

Washington, Dec 13 (AP) - The Justice Department has ruled out forcing New York Times reporter James Risen to divulge his source in the upcoming trial of a former CIA officer accused of leaking classified information, a person familiar with the matter said Friday night. The decision comes ahead of a court hearing next week at which Justice Department prosecutors had been directed to reveal whether they plan to seek Risen's testimony. The person briefed on the matter, who spoke to The Associated Press on condition of anonymity because the decision had not yet been formally announced, said the Justice Department may still seek Risen's testimony on other topics but would not compel him to divulge his source. Prosecutors allege that Jeffrey Sterling, who is scheduled for trial next month in federal court in Virginia, was a key source in Risen's 2006 book "State of War." Risen has refused to reveal his sources despite being subpoenaed by the government and did not testify before the federal grand jury that indicted Sterling in 2010. The trial has long been delayed while lawyers have debated whether Risen enjoys any kind of immunity from being compelled to testify about his interactions with anonymous sources. In June, the Supreme Court let stand a ruling from a federal appellate court that Risen could be subpoenaed. Attorney General Eric Holder has said no reporter would be sent to jail for doing his or her job, but he has faced criticism for the Justice Department's handling of national security leak investigations. In 2013, the government secretly subpoenaed records of 21 telephone lines used by AP journalists as part of its investigation into who leaked information for a 2012 story about a foiled plot in Yemen to bomb a U.S.-bound airliner. The Justice Department also secretly used a warrant to obtain the emails of a Fox News reporter, a decision Holder singled out in October as a regret. U.S. District Judge Leonie Brinkema this week ordered prosecutors to announce at a Dec. 16 hearing whether they plan to call journalist James Risen as a witness. In her one-page order, Brinkema also asked prosecutors to reveal "any conditions or limitations" they have worked out with Risen's attorneys. She said the Justice Department has had more than six months to decide whether it would subpoena Risen to testify at the trial, which is scheduled to start Jan. 12. "Because Mr. Risen's presence or absence at the trial will have a significant impact on how the parties present their case, a decision about Mr. Risen must be made sufficiently before trial to enable the parties to prepare adequately," she wrote in the order.