REPORT

on

/ BALTIMORE CIVIL DISORDERS

APRIL, 1968 /

by
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THE EVENTS - APRIL 6-11, 1968

The coming of violence to Baltimore's ghetto in 1968 was no surprise. During the winter and early spring, black spokesmen had been trying to reach the white political-community establishment with an urgent call for massive attention to the ghetto-dwellers' need for better housing, job opportunities and recreation. They had predicted extensive disorders during the summer if adequate programs were not set in motion.

White leaders, too, spoke of the probability of disorders. Some joined in the demand for focus on the profound problems of the ghetto in order to keep down the head of steam that otherwise might cause the city to explode. Others called for plans, not to head off violence, but to contain and minimize it when it occurred. Only this last demand brought action. Law enforcement officials worked out a plan, called Operation Oscar, for handling civil disorder. The Civil Defense agency developed a scheme for coordinating such public and private agencies as the police, fire, transit, health and welfare departments, the Red Cross, Salvation Army, and others. Governor Agnew was given prompt legislative action on his request for broad emergency powers.

The disorders were expected to break out in Baltimore's hot steamy midsummer. They occurred much earlier, when the assassination of Martin Luther King gave rise to a great outpouring of emotion in Baltimore, as throughout the country.* On the next day, Friday, April 5, with Washington, D.C., erupting into violence, the new emergency act was hastily signed into

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* The same broadcasts which brought Marylanders the shocking news of Dr. King's death carried also a news clip of Governor Agnew justifying his action earlier in the day in ordering the arrest of 300 students from Bowie State College, a Negro institution, who had gathered at the State House, peacefully protesting inadequate conditions at their school and demanding a meeting with the governor.

law by the several necessary officials. On the same day, the Governor ordered the Maryland National Guard on the alert. During Friday two fire bombing incidents were reported to police. At midnight, all state police personnel were put on alert. During the afternoon of the following day, Saturday, April 6, some white business men in the Negro ghetto were advised by black visitors to close their premises that evening. Some construed the advice as a threat of reprisals if they did not act on the suggestion.

The actual disorders began at about five o'clock in the afternoon on April 6. A crowd of Negro youths had been surging through the Gay Street area of East Baltimore; someone broke a store window. Soon the police headquarters switchboard was flooded with reports of window smashings. At 6 p.m. a looting was reported at a cleaning establishment on Gay Street. Shortly thereafter there was a fire at a paint store on Gay Street. That evening, according to spectators, the atmosphere in Gay Street was one of carnival--cheerful, non-hostile. Ex-mayor, ex-governor Theodore R. McKeldin was given a warm welcome when he arrived among the crowds there.

Police officers, many of them wearing helmets, were ordered to Gay Street when the first calls came in to headquarters. They attempted to seal off a several block area of Gay Street and to disperse the crowds by driving slowly into the groups of boys. At 8 p.m. Governor Agnew declared a state of emergency, but termed his proclamation a precautionary measure only. The Maryland National Guard ordered all guardsmen to their armories.

Later Saturday evening, a few scattered reports of looting and fires came from an area north of the Gay Street area, and also from West Baltimore. Word of sniping (none of it confirmed later) also came into police headquarters. Police sped from place to place in an effort to meet the latest challenges. The first reported death occurred at 10 p.m. when a suspected looter was shot.

A curfew was declared at 10 p.m. Liquor sales were banned and gasoline sales were restricted. The National Guard was committed to East Baltimore. By midnight, with thousands of guardsmen and hundreds of state and city policemen on the streets, General George Gelston, Adjutant of the National Guard, declared that the situation was not out of hand.

The curfew was lifted at 6 a.m. on Sunday. During the morning scattered looting and fires occurred, including the first major fire on the west side. Early in the afternoon, the main downtown shopping and business area was cordoned off by police. Crowds, consisting largely of young black males, were charging through the streets of East and West Baltimore. Fires, looting, occasional stoning of firemen and police cars, reports of sniping, all escalated during the day. The tone was no longer one of festival. The curfew was reestablished at 4 p.m. Shortly after 6 p.m., the Governor requested Federal troops. The first contingent of almost 5,000 soldiers began to arrive about 10:30 Sunday night to add their number to the 5,700 National Guardsmen already on the scene.

The story was repeated on Monday and Tuesday, with the number of reported lootings and burnings declining from the Sunday high. On Monday there were several confrontations between white and black crowds, but actual combat was averted by the police.

By Wednesday, the violence had run its course. On Thursday the curfew and the ban on liquor sales were lifted by the Governor. On Friday the Federal troops were removed and the National Guard reverted to State control. The Guard was released from active duty on Sunday as part of a proclamation by the Governor declaring the state of emergency ended as of 10 a.m. on Sunday, April 14.

Stories by spectators in various areas and at various times during

the four days agree on the main picture. The principal actors were young black males, particularly in the initial breaking into stores. Afterwards, others, including people of almost all ages, from very young children to old people, returned to the stores to scavenge for goods, and then disappeared quickly into buildings in the immediate neighborhood. Fires broke out in rapid succession, almost always in stores that had already been thoroughly emptied of goods. Several Negro spectators claim to know of white store-owners setting their own properties on fire. Gangs of children and teen-agers tried to start fires on the streets under commercial vehicles such as taxicabs. Several informants saw trucks loaded with bricks and bottles and manned by young black men. A number of observers saw troops pushing people with rifle butts, and one informant told of groups of police leaping out of their cars with nightsticks flailing at crowds of people.

The mass media varied greatly in their approach to reporting the situation. Some stations, particularly such stations as WEBB and WWIN, which cater to a Negro audience, tried to sound the voice of moderation, emphasizing the national mourning for Martin Luther King and reiterating the beliefs for which he stood. Others, including WJZ-TV and its radio affiliate WCBM, played up the crisis angle. The general sense of disaster was accentuated during the first day by a stream of ominous bulletins calling for police and later for guardsmen to report to their stations in order to cope with unstated crises.

Particularly incendiary was a series of news bulletins on Sunday, April 7, on WAYE, an all-news radio station, reporting that Stokely Carmichael was on his way to Baltimore, and that State Police were hunting for him, and then, about an hour later, reporting that Carmichael was in the city and that an all-points bulletin was out for his apprehension. These stories were totally false.

In such an atmosphere, rumors fly. Many whites outside the disorder area were convinced that the entire downtown area was ablaze and that snipers were holding the city in terror. Many Negroes believed, and some still do, that large numbers of black people were killed by law enforcement officers.

The final toll is still not completely clear and probably never will be. Approximate figures are: 6 killed, 600 injured, 1200 fires, 1100 businesses damaged by fires, vandalism and/or looting. Property damage has been estimated as high as $13,500,000 and probably reached $8 million.

Counter-forces

Most of the actions to deal with Baltimore's troubles were directed at the black population, but there were also some efforts to work with the black community. Black and white groups had tried to head off possible trouble by holding memorial services and marches, permitting people to act out their emotions in a creative and non-violent manner. On Friday, Mayor D'Alesandro had proclaimed Sunday, April 7 as a day of prayer for Dr. King and had named Monday as an official day of mourning, closing city schools and offices. When the troubles began on Saturday, leaders of several activist groups were on the streets trying to redirect the outburst and minimize the damage, especially the damage to black people and black-owned property. Among these were representatives of CORE, the Civic Interest Group (CIG) and the Union for Jobs or Income Now (U-JOIN). Also on the streets were representatives of officialdom, including the head of the Community Relations Commission, representatives of the Mayor's office and staff people from the Community Action Agency (CAA). Reports vary as to just who was out, and some people express doubts as to the claims of others. There is also some skepticism by white and black moderates as to the real purposes of ostensible "coolers".

All of those who met directly with the crowds to urge restraint were male and, with the exception of a few politicians and police officers, such as Mayor D'Alesandro, former Mayor McKeldin and General Gelston, all were black. They were received mostly in a friendly way, but there were some instances of shoving and threats. Young people not infrequently would seem to give in to urging to leave the scene of one disorder, but instead of going home, would check in at the next place of excitement. Nevertheless, some CIG and CORE people felt the person-to-person approach was effective.

The attitude of officialdom toward black activists was mixed and conflicting. Mayor D'Alesandro had called the CIG for help on Saturday. General Gelston tried to keep communication open with militants. Both the Mayor and the General issued passes to militant leaders, as did Parren Mitchell of the CAA, to permit them to be on the streets after curfew. When the federal troops took over, these passes were not recognized, and a number of activists with passes were arrested. On the fourth day of the disorders, an afternoon peace meeting which had been authorized by the city police was broken up by troops wearing gas masks, because of a communications mix-up. Later that evening sixteen black citizens, ranging from a State Senator to ministers to militant leaders to teen-agers, toured the city in police cars in an effort to restore calm. A number of cars drove through the ghetto bearing hastily lettered signs with messages like "Cool it" and "That's all, Baby."

On the whole, efforts to mount an effective movement to keep destruction down were sporadic and ineffectual. There was no well thought-out plan for re-directing passion into constructive directions, just as there were few solid lines of communication between City Hall and the ghetto.

The main thrust of the official response--in other words, the white response--to the disorders was the attempt to contain and suppress them by

using policemen and other law enforcement officials in massive numbers, while exerting the minimum force necessary.

The racial composition of law enforcement personnel is significant. Some six percent of Baltimore's policemen are Negro. Commissioner Pomerleau had been trying to change this pattern, and 25 to 30 percent of recent recruits have been black. In the State Police, perhaps two percent are Negro. In current graduating classes, an average of two or three members out of forty are black. The National Guard is virtually a white man's club; of 5,000 Guardsmen serving during the disorders, there may have been six Negroes. In contrast, the federal troops were well-integrated, with several Negro officers.

The Baltimore Police Commissioner is appointed by the Governor, not by the Mayor, and serves at the Governor's pleasure. The arrangement is not true of any other municipality in Maryland and is probably unique among U.S. cities.

Baltimore's police do not have nearly as bad a reputation for brutality as do the police in some other cities, but here as almost everywhere in the country, the policeman is seen as the upholder of the white man's supremacy over the black man. Police are thought to employ brutality frequently, and the back room of the precinct house is known as a dangerous place for a black man. Baltimore has no independent procedure for handling complaints against policemen. A board composed of representatives of the Mayor's office, the City Attorney's office and the Police Department receives complaints and refers them to the Police Department for investigation and action.

Control of enforcement personnel and tactics shifted during the four day period. When Mayor D'Alesandro asked for the National Guard, he gave over his effective power to the Governor, although under the new Maryland Emergency Law the Governor could have declared a state of emergency on his own initiative.

Under the Emergency Act, the Governor has the power to designate a person to assume control over all law enforcement officials. The designee was General Gelston of the Maryland National Guard. When the Governor requested the President to send in Federal troops, the military took control away from General Gelston. Head of the troops was Lt. General Robert York, commanding general at Fort Bragg, N.C. Unlike General Gelston, who believes strongly in direct and personal communication with the ghetto and with ghetto leaders, and who says he spent 80% of his time on the streets of the ghetto when he was police commissioner, General York remained at the Armory during the disorders. He was so inaccessible that even the Mayor had to wait two hours to reach him on one occasion.

As the situation then developed, downtown Baltimore became a no-man's land, and black leaders could not communicate effectively with the brothers in the ghetto. The message calling for people to stop the violence and looting and to seek peaceful means of protest was beamed at the ghetto only through appeals on radio and television by well-dressed, well-spoken Negroes who are considered to be allies of the white establishment and are therefore ineffective in reaching into the ghetto.

The basic strategy of the advance plans for riot control was to contain the disorders geographically. Secondary strategy was to minimize destruction within the affected area. To carry out these aims, the following techniques were used: (1) massive numbers of police and later soldiers were poured into the disturbed areas at the inception of the disorders, (2) the central business and shopping section was cordoned off, (3) a curfew and mass arrests were employed in order to keep people off the streets of downtown Baltimore, including the shopping area and the black ghetto, and (4) law enforcement officers were under strict orders to refrain from the use of deadly

force.

The strategy of early massive response may have become a self-fulfilling prophecy, inspiring the kind of behavior it was intended to head off. Even before any disorders had occurred in Baltimore, radios were carrying a call for the National Guard to place itself in a state of readiness. Three hours after the first difficulties were reported from Gay Street, and while responsible local officials were saying that the situation, then confined to a small area of East Baltimore, was not out of hand, the Governor proclaimed that a state of emergency existed.

The emphasis on containing the trouble in the section where outbreaks had already occurred, and the ban on use of firearms by policemen and soldiers, resulted in an inconsistent police operation. Soldiers stood by in many places, watching goods being removed from shattered windows and broken doors. Soldiers clustered in groups of four and five at corners, ignoring looting in the middle of the block. Calls for police help sometimes went unanswered for hours. In other cases police descended on a block, arresting virtually everyone in sight and pursuing fleeing suspects.

The type of reaction was apparently determined by the number and type of law enforcement personnel available at a location. The troops tried to leave the actual arrests to policemen. Where few officers were on the scene, they concentrated on guarding against major offenses, such as arson. Where considerable force was at hand, mass arrests were made for theft and curfew violation. Thus at one time a store would be freely looted in the presence of officers, while at another time anyone near the premises would be arrested. Some stores were provided no protection, while maximum protection was afforded to other stores, particularly the downtown department stores and certain large establishments within the areas affected by the disorders, such as the Sears

store on North Avenue and the Mondawmin shopping center.

The curfew was in effect throughout Baltimore City and suburban Baltimore County, but its enforcement was confined to the troubled areas and the downtown section. If a Baltimorean is black and poor, he probably lives, perforce, in the areas in which violence erupted, and therefore was liable to be arrested. Thousands of people were in fact arrested because they were black and poor.

Baltimore's curfew was all the more punishing to ghetto residents because its very existence was not known to all residents and its definition changed from day to day. Imposition of the curfew and the times covered were announced through the mass media and by sound trucks. There were no posters or placards. An old Negro man, jailed during the disorders, was asked by a cellmate, "Were you picked up on curfew?" and answered, "No, man, I was picked up on Caroline Street." Another man was hurrying to get home from work before curfew; just as he put the key in his front door lock, he was arrested. An off-duty Baltimore policeman was stopped on the beltway by state and county police as he went to pick up his wife from her place of employment outside the city; among other things, he was ordered to remove the black cloth flying from his car's aerial as a sign of mourning. Men released from jail for curfew violation were rearrested on the same charge before they could get home.

During the first days, people were prevented from going to work during curfew hours unless they had some of the hard-to-get official passes. Later, possession of evidence that one was going to or from work was ordinarily sufficient. White people moved freely in their white neighborhoods distant from the riot area, and ordinarily were stopped and warned if they attempted to drive downtown during curfew. Police did break up white gatherings and enforce other regulations on both races. On Sunday, the Governor announced

emergency regulations for the three suburban counties of Anne Arundel, Baltimore, and Howard, including banning liquor and gun sales.

As a result of the curfew, thousands of black citizens were arrested and held, tried hastily and fined; hundreds were jailed because of inability to pay the fines. Several policemen, black and white, were startled when we asked about the possibility that many young people might have been endowed with police records. Their assumption was that the kind of person who might have been arrested during the disorders would soon have an arrest record if he did not already have one and that no affront to human dignity was involved. It has not been possible to secure information on the past records of arrestees. The normal procedures for securing arrest records prior to trial are ordinarily slow, and, in the interest of speed, were skipped during the emergency period.

Law enforcement officers were under strict orders to refrain from the use of their guns. National Guardsmen carried live ammunition on their shoulders or in pockets; their rifles were unloaded. General Gelston instructed his men to shoot only if fired on and then only on orders by an officer or if the target was unmistakably a sniper and no danger to bystanders was involved. General Gelston stated that only one round of ammunition was fired by a Guardsman, and that was over the head of a suspected looter.

Because of this restraint, Baltimore was spared the ghastly toll of lost lives and civic guilt and anger that were experienced in 1967 by Newark and Detroit. Black Baltimoreans, militants as well as moderates, recognized the care exercised by the police and soldiers. However, there were cases of excessive roughness on the streets, as has been mentioned.

Police restraint was not hailed with unanimous approval. The newspapers during and after the troubles were full of outcries against the police for laxity in protecting property from looters and vandals. Leaders of

merchant groups and certain politicians as City Comptroller Hyman Pressman seem to feel outraged that so few people were shot when so much property was stolen or destroyed.

Underneath a show of agreement as to the proper handling of civil disorder was a difference of opinion among enforcement officials and political leaders as to the value of large-scale shows of force, just as there was a difference of attitude toward the black community itself. General Gelston advocates keeping force ready but inconspicuous as long as possible, while the Governor prefers a conspicuous show of force. Mayor D'Alesandro tried to avoid giving the impression of expecting disaster, and, on the same day that the Governor had called the National Guard into a state of readiness, was assuring the press that it was "business as usual" with the police department. The only special move taken by the Mayor was to designate Monday, April 7, as a day of mourning for Martin Luther King, closing schools and city offices. He was at pains to explain that this action was taken purely out of respect for the memory of Dr. King and not in response to threatened strikes on that day.

The declaration of emergency left Mayor D'Alesandro with little power. He went each day to the command headquarters at the 5th Regiment Armory, and tried to be helpful to officials there. He appeared on television several times with messages aimed at reassuring the public that the situation was improving.

Governor Agnew stayed away from the city, as far as we know. The Governor seems to have viewed the events in Baltimore as a personal affront to his authority, just as he had reacted when Bowie State College students demanded an audience with him on April 4. On April 11 the Governor called a remarkable conference with a group of Negro leaders, carefully and explicitly excluding the militant wing. He read a speech castigating these middle class people for

permitting black power advocates to assume control over the black community and for thus allowing the violence to break out. The looting and burning, he felt, took place at "the instigation of the advocates of violence," and he pointed at Stokely Carmichael by name and Walter Lively of U-JOIN by clear implication. The speech was taken as an insult by the audience, most of whom walked out before it was over. In making a speech which certainly would offend the black audience, the Governor may have wanted to enlist the political support of an angry and fearful white community. But the tone of the speech also shows a sense of personal grievance, a note of, "How could you do this to me?"

While part of the establishment was busy trying to stop the violence, others were attempting to ameliorate the stresses and suffering facing the city. A communications center was set up at Civil Defense headquarters, with a representative from each of the city's official welfare, transportation and public health agencies, plus private organizations such as the Red Cross and Salvation Army. Also present were police and fire department liaison men, who tried to map calls to these departments on large maps in the command center. The city's anti-poverty agency, the Community Action Agency, had not yet submitted to the CD a plan for their role in the coordinated effort and operated independently of the CD center.

Among the relief efforts were establishment of centers in pre-selected churches to care for the expected flood of refugees, a flood which did not materialize. Hospitals were alerted, and a first aid station was set up. Food and clothing were collected and distributed through CAA centers, with the help of various groups, including the American Friends Service Committee. As it turned out, some of those most needing refuge were the National Guardsmen and soldiers, many of whom did without meals and beds for long periods, and were given help by churches in the violence-torn sections.

The legal fraternity responded with vigor and dispatch to the needs of the hour. Under the general supervision of the Legal Aid Bureau, services were secured from volunteer attorneys through the Bureau, the ACLU, the Bar Association and several law firms. Law students, VISTA workers and CAA staff helped to interview prisoners, and lawyers provided counsel at their trials, after procedures had been developed by representatives of the bar and the state's attorney. The courts stayed in session on Sunday and for long weekday hours to try to break the logjam of cases. The University of Maryland School of Social Work set up an emergency system for locating prisoners for their worried families and friends and for helping prisoners get in touch with families, employers, bail bondsmen and the like.

The Toll

The cost in lives was six persons, according to official reports. A suspected looter was shot by a policeman, who says the man came at him with a knife; observers dispute this defense. Another suspected looter was shot by a bar owner, himself black. Three people are reported to have died in fires. A woman died in an automobile accident involving a car driven by her husband and a police car. One of the fire victims was white; all the other victims were black.

Six or seven hundred people received hospital treatment, but only nineteen of them required admission to hospitals.

Police state that there were no complaints of brutality by their own men or by other law enforcement personnel. However, observers on the street reported some excessive force, a very small amount compared to Memphis or Watts or Newark. Several activist groups have heard reports of beatings in jail, but have not confirmed them. A high school boy, who ran from police near a

looted store, was beaten unconscious before arrest and then mistreated by turnkeys at the precinct station. He was accused of assaulting the police car. A civil rights worker who was in jail for four days saw two people manhandled by guards. Newspapers carried reports of two occasions when chemical Mace was used; in one case the policemen themselves needed treatment because the chemical was blown back in their faces by wind.

Ghetto residents showed great restraint in the use of personal violence. Few white civilians visited the ghetto during the riots, and those who were there were usually ignored, instead of being vilified or attacked. In one reported case, a newsman in a mobile broadcasting vehicle was threatened by members of a crowd and was rescued by police officers. Police were afraid that confrontations would develop between gangs of white and black youths, but were able to dissipate a number of groups before they could become opponents. Three young white people, including a young woman with "White Power" crayoned on the seat of her pants, were arrested in the stoning of a car in which a Negro man and his children were riding; the father was injured.

Black crowds threw stones and bottles at police cars frequently and one car was totally wrecked, but there were few reports of missiles being thrown at the policemen or soldiers themselves. Somewhat more frequent was the incidence of missile-throwing at firemen. Police officials said they were amazed at the docility of most of the people being held in jails and other places of detention. As for property damage, estimates range from $13,500,000 stated by the Insurance Commissioner to what some experienced observers predict will be $8 million or less.

A high degree of selectivity appears throughout the ghetto damage. Homes were not hit, except over stores. On block after block, some stores were hit and some were spared. Also some stores were hit more than once, often

suffering window-breaking, followed later by one or more forays of looters and scavengers, and still later by burning. (We know of no case in which a place was burned before being thoroughly divested of merchandise.) This selectivity in the choice of targets seems to demonstrate that a prime motive was to get back at merchants known to have humiliated or exploited black people. Interviews with ghetto residents confirm this view.

Throughout the ghetto, windows of black-owned stores carried hastily scrawled inscriptions "Soul Brother" or simply "Soul". A few of these windows were broken, but with a few exceptions this happened because the labels had not been written early enough or because of poorly aimed or randomly thrown missiles. A bar owned by a prominent Negro athlete was extensively damaged, purportedly because of a reputation for bad treatment of black customers.

Jewish merchants have claimed that the attacks had an anti-semitic component. Large numbers of ghetto stores are owned by Jews. In some blocks, all the white merchants were Jewish. There was, as in the recent past, an element of anti-semitism in the approach to these storekeepers, and many of the storekeepers reacted as though this was the key to the destruction of their property. However, it is clear that vandals and looters attacked their stores not because the owners were Jewish, but because they were the "nearest exploiters".

The type of enterprise was a factor in selection of targets. Liquor stores were particularly vulnerable. Most of the many drugstores suffering damage were also liquor dealerships. An estimated 500 licensees were hit, out of 2300 in the city. Other prime targets were radio and small appliance stores, corner groceries, hock shops, clothing stores and furniture stores. Except for the furniture stores, these offered items which are portable and readily disposable. Even in the case of furniture stores, some movable goods could be found.

Furthermore, several furniture dealers were known as notorious exploiters through high prices and usurious credit practices, and thus were the objects of vandalism and burning. One of the first stores to be damaged on Gay Street had a particularly unsavory reputation and had been fire-bombed earlier in the year.

Different types of enterprises also attracted different types of looters and scavengers. Liquor stores drew mainly males in their teens and twenties. Grocery stores attracted mainly children and women in the twenties and thirties. Clothing stores and furniture shops drew more heavily from women and older men than did liquor stores.

With the exception of dry cleaners, with their collections of clothing, service establishments were generally spared. These include real estate and insurance offices, and barber shops and hairdressers; the latter were most likely to be black owned. Schools and churches were not harmed, as a rule, though there was a report of minor vandalism by a group of boys in a church-run school in East Baltimore. Invasion of hospitals by rampaging mobs was widely rumored, but did not occur.

People tended to stay close to home base during the disorders. Observers speak of children dashing into stores for an item of food or clothing and then popping into a nearby doorway. Two men carrying a sofa were seen by a military officer; they turned a corner and had disappeared, with sofa, by the time he reached the corner a few seconds later. Of those arrested for looting, three-quarters gave addresses within ten blocks of the location of the arrest. Of those arrested for curfew violations and disorderly conduct, two-thirds gave addresses within ten blocks.

If the identifiable victims of the disorders are added up, the great majority of the number are seen to be the arrested people and their families.

The typical arrestee was young, male and black. He was employed, probably in an unskilled or semi-skilled job. An analysis of 1400 arrest records by a Baltimore Sun reporter shows that of those arrested for curfew violation or disorderly conduct, 97% were black, 95% male and two-thirds below 30 years of age (21% were 16 to 19, 27% 20 to 24, 16% 25 to 29, and 36% 30 or over). Of looting suspects all were black, 84% male, and over half below 30 years of age (26% were 16 to 19, 16% 20 to 24, 12% 25 to 29, and 45% 30 or over). A Legal Aid Attorney who spent a good deal of time in court during the disorders saw only two white people in court. These were youths from Massachusetts who were hitchhiking through Baltimore when arrested for violation of the curfew, which they had not known about.

The arrestees, about 5600 in all, were herded into precinct stations and, when these facilities were stuffed to the limit, were transported to the central jail and the Civic Center, a building designed for large-scale sports events and conventions. (The emergency plan had called for holding prisoners in a long-abandoned and unheated loft building near police headquarters. On the second day of the disorders, police officials discovered that all the toilet fixtures had been stolen at some undiscoverable past date. An argument ensued, with the city attorney's office arguing for use of the building and police officials arguing for the Civic Center, which at least offered heat and plumbing fixtures.)

At the places of incarceration, problems abounded. People were crowded into cells meant for far fewer prisoners. At the Eastern District, 12 people were in a cell with one bunk. At the Civic Center, there were no chairs or benches for the prisoners, and some 1,000 Negro men and women sat on the floor with their backs against the walls. Some stayed at the Civic Center for two or three days. Toilets were not readily accessible because the guards

were afraid to split their thin forces by conducting people to the rest rooms. Similarly, the telephones, inadequate in number, were not made available to prisoners for long periods because the guards could not handle the movement of people into the hallways where the phones were located. At the jails, telephoning was even more of a problem. Arrestees report that they were assured that their right to use the phones would be respected but in fact were not permitted to phone.

Provisions for feeding prisoners were totally inadequate. Ordinarily prisoners held at precinct stations are fed, if at all, by bringing in food from the outside, usually from nearby hamburger and coffee restaurants. Some people held at the Eastern District starting Saturday, April 6, received no meals the first day and one meal the second day. Most prisoners were given two meals a day, breakfast and a later meal of a sandwich and coffee. Often prisoners missed meals entirely because they were shifted from one place of detention to another.

Under the pressure of the sheer mass of people in custody, constitutional rights were knowingly ignored. Early in the emergency, representatives of the state attorney's office and the Legal Aid Bureau conferred on the question of how to provide speedy trials. They believed that long delays would in themselves constitute a denial of justice and knew that the normal procedures of the Baltimore courts are slow and incapable of significant acceleration. The idea of releasing the defendants upon their own recognizance was not given serious consideration, though it was urged at least by representatives of the American Friends Service Committee in meetings with officials on Wednesday, April 10. The legal conferees agreed, instead, on a number of short-cuts aimed at speeding trials of defendants. Attorneys agreed to advise their clients to waive the right to hear the testimony of the accuser, to cross-

examine opposing witnesses, to present witnesses in their own defense, and to require that complainants prove ownership of allegedly stolen goods. These waivers relieved the prosecution of the need to provide proof of the charges.

When a defendant declined to accept the short-cuts, the case would be held over and bail would be set. For curfew offenses, $500 bail was standard. For larceny cases, bail was set at $1,000 to $2,000. If the defendant could not make bail, he was jailed until his trial. Obtaining bail was difficult or impossible for most people because bail bondsmen were not available during the disorders and defendants were usually unable to reach relatives or friends who might provide bail. Furthermore, many defendants were prevented simply by their poverty from securing bail. Only 345 curfew defendants, approximately 10% of the total, chose to reject immediate trial. Of these, only 99 were released on bail. In effect, the bail system coerced defendants into waiving their legal rights, in order to avoid incarceration. A CORE member, arrested on Saturday on charges of disorderly conduct, requested a jury trial and on Sunday bail of $200 was set. He stayed in jail for 13 days altogether, before a fellow CORE member located his records and secured his release on bail.

Additional pressure was exerted by the real possibility that a later trial might involve more serious charges and more serious penalties. Not infrequently, lawyers advised their clients to plead guilty to the charge of curfew violation rather than stand trial on heavier charges.

Perhaps for this reason, judges tended, particularly on the first two days of trials, to blur the distinction between curfew violators and vandals or looters, imposing rather heavy penalties for curfew offenses and proportionally light penalties for weightier offenses. The end result of all the short cuts and haste was that people were rushed through trials with great

dispatch, often having five minutes with their volunteer attorneys, many of them young and inexperienced, followed by five minutes before the court. The Report of the Baltimore Committee on the Administration of Justice under Emergency Conditions says that the trials in both the Municipal Courts and before the Supreme Bench were conducted "in an atmosphere akin to martial law" with "armed soldiers on guard and in the midst of the sounds, sights and smells of mass disorder".

Of the approximately 5,600 people arrested between noon on Friday, April 5, and 6 a.m. on Friday, April 12, over 60% were charged with curfew violations. Many were actually suspected of looting. However, there is no legal charge of looting, so that it would have been necessary to charge larceny, a task which the state attorney admitted would have been difficult. After the first two days of the disorders, police were asked to note on the arrest record whether the alleged offense was "a simple curfew violation, a curfew violation coupled with disregard of an officer's order, or a curfew violation in which the suspect was caught in a store or running with goods on the street". In the last type of case, the charge was "aggravated curfew violation" or, in non-curfew hours, disorderly conduct. Approximately 60% of those accused of curfew violations were found guilty, 20% were dismissed, 9% were given probation before verdict. The remaining cases were held over for trial; fewer than three out of ten were released on bail and the rest were committed to jail in lieu of bail. Of those found guilty, half were jailed in lieu of paying fines, 35% were released on payment of fines, 5% were given jail sentences and 10% received suspended fines or other sentences.

The severity of the penalties varied sharply from judge to judge and also from time to time. For the same offense, fines ranged from $5 to $300, and jail sentences from ten days to a year. On Monday, April 8, arrestees at

the Central Municipal Court were fined $50 for curfew violations, the same as for larceny and burglary cases. At Eastern Municipal Court, fines for curfew violations ranged from $50 to $100. In both courts on that day, only the rare defendant was found innocent or given a suspended fine or sentence. On the following days, penalties for curfew violators dropped to a typical $25 plus $2 or $3 costs. Conviction of arson or possession of Molotov cocktails brought much higher penalties, usually 6 to 12 months in jail. (Possible penalties are much greater--2 to 20 years in the Penitentiary for arson of a home, 1 to 10 for a business establishment. For attempted arson, the penalty may be 1 to 2 years and a fine.)

According to standard Maryland practice, persons unable to pay fines may be required to "serve out" the fines by time in jail, according to a schedule of equivalents which may require as much as one day for every dollar. More than 400 people were thus jailed because of curfew violations. This practice is under attack by the ACLU on the grounds that it violates the principles of equal protection and that it in effect allows involuntary servitude. ACLU pointed out that Negroes were subject to arrest and prosecution as curfew violators because of their race, since the enforcement of the curfew was concentrated on the ghetto, and that those serving out sentences in lieu of fines were suffering further because of their poverty.

Added to the hardship of black citizens during and after the violent days was the frightening and frustrating problem of lost relatives. Because of the curfew, the shifting of prisoners from place to place, and the general confusion prevalent in the jails, families could not discover the whereabouts of missing relatives and friends. People were held without trial for two or three days because the arrest records were lost or mixed up. There is reason to suspect that in at least two cases the records were deliberately misplaced

in order to keep militant leaders out of circulation.

Even after their fines had been paid, people were held in jail for hours and sometimes days waiting to be free. Others could not pay fines because they were not enabled to contact their families or to collect wages which were due them. According to the Baltimore Sun, some men lost their jobs because of their arrests for curfew violations.

Suffering was not confined to people who were arrested or their families. Ghetto residents became virtual prisoners in their slum apartments. To go out at night was to risk arrest. To go out in the daytime was to risk entanglement with disorderly crowds. Shopping for food was difficult during the four days of violence and beyond, because even those stores which were able to open had no stock of new food. Food problems became so severe that the Community Action Agency set up emergency distribution centers which fed an estimated 30,000 people during the period from Tuesday until the end of the week.

The Health Department received complaints of exorbitant prices charged by some of the stores which were open. The Department stated that only a few cases of overpricing were found.

No estimate has been developed for the financial losses incurred by those people who were fined or missed time at work or lost their jobs because they happened to live in the black ghetto.

Causes

Were the events of April 6 through 9 simply the work of angry black people thumbing their noses at white society, attacking the most accessible enemies? Was it a rebellion aimed at expelling whites from the ghetto? Was it a power play, to demonstrate the fact that the black community has the

means to bring the entire city's life to a halt? Or was it perhaps the start of an uprising which would sweep through city and suburbs, destroying white property and white lives?

Different people were acting various roles in the disorders. Some were simply stealing desired goods. Some were seeking revenge upon storekeepers who, they felt, had exploited them and other black people. Some were consciously demonstrating the power of black people. But regardless of their roles, people knew that this was a shared experience and a shared act of black people, a shared expression of rage, grief and frustration in the face of white dominance and obtuseness..

The immediate impetus was the murder of Martin Luther King, which brought to many people a need to act out their anguish. After the shocking murder took place, many Baltimoreans took part in memorial services and vigils, and many people milled about on the streets with their neighbors, seeking confirmation in the eyes of others that the dreadful event had really happened, and seeking some outlet for their emotions. Then the news came of the start of violence in Washington, D.C., only an hour away by the Beltway, and served by many of the same television and radio stations. It appears reasonable to believe that the Washington example was an impelling force in the Baltimore explosion.

Some prominent figures are convinced that the disorders were the result of a conspiracy. Among those holding this view are Governor Agnew, former Mayor McKeldin, Senator Daniel Brewster, and several top police officials interviewed for this report. Mayor D'Alesandro felt at first that the disorders were spontaneous but supplemented by "some obviously planned attempts to cause trouble". By Tuesday, the Mayor was sure that "this thing was planned and well-organized". Subsequently, the Mayor has refrained from dwelling on

the conspiracy question. General Gelston rejects the theory. So do all the black leaders with whom the question was raised, though a SNCC leader indicated that an uprising had been considered necessary by his group.

Those who hold to the conspiracy theory cite several pieces of "evidence". Stokely Carmichael had visited the city three days before the riots started, and met, so said the Governor, "with black power advocates and known criminals." Automobiles bearing out-of-state licenses were seen, they say, in the area before or during the outbreak of trouble. Some people say that the same car was seen in several riot areas; others mention ominous crossings of bridges connecting East and West Baltimore. Finally cars bearing signs with messages like "That's all, Baby," were seen driving about town during the day the troubles ended. All this is hardly evidence of a conspiracy. Stokely Carmichael was indeed in town, but no one suggested that he knew Martin Luther King was to be murdered. There is no hard evidence of the presence, much less the significance, of out-of-state instigators. It would be unusual if there were not any out-of-state cars in downtown Baltimore on any given day. No arrests of people in out-of-state cars are known. And the signs attempting to bring the disorders to an end were, as far as can be told, the genuine effort of concerned citizens to stop a dreadful situation. Whether the signs had any effect is questionable. And even if people did pay attention to such signs, it does not mean that these same people needed a signal to start the disorders rolling.

The people in the conspiracy school simply are unable to grasp the full weight of black anger in their city and in other cities. Therefore, they cannot conceive of a disaster as great as the April disorders without postulating a prime mover.

Our investigation indicates that the events of April 6-9 were not the

result of a plot and that it is not at all difficult to find the causes of the events without the intervention of a devil. However, this does not negate the fact that some black leaders did want to see massive disorders during the summer of 1968 as a way of dramatizing the grievances of the ghetto and of enforcing demands for fundamental changes. Black power people report some discussions as to which storekeepers would or should be the target of retaliation. Similarly, post-riot conversations deal with the question of who will be hit the next time violence flares in Baltimore. Furthermore, some black leaders claim to have been on the streets, after the outbreaks had begun, helping to keep the situation stirred up. There is also reason to believe that other people were trying to keep the violence going, in order to enhance opportunities for thefts or general disorders, without any political motives.

When one accumulates a list of the complaints of Baltimoreans against some business people, one tends to wonder why the retaliation was not worse. Ghetto residents had been voicing some of their complaints with vigor in recent years, demanding elimination of discrimination and exploitation by merchants, more vigorous protection by city agencies in the fields of weights and measures, public health and housing code enforcement. There had been a series of hostile exchanges between militant blacks and Jewish merchants in East Baltimore, with the storekeepers equating the approach of their critics with that of the Nazis.

The list of complaints includes: higher prices and lower quality for foods than in middle-class white neighborhoods, often among stores belonging to the same food chains; exorbitant and deceptive credit practices; inflated prices for liquor and appliances (33% above suburban prices is common); sale of used goods for new; evasion of warranties; raising of prices, for food especially, on the days when welfare recipients receive their monthly checks;

dishonesty in computing bills; fees for cashing checks, or demands that a certain high percentage of each check must be spent at the store of the merchant accepting the check; refusal of banks to cash welfare checks; dishonest upping of rents or withholding of rent deposits; failure to make repairs in rental units; lack of proper heat or plumbing facilities; exploitative practices of employment agencies, including illegal assignment of wages and collusion with employers; insulting behavior to black people, including small children. The fact that almost all of the white storekeepers made their homes in the suburbs was also an irritant to ghetto residents.

SOME QUESTIONS

The White Response

1. Who hurt whom?

A frequently heard comment during and after the disorders was "They're only hurting themselves." Our evidence suggests that this assessment is not true. Almost all of the property damaged was owned by whites, not blacks. Black people were indeed hurt in the disorders, but they were the victims of the white reaction, not of the black rebellion. The Baltimore story is not one of black against black. It is an expression of black people's anger at the instruments and symbols of white exploitation and oppression and of white people's anger and dread at the sight of black protest.

We have been struck also by the reiteration of statements blaming the victims for their troubles. Martin Luther King, people said, had been "asking for it", by continuing his militant protest. Poor people are blamed for their own poverty. This approach conveniently allows rejection of responsibility and guilt and helps to avoid dealing with disorders which are deeply rooted in the status quo.

2. How real was the threat to the suburbs?

The evidence indicates that some white people believed that a black invasion of white neighborhoods was imminent. In the two days between the death of Martin Luther King and the outbreak of trouble in the ghetto, suburban Baltimore County had experienced a sharp upswing in gun sales to whites. Gun sales were banned in the county on Sunday, April 7, but applications for permits to purchase handguns continued to rise. In Anne Arundel County, there was no official state of emergency, but some gun dealers declined to make sales. On one day, April 9, 44 applications for gun permits were submitted to Anne Arundel authorities, compared to the weekly average of about 30. Also radio "talk shows" during and after the disorders were full of panicky fears that "they" were about to hit the suburbs.

These fears appear to be unfounded. The Baltimore disorders constituted a kind of guerilla warfare in which the immediate enemy was attacked from within friendly terrain. No serious move outward from the ghetto was reported.

On a deeper level, however, the threat is real. The disorders express black rage against white power. In the post-disorder period, the rage still lives and so does its threat against white security in the status quo.

3. Is the white community willing to sacrifice its own freedom in order to suppress black protest and to prevent basic changes?

During the disorders, the great bulk of the white population complied willingly with the restrictions placed upon their own freedom of movement and of assembly. This was true not only in Baltimore's suburbs but also in such a city as Philadelphia where no major outbreaks occurred but where the rights of citizens to move freely was restricted because of the fear that "something" might happen. After the disorders, there is redoubled advocacy of reliance on

repressive measures, such as enactment of stop-and-frisk laws, infiltration of black power groups, and accumulation of riot-control weaponry. (Shortly after the disorders, the Baltimore Police Department ordered $70,000 worth of new riot control equipment, including helmets, gas masks, gas grenades, shotguns and ammunition; the Department states that these purchases were under consideration before the troubles.) Such measures carry with them restraints on the freedom of all people, white and black, inside or outside the ghetto, to speak and move and plan. We suggest that such a sacrifice is not an acceptable price to pay for the preservation of "order". The alternative to suppression of protest is willingness to listen and to help institute responsive change. We are sure that this alternative will prove far less costly, as well as far more effective, than repression.

4. What did people outside the ghetto think was happening?

Our study has not attempted to take a thorough look at the extent to which people outside the ghetto were misinformed as to the actual events. Such a study, comparing the facts with the beliefs, could provide valuable information on the matter of communication between the ghetto and the rest of the community. It could also lay the groundwork for an even more important study--one carried out during an actual disorder.

The Official Response

1. Did a massive response tend to create the very outbreaks it sought to avoid?

This question cannot be answered conclusively. But the evidence from Baltimore suggests at the least that the actions of Governor Agnew, based on a conviction that trouble was coming, may have led people to react as he expected. His early emergency proclamation, the calls for policemen and guards-

men, and the frequent frightening news bulletins tended to create an atmosphere saturated with excitement and hostility, and to attract crowds to the street. The false reports of snipers and of outside instigators appear to be the product of wishful thinking by people who wanted more forceful suppression. The presence of masses of armed men in the streets stimulated among at least some angry young black people a desire to "show them" that black anger would not be put down.

2. How well did law enforcement people do their job?

The police and soldiers acted with restraint in a difficult and exhausting situation. Human life was valued above property, and the toll in deaths and injuries was kept down. For this result, the chief officers of the several law enforcement agencies, and their men, are to be commended.

Could they have protected property more completely without using greater force against people? We suggest that a policy of preventive deployment might have reduced the toll of property damage and arrests. There were well over 10,000 men in Baltimore, who could have been deployed in such a way as to guard all the ghetto business sections, particularly protecting against looting where windows or doors had been breached. Such a policy would have not only reduced the theft and damage toll, but also protected ghetto residents, including many children, against the consequences of a situation in which property was open to theft and theft seemingly was unhindered. The ultimate arrest toll might have been substantially reduced. The main obstacle to such a policy is probably the fearfulness of the officers themselves who felt that unless they stayed in groups they might be in enhanced personal danger from rioters and snipers.

Questions should be raised about the enforcement of a curfew as the prime riot-control technique. A curfew is a big net with fine mesh capable of

catching masses of people, but not of sorting out the catch. All it can do is immobilize great numbers of people by making mere movement out of their homes illegal. Like the injunction, the curfew redefines normally legal behavior. Thus it permits the arrest and punishment of large masses of citizens without the need to prove an act harmful to society.

The police are proud of their restraint in dealing with the exhausting and demanding task of riot control, and proud that so little blood was shed. By their lights, they did a good job. However, their lights are not adequate to the needs of the city. Baltimore needs a change in standards for its police department, including far greater participation by black citizens in the direction and implementation of operations, provision for independent review of citizen complaints, and development of imaginative and well-financed community service and community protection programs.

3. Are "concentration camps" the next step?

Curfews, police cordons, rule by executive edict, these methods forced Baltimore's black population to stay within their slum-ghetto homes in order to avoid injury or incarceration. If this kind of response is hardened into official policy, the ghetto will become a concentration camp bottling up black people within a defined geographical area and removing the protection of ordinary civil rights whenever civil order appears to be in danger. Relief at the fact that Baltimore and the other cities swept by disorders in April did not repeat the awful slaughter and destruction of Detroit and Newark and Watts should not blind us to the implications of the new riot-control approach.

The police are showing a new sophistication in their tactics of handling disorder but most appear remarkably naive in their assessment of black protest. There is urgent need for programs aimed at creating in the police department a far greater understanding of their needs and rights of all people.

What Lies Ahead?

1. Are there signs of change?

The changes which have taken place are pitifully small in comparison with the need. City banks have agreed to cash welfare checks without charge and to be open at times convenient for ghetto residents. Inspection agencies have been more assiduous in checking the practices of merchants in the ghetto. A law permitting judges to hold rents in escrow until required services or repairs are provided was passed before the disorders occurred and went into effect in June, however no funds have been appropriated to reimburse ghetto residents for losses of property or income resulting from the troubles.

Meanwhile, most, but not all of the damaged stores in the ghetto have re-opened under the same ownership as before. Plate glass windows in many places have been replaced by walls of cinder block or glass brick with small high window openings, so that the shops have become fortresses hopefully protected against the animosity which they exacerbate.

Some efforts are being made to confront the issues. On Sunday, April 14, a number of religious leaders led a "Procession of Penance" as a confession of shared guilt for white racism and a pledge of support for the ideals represented by Martin Luther King. In late May two seminars were held at Loyola College to explore the racial crisis as it exists in Baltimore. A series of meetings under the overall title "What color is power?" was sponsored by eight white upper middle class churches in North Baltimore. Overflow crowds came to hear from black leaders the facts of life in the black ghetto. Out of such discussions are flowing a variety of educational activities for white citizens.

2. Does Baltimore have the leadership necessary for bold action?

Leadership is the most critical issue before Baltimore. Compared to

other cities, Baltimore is not the most hostile. Its police are not considered unusually brutal. Its mayor is sensitive to the needs of the black population and aware of the power of the Negro vote. Except for the April explosion, the recent history of Baltimore has been free from overt racial violence. What the white establishment lacks is an ardent and intelligent leadership from people who might be called respectable, who have entree to the establishment but use it to fight for constructive change. Instead, the city has fallen back into a pattern of petty squabbling by politicians seemingly interested only in establishing their bona fides with their constituencies, and aloofness by the business community.

Communication continues to be garbled. Black and white speak but do not reach each other. Black spokesmen, calling for energetic action to prevent a holocaust, find that the white audience hears only the threat of holocaust. Governor Agnew, in his April 11 speech to Negro leaders, managed to insult and anger them, but did not reach them with his sense of grievance and betrayal. (He did, however, get across a clear message that he is willing to deal with black leadership only in terms of the interests of the white power structure.)

The position of those people considered to be leaders of the black community, the activists as well as the intermediaries, was seriously challenged by the disorders. If they tried to stop the difficulties and failed, their position could crumble. If they tried to call off the troubles, and succeeded, the establishment would be sure that they had called for the troubles in the first place, or were responsible for allowing them to occur. Failure to try was construed by the white power structure as collusion or cowardice and by the black community as confirmation of inadequacy. Yet Baltimore's black leadership shows more vitality and more capacity to focus

on the issues than does the white. If there is hope for Baltimore, it may be found in the dedication of these leaders and their white allies, and their ability to break through to the intelligence, conscience and resources of the broader community.

3. What can community agencies do?

The Baltimore disorders have been discussed and analyzed from a number of points of view. The policing agencies have studied their own operations. Mayor D'Alesandro appointed a Committee on the Administration of Justice under Emergency Conditions, made up of city and state officials and leading lawyers. Their valuable report, issued in late May, analyzes the April experience and suggests a series of steps by the legislature, the city council, the courts and the legal fraternity to assure that any future disorders will be handled better from the point of view of efficiency, fairness and protection of civil rights. The Committee especially questions the present bail system and urges consideration of releasing prisoners on their own recognizance. They suggest also that Baltimore's Negro population share in planning the needed changes. Reports have also been prepared by various city agencies and community groups, dealing with ways in which human problems can be minimized during civil disorders.

We wish to emphasize, however, that the key issue before Baltimore is not to have less harmful riots, or even to prevent the recurrence of disorders. Rather, the issue is to improve the lives of Baltimore's citizens and to provide to black people a meaningful control over their own communities. Massive programs are needed to provide decent housing, education of quality and pertinence, extensive job opportunities and training programs, adequate health programs, extensive funding for home ownership, purchase of businesses and founding of new enterprises. All of the black spokesmen interviewed by

this study agreed that only the prompt initiation of such large scale programs could turn the city from a course of violence and despair.

There is here, however, the danger that official programs will be continued in a way that produces self delusion on the part of the city, state and federal officials who are convinced in their own minds that a lot is being done to help inner city residents. Their convictions that this is so is often reflected in the general white community by the feeling that so much is being done that it merely coddles black people and encourages self indulgence and even riots.

Aside from the profound fact that most of the new programs aimed at correcting inner city ills have never had adequate funds, the most important missing ingredient, in our view, is the way these programs elude real citizen control even though they all claim to have this as a major operating feature. We must recognize the necessity for people to be in charge of programs operated in their name and until they are allowed this control remedeal programs to improve inner city life will continue to be a siren song of broken promises whose chief effect will be to intensify frustration and anger while satisfying white attitudes that enough if not too much is already being done.

This explosive mixture of myth and frustration is lethal. It can be neturalized by an honest acceptance of the facts and giving the inner city genuine opportunities to assume responsibility for its future.

September, 1968

Acknowledgments

A Note on Sources

This study was based upon the following sources:

- interviews with twenty-five Baltimoreans, including government officials, officials of the police and National Guard, leaders of the black community, attorneys, representatives of the media, and business people.

- a survey of selected blocks in the areas affected by the disorders.

- the Baltimore Sun, the Evening Sun, the News American and the Afro-American for the period April 4 until approximately the end of April, and the Sun for the subsequent weeks.

- reports issued by the Community Action Agency, the Baltimore Committee on the Administration of Justice under Emergency Conditions and the Legal Aid Bureau.

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