current "adults only" program, was seized by William H. Steele, chief investigator for the Santa Barbara County district attorney, David Minier; and a man identified as Michael Serio of the Los Angeles County sheriff's office.

Minier was present for the action. No arrests were made. No charges have been filed, according to Thomas J. Sammon, attorney for the theater. The warrant for the seizure was signed by Municipal Judge Frank P. Kearney.

Jim Babb, manager of the Magic Lantern, denied that the film was obscene.

### PANEL MEMBER

"It is interesting to note," commented Sammon, "that the confiscation of this film by the police has taken place eight days after the first public showing, but at the same time as state-wide officials are meeting in Santa Barbara to discuss 'How To Investigate an Obscenity Violation.'"

Serio, the Los Angeles officer, was a panelist at yesterday's opening session at the Biltmore Hotel of a two-day seminar on obscenity and pornography conducted by the state attorney general's office.

"Change of Heart" shows an unclad man and woman and includes explicit sex scenes.

"We actually planned this tomorrow night," Minier said, "but we heard that they were

prepared for us tonight, so we didn't want to disappoint them or miss all the fun and excitement."

### FREE SHOWING

Minier said that he and his wife attended the film program Thursday night.

Babb said the film program was scheduled to run through next Wednesday. He was uncertain last night if the remaining films would continue to be shown. After the confiscation the demonstrators were Babb's guests at a free showing of the remaining films, "as a gesture to the community."

Babb said that rumors had been circulating all day of an impending raid and one caller predicted the raid for 9:30 p.m. By the time the first officers entered the theater lobby at approximately 9:15 a crowd of more than a hundred young adults had gathered in front of the theater.

They carried signs reading "Why don't you get your head fixed? Obscenity is in the mind of the beholder," "Obscenity is the crime without a victim. End state control of creative arts," and "War is the only obscenity. Why don't you bust 'The Dirty Dozen'?"

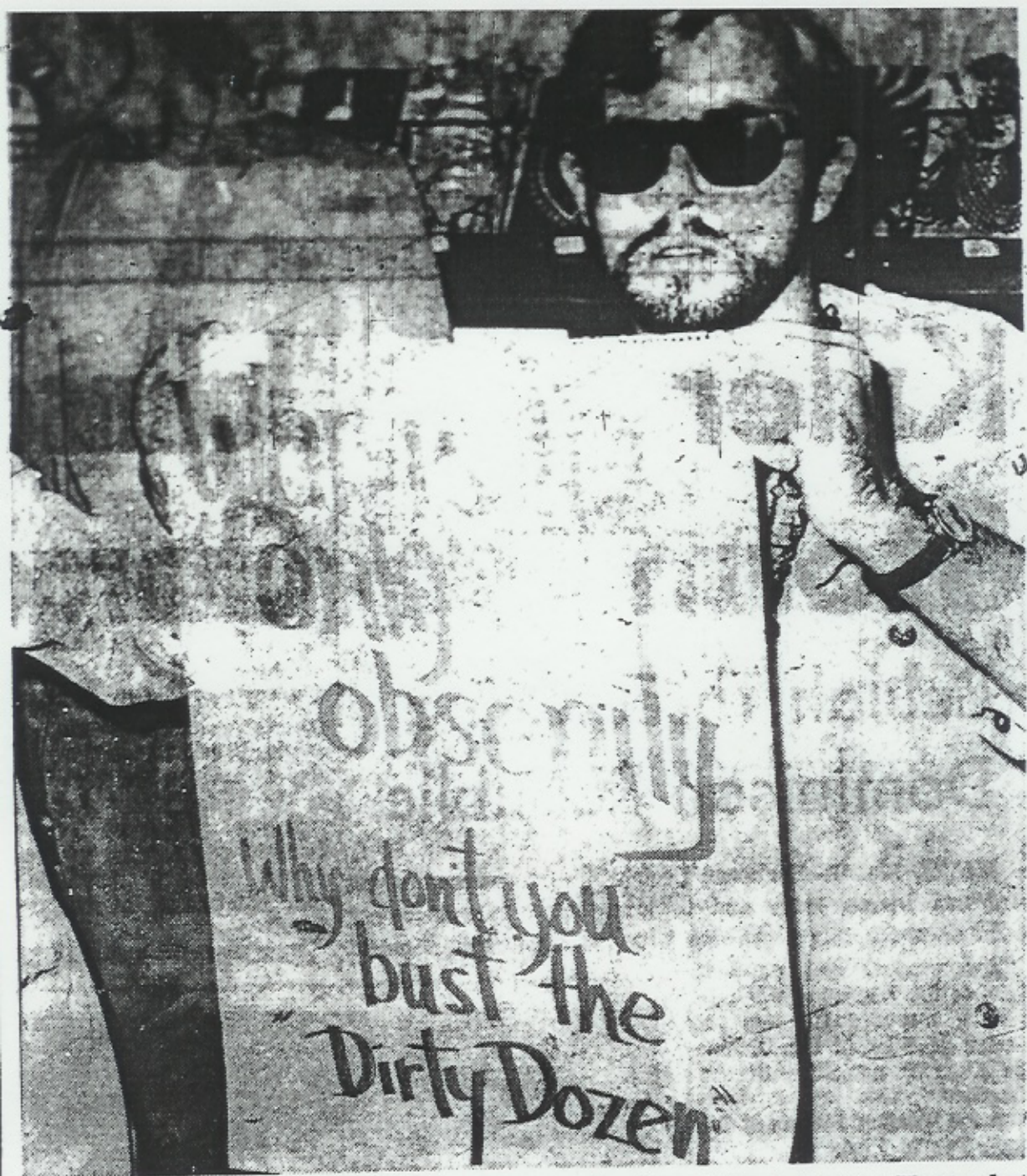
### 'NO COMPLAINTS'

Babb said he had had no complaints about the film, which was advertised as for adults only. He said proof of age was checked at the door, and each ticket purchaser was advised verbally that the film contained "graphic" scenes which some might find offensive.

"The film has artistic merit,"

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# State Plans



**AMONG THOSE** on hand when officers arrived to seize film at Magic Lantern Theater last night was Jack Malcolm, who operates an open air bake shop on the sidewalk in front of the theater.

—News-Press photos by Bob Ponce

# DA's Office Seizes Film; Youths Protest Censorship

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he said, "and a right to be shown. Certain films we would not show here because we feel they are in bad taste."

He cited "The Dirty Dozen" as an example of films that "glorify violence."

"I was offended by it and I wouldn't show it here, but I don't believe the state should have the right to censor it," he said.

## FILM EVALUATED

Sammon said he viewed the confiscated film before it was shown, and evaluated it. "The definition of obscenity in our law is based on the standards of contemporary society. The contemporary Isla Vista society apparently has already expressed its feelings about police standards rather dramatically by demonstrating against this confiscation."

"Not very many years ago in America we witnessed citizens demonstrating to close movie theaters. This is probably the first time citizens of a community have demonstrated to keep the theater free and open."

Photographers were involved in two incidents.

Simon Kelland, photographer for the San Francisco Oracle, an "underground" newspaper, told reporters that his identification was confiscated by Sgt. Joel Honey of the Santa Barbara County sheriff's department after Kelland took a picture of Honey.

Kelland repeatedly asked the officer for an explanation, and

hecklers jeered at Sgt. Honey from the crowd. The identification was later returned to him, Kelland said.

A News-Press photographer was told, "Shove off!" by one of the officers who confiscated the movie.

(Judge Kearney today said the next step was up to the district attorney's office to decide whether to file charges. The theater could ask for a court hearing to test whether the district attorney's affidavit for the search warrant was issued on good grounds.

(The judge said Minier and Steele came to his house at about 8 last night seeking the search warrant and presenting an affidavit giving details of the movie.

"They wanted me to go out and see it but I said no," Judge Kearney said.)

Sammon today said "The action by the officers. I feel, can be viewed as another battle in

the rapidly escalating war between police officials and the residents of Isla Vista."

Asked if he was referring to the sheriff's office, Sammon said, "Not specifically — but they patrol Isla Vista and law enforcement there is in their hands. There are also other law enforcement agencies involved around the university."

The attorney said the next move "is up to the district attorney's office." They have the film now and if they decide to file charges . . . I imagine they'll get arrest warrants for the manager and the projectionist."

## ROMNEY

Continued from Page A-1

"shocked that they can no longer rely on our own government to give them the facts about Vietnam."

Romney dismissed as of no lasting significance an editorial to be published by the Detroit News suggesting that he had zigzagged so much on Vietnam and other foreign policies that he should withdraw from consideration for the nomination and support New York Gov. Nelson A. Rockefeller.

The newspaper criticized what it called Romney's "blurt and retreat habit of dealing with Vietnam and other problems.

Romney insisted that he has not changed his position on Vietnam. He said it remains exactly the same as it was

## Cate Will Give Talk on 'Early Carpinteria'

Curtis Cate, founder of Cate School, will speak on "Early Carpinteria" at the annual picnic of the Carpinteria Valley Historical Society tomorrow at the Andrew Bailard House.

The Molina family band will provide music and entertainment, according to George Johnson, president.

Persons attending are asked to

# Magic Lantern

SBNP Tuesday  
9/12/67

## Manager Booked

The manager of the Magic Lantern Theater in Isla Vista, scene of a Friday night raid, voluntarily surrendered to a sheriff's officer last night after he was informed by telephone that a warrant had been issued for his arrest on a charge of publicly showing obscene material. No arrests were made during the raid.

Babb was accompanied to the sheriff's office by William Hess, owner of the Red Lion Book Store and general manager of Red Lion Enterprises, operator of the theater.

### PHONE CALL

The theater manager said he arranged to surrender himself at the sheriff's office after he received a telephone call from William Steele, district attorney's investigator, informing him of the warrant.

Babb arrived at a bail bond office across Figueroa Street from the sheriff's office shortly before 7 p.m. to arrange posting of a bond. He emerged from the office of Mrs. Rosena A. Johnson 40 minutes later and

Officers seized the film, "Change of Heart," at the Magic Lantern Friday after it had been viewed by two investigators from the district attorney's of-  
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SBNP

Tuesday 9/12/67



ON HIS WAY to be arrested on a charge of showing an obscene film is James Babb, right, manager of the Magic Lantern Theater in Isla Vista. Approaching the sheriff's office, he is accompanied by his employer, William Hess.

—News-Press photo

→ BNF Tuesday 9/12/67

# Magic Lantern Aide Booked for 'Obscenity'

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walked to the sheriff's office with Hess.

They were met at the counter by Sgt. Chickering, advised of the charge filed against him and advised of his rights. A number of curious deputies and newsmen watched as Chickering showed Babb the penal code section under which he would be booked minutes later. He was then escorted upstairs to the booking office by a deputy.

While Hess waited for his em-

ploye to be released, he told reporters Thomas J. Sammon, an attorney, would probably be representing Babb and Red Lion Enterprises.

"But we haven't decided for sure at this point," he said.

## 'CLINICAL STUDY'

Asked about the allegedly obscene film, Hess called "Change of Heart" a "clinical study" about a man and woman.

"It has a message," Hess said, "and specifically it's about the relationship between a man and woman."

Hess said he had viewed the film "three times before it was opened to the public." The film has played in theaters in 20 cities across the nation, he said, "and was a big hit in San Francisco."

One of the cities that didn't interfere legally with the showing of "Change of Heart" was Boston, Hess added.

After he was booked, Babb told reporters he was scheduled to appear in Municipal Court tomorrow at 1:15 p.m. for arraignment on the misdemeanor charge.

## Mother Charged In Tots' Deaths

NEW YORK (UPI) — Mrs. Alice Crimmins, a pretty, 28-year-old strawberry blonde, was arrested and charged with first degree murder today in the deaths of her two children more than two years ago.

Mrs. Crimmins, who was working as a cocktail waitress at the time of the deaths, was arrested in a parking lot near

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