

RIOT TACTICS DEFENDED BY POMERLEAU

He Calls Policy Critics 'Monday Morning Quarterbacks'

Donald D. Pomerleau, the city police commissioner, struck back yesterday at critics of the department's riot control policy of firing only in self defense by calling the critics "Monday morning quarterbacks."

It is easy, the commissioner said, for "those without responsibility" to criticize in retrospect.

The riot was controlled "in a minimum amount of time with a minimum amount of fatalities," he said during a press conference in police headquarters.

Defends Restraint

The rioting "was stimulated intentionally," but was not organized, he said. "If there had been organization, destruction would have been much greater," Commissioner Pomerleau declared.

"I am unaware of any glaring mistakes made by the department during the riots," he said, announcing that all policemen who served during the disorder would be issued a special commendation ribbon.

He agreed that the policy of restraint imposed on policemen, which forbade them to fire on escaping looters or suspected arsonists except in self-defense, "didn't please everybody."

Lack Of Manpower

Commissioner Pomerleau said the police department did not have sufficient manpower to guard every store in a riot area particularly since rioters adopted "guerrilla warfare" with modified rules.

"When they hit and run, they are hard to contain," he said.

A departmental inquiry into the causes of the riots is under way under the direction of Maj. Maurice DuBois, he said.

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59 Policemen Find Fault With Riot Equipment

Fifty-nine Eastern district policemen have requested their union to complain to police officials about alleged inefficiency in distributing police equipment during last week's rioting.

"We believe that proper emergency equipment should be obtained for men protecting the city," the letter to AFL-CIO Local 1159 stated.

City Comptroller Hyman A. Pressman was also sent a copy of the letter by the officers, with their request for his help. Mr.

Pressman refused to release the names of those who signed the letter, stating that the men had "stuck their necks out."

Wants Readiness

Mr. Pressman said this morning that he was sending a copy of the officers' complaint to Police Commissioner Donald D. Pomerleau, requesting "that you advise whether these allegations are true.

"Certainly, every effort should be made to have our policemen properly equipped and ready to

perform their duty during a riot," Mr. Pressman said.

The complaining letter listed five points:

1. "Shortage of riot helmets and proper riot guns, no additional ammunition for service revolvers (each officer issued only twelve rounds)."
2. "No organization in issuing riot equipment to men. . . ."
3. "Riot guns issued without organization." Plainclothesmen, the complainants said, carried riot guns in cars "while uniformed officers working worst sections [were] unable to obtain any weapon other than [their] service revolver. . . ."
4. Although "high-ranking officers" ordered that only regularly used weapons be issued to patrolmen, members of the force at the Central district's garage "carried non-regulation firearms."
5. When Eastern district officers finally were issued riot helmets during the disturbance, all they got were "obsolete" civil defense World War II helmets. "These helmets in large crowds may be used to injure officers" if the helmets are grabbed from behind, the letter said.

"As our paid representatives," the 59 policemen told the union, "we wait to see what action you will take."

Pomerleau's View

Mr. Pomerleau yesterday said that he was "unaware of any glaring mistakes made by the department during the riots," and he announced that all policemen who served then would be issued special commendation ribbons.

He called those who criticized the department's policy of firing only in self defense "Monday Morning Quarterbacks" who are "without responsibility" for maintaining order.

The men who signed the letter "are not Monday morning quarterbacks," Mr. Pressman said.

"They are first-string linemen who are out there endangering their own lives while 'attempting' to perform their duty."

Eastern District

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p. C30

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Massive recovery efforts

By George W. Ashworth
Staff correspondent of
The Christian Science Monitor

Baltimore

A young Negro drove his late-model auto through the battered slum streets of Baltimore. Emblazoned on a sheet stretched across the back window were the words: "Stop. We've proved our point."

His sign in a sense reflected the increasingly evident anguish in the city's white and Negro communities over what has been happening during several days of violence.

Recovery efforts began within a day of the outset of violence, and they were steadily gaining momentum. Clothes, food, and shelter were being sought in public appeals, and both races were responding generously.

At one assistance agency, there were so many volunteers that harassed officials requested that some helpers go home.

But amid the evidences of goodwill between the races, there were ominous signs.

Looting continued

During the third night of the continuing difficulties, there was a declining number of fires. But looting continued, and it spread into previously untouched portions of the city. There was also scattered sniping.

And gangs of Negroes and whites confronted each other angrily upon occasion. A long-smoldering feud between low-income whites and a small Indian population flared into sudden violence.

Black militants among the city's Negro population were vowing that what Baltimore had suffered was only the beginning.

In counterpoint, state, federal, and city officials at the city's Fifth Regiment Armory assured television viewers that the situation had become stable, that all would settle down in the venerable city.

In deploying elements of the 197th Infantry Brigade from Fort Benning, Ga., the Army had committed virtually all of its available troop strength in the Eastern states to the efforts to combat riots in the stricken cities of Baltimore and Washington.

Troops on duty

By the time the city had recovered from the shock of the first three days, there were about 11,000 troops on duty in the city. A little more than half of them were federalized Maryland national guardsmen.

Curfews were called beginning in late afternoon and lasting until after dawn the following day. During the curfew, the police and troops combined to hold traffic to a very low level. Reporters traveling about the city could expect to be stopped every several blocks at least. This effort tended both to confine and curtail the violence.

The familiar cry of police and troop brutality was virtually unheard in Baltimore. The police have attempted to establish communications with ghetto dwellers, and that effort has apparently begun to bear fruit. The Maryland National Guard, under the guidance of Maj. Gen. George M. Gelston, the state adjutant general, has won the respect of white and Negro leaders in communities throughout the state.

Negro leaders of Baltimore are quick to praise the effort of General Gelston, who has not isolated himself among white members of the power structure. Instead, he and his staff have devoted long hours to studying the needs and desires of the slum dwellers. Many slum leaders know General Gelston personally.

As a result, crisis conferences between military officials and influential members of the Negro community were initiated shortly after the beginning of violence.

Rev. Dr. Martin Luther King Jr. was at most the spark that set off the difficulties. Most militants argue that the riots would have come along in any event. Some believe that reports of riots in other cities tended to spur Baltimore's dissidents on.

Following the assassination, several scores of young Negroes, in organized as well as spontaneous efforts, worked long hours in the slum areas trying to cool tempers and ease tensions.

They were still trying as the difficulties continued. One young militant pleaded vainly at the armory for a loudspeaker with which he could go through the hurt areas. "I want to tell them that they're ruining things for themselves. They won't listen to you, but they'll listen to me," he said.

But as the days of difficulty continued, it appeared that more and more Negroes were for one reason or another becoming disenchanted with events.

After order is restored, however, city and state officials will still be faced with the task of dealing with the underlying disenchantment among much of the Negro community of Baltimore.

Generally, Negroes believe that Baltimore has moved too slowly to provide top-quality schools in Negro areas. A particularly touchy point is aging Dunbar High School in East Baltimore, which many Negroes consider to be below par.

Negroes resent the failure in recent years of three moves to pass open-occupancy laws for the city.

Many believe that they are not sufficiently represented in the city government. They point out that 15 of the city's 19 councilmen are white. Until January, there were only two Negroes on the council.

Other complaints are centered around the job situation for Negroes, income levels, and the quality of housing.

One Negro community leader said, "Negroes simply feel themselves left out of community life almost completely."

Many Negroes are quick, however, to argue that the

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Cooperation found

The relationship between the several elements made it possible for some Negro moderates to work with the guard to avert impending difficulties and to further the recovery effort.

In most instances, gathering crowds dispersed without great ado when troops came on the scene. It was not until Monday, the third day of difficulties, that it was necessary to use tear gas.

Looters and burners took advantage of the lack of troops in force during the early stages of unrest. As troop strength increased, the insurrectionists developed the technique of hitting in widely scattered places to keep response forces off balance. As a result, total lootings and burnings rose into the hundreds.

Most of the damage was limited to Negro residential and business areas in the eastern and western parts of the city. It appeared that only a very small percentage of Baltimore's roughly 400,000 Negroes were involved in illegal activities.

When the difficulties started, those involved were mostly teen-agers, according to observers. But, in the second day, young men in their 20's became active in the looting efforts, and they became systematic in many cases.

Hostile atmosphere

Unlike Washington, where the difficulties often had a holiday atmosphere, the troubles in Baltimore, particularly after the initial stages, were carried on in an atmosphere of anger and hostility.

Whites venturing into the poorest of the Negro areas sensed the tenseness of the atmosphere and were careful not to be provocative.

White and Negro merchants attempted, in many cases, to avert difficulties by scrawling "soul brother" or "sole brother" on shop windows. Often it worked, and their shops were spared, as were many homes bearing such labels. But it didn't always succeed. The store of one merchant known for his interest in the Negro community was looted mercilessly, as were others.

Grocery stores were favorite targets. Many slum dwellers believe that grocers take advantage of them. As a result, thousands unable to find open and undamaged markets went hungry.

There was general agreement that the passing of the

relieve tension in Baltimore



By Norman Matheny, staff photographer

Community Action Agency hands out food to Baltimore victims

city administration has been making substantial progress in areas of Negro concern. Some cite particularly the efforts of Mayor Thomas d'Allesandro. The problems of Baltimore seem fairly typical for

cities with high Negro populations. In essence, many agree, the difficulties of Baltimore cannot be completely resolved unless and until the racial difficulties besetting the entire nation approach solution.

Baltimore reaches for recovery

By George W. Ashworth
Staff correspondent of
The Christian Science Monitor

Baltimore

Soldiers stood guard outside the food distribution center here as the citizens of Baltimore began the slow task of recovery in days of rioting.

Some initial aid and assistance were started so soon after the difficulties that troops were needed to maintain order against possible violence.

But the need for food was so great that soldiers had a more urgent mission. Their job was to help persons in the center to get the food into the hands of the needy as speedily and in as orderly a fashion as possible.

On Tuesday, with the difficulties in the fourth day, the hundreds of persons, both white and Negro, involved in trying to procure food, shelter, and care for the hungry and the displaced, were so embroiled in their efforts that they were unable to say precisely what the need was at the moment or to anticipate what it would be in the days ahead.

Race mood rises

The City of Baltimore was operating eight centers, four of them solely for the distribution of food and clothing. At the others more extensive facilities allowed in some cases for serving of hot meals and the affording of sleeping quarters.

It seemed at that time that the major problems of arson and looting were diminishing, but the atmosphere remained tense. Con-

frontations between the nearly 12,000 national guardsmen and soldiers and crowds were often marked by a new sense of animosity.

But a bright sign was the increasing evidence of the urgent interest of moderate members of the Negro community in bringing peace to the troubled city of 1 million persons.

A token of the changing temper of the town was the appearance Tuesday afternoon on local television and radio stations of a group of young ghetto dwellers eager to air their grievances and call for order.

Self-harm seen

They made the point that the widespread burning and looting were hurting only the Negro community.

That was not completely true, but it did reflect the fact that the destruction had been largely confined to low-income Negro areas in the eastern and western sections of the city.

A point not made on the television program was that the looting and burning should stop because it was wrong. Officials were hopeful that indications of that belief in the Negro community would become more widespread.

Volunteers respond

A visible proof of the decreasing tension and strife was the emergence of white Baltimoreans like moles from their holes into the filtered sunlight of the industrial port city.

Shops were open, and curfew hours were somewhat shortened.

But the federal troops remained and none was venturing a guess as to when it would be possible for them to leave. At the city-supported Community Action Agency's headquarters on East Mount Royal Avenue, volunteers formed a line from door-to-curb to pass bundles and boxes of much-needed food into waiting trucks, station wagons and cars.

The response of Baltimore citizenry to the need was such that the staff of the center and the more than 60 volunteers were kept busy with the stevedoring and organizing tasks. Those who came to work at the center appeared to be a mixture of young, moderate, and militant Negroes; white "hippies" and the young were involved, as well as middle-class women and ministers.

At the four food-distribution points the center was serving, the staff consisted largely of Negroes trying desperately to ease the immediate problems of their stricken neighborhoods.

Destruction slows recovery

The problems were not made any simpler by the fact that the destruction continued as the recovery work got under way. An additional problem was that the grocery stores had been particular targets for vengeance. Several doors down the street from one of the distribution points was a grocery store that normally would have had far more food than was in the emergency center, but the store's food had been burned and destroyed in the earlier stages of the disturbance.

Volunteer lawyers were in the municipal courts in numbers trying to work out bail or many among the more than 4,000 arrested during the first four days.

Baltimore was somewhat prepared for the possibility of rioting and destruction. Following the Newark, N.J., and Detroit strife last summer, civil-defense plans were revised and reworked to meet the recovery problems better.

As a result the first center was in operation Saturday within hours after the rioting began. City agencies staffed the coordinating civil-defense center with as many as 75 persons at one time.

With the initial needs met by generous individuals and organizations, civil-defense officials were prepared for the still growing requirements as 82,000 tons of food from the United States Department of Agriculture began rolling into the city late Tuesday.

In the midst of it all the young Negro leaders were out in the troubled areas talking and talking in a desperate attempt to reassure and bring tranquillity.

Maj. Gen. George M. Gelston, the State Adjutant General, told me that Baltimore possessed all the elements for rioting before it began. Hopefully, he said, some of the tension will be gone now as a result of the days of rampage.

But, he said, there will be a need to remedy problems before tensions can be permanently eased.

The general expressed the view that Baltimore's elements of moderation now will move toward peace and bring the rest of the disturbed population with them.

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Riot Rumors Were Many

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responsible," Mr. Morrissey said. "They tried to wait on stories until we had confirmed them."

Baltimore policemen had the most trouble with rumors of sniping incidents, he noted, few of which were ever confirmed.

Some of those sniping reports may have been started by persons who heard firecrackers, Mr. Morrissey said, but "where these rumors get started beats the heck out of me."

Some of the false rumors which swept through white and Negro areas of Baltimore were:

Negroes dressed in black suits were reported ready to fire-bomb houses in the upper-class white neighborhoods of Roland Park and Guilford.

Stokely Carmichael, militant Negro leader, and his two top lieutenants allegedly were in Baltimore Tuesday, when actually they were attending the funeral of Dr. Martin Luther King, Jr., in Atlanta.

Tear Gas Report

Sunday a man posing as an Army captain was supposedly headed toward Baltimore with 8,000 canisters of tear gas stolen from Virginia armories.

Provident Hospital was fallaciously reported to have been broken into. These rumors said fires were set in the hospital, the pharmacy was looted and the hospital was evacuated.

Many calls to police alleged looting in white commercial areas Monday, particularly in the Waverly and Hampden sections.

A persistent rumor was that gangs of Negroes were going to start burning down houses after Dr. King's funeral Tuesday.

A Civil Defense spokesman said one unfounded rumor making the rounds Tuesday was that there was insufficient food in the city. At that time, he said, plenty of food was available.

Rumor Mills Kept Busy In Riots

by Paul D. Samuel

Rumors ran rampant during the hours of rioting in Baltimore, but their general, over-all effect appears to have been not too serious.

William R. Morrissey, public information officer for the Police Department, credits news media in the city—especially radio and television—for holding down the effect of false rumors and tips.

Fortunately, for the most part, the news media was very

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Francis B. Burch, State attorney general, was alleged to have made a deal with militant Negro leaders to release a few violators. Mr. Burch denied this report repeatedly.

One observer to several confrontations between whites and Negroes in East Baltimore was Richard Berk, a graduate student in sociology at the Johns Hopkins University, who also is a part-time Bureau of Recreation youth worker.

Mr. Berk said that fights developed Sunday between white and Negro youths in the area of Broadway and Bank street after the whites accepted rumors that Negro gangs were about to burn areas of South Broadway.

The effect of the rumors is difficult to pin down. Mr. Morrissey said that "if nothing else, rumors were a manpower drain" since police had to be diverted to check them.

State Senator Clarence M. Mitchell 3d (D, 4th Baltimore), who spent a great deal of time on the streets of riot areas, said that as far as he could see, rumors "had very little effect in terms of intensifying or lessening" the disturbances.

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Sales Of Firearms, Explosives Still Prohibited

Governor Agnew today lifted all curfew restrictions imposed on Baltimore city and Baltimore county since the outbreak of rioting Saturday on inner-city streets.

The Chief Executive also rescinded his order banning the sale of alcoholic beverages in the city, Baltimore, Anne Arundel, Howard and Cecil counties.

However, in an order released from his Annapolis office this morning, the Governor said prohibition of the sale of firearms and explosives would be strictly enforced in Baltimore city and Baltimore county.

Gasoline Rule Lifted

At the same time, service station operators were allowed to resume selling gasoline in containers.

The Governor relaxed restrictions following a telephone conference with Lt. Gen. Robert H. York, military commander of almost 11,000 troops in Baltimore.

The general reported to the Governor a night of calm, with few lootings, fires and arrests.

Mr. Agnew issued his order placing Baltimore city under strict curfew Saturday, following the outbreak of civil disorders that resulted in an estimated \$10,000,000 damage and more than 5,400 persons arrested. It later included Baltimore county.

\$100 Fine Or 60 Days

Under the curfew and beverage restriction, persons ov



Curfew And Liquor Orders Lifted

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that their place would be burned.

The fire broke out after Mr. Mattei, who had been sleeping behind the shop, left for home about 3 A.M. He estimated damage at approximately \$5,000.

Agnew, Negroes Meeting

Meanwhile, a "frank and far-reaching" discussion among the Governor and prominent Negroes that was set up before the riot to ease tension, convenes today to face new and different problems.

Invited to attend are Negro legislators, local office holders, judges, ministers, top-level State appointees, and others, according to a spokesman for Mr. Agnew.

But, the spokesman also said, none of the more militant street leaders are included in the group.

"Especially Important"

In announcing the meeting Saturday—two days after the murder of Dr. Martin Luther King, Jr.—the Governor said "it is especially important in view of Maryland's reaction to the current national crisis to move quickly to consolidate gains already made in the civil-rights field, and chart a positive future course."

The Negro slum areas ravaged by the civil disorders showed signs today of getting back on their feet.

The city sent 1,120 workers to begin cleaning up.

Many burned-out stores and taverns will be boarded up or torn down, Department of Public Works officials said.

Merchants To Meet

Many merchants whose property was severely damaged planned to attend a meeting at 8 P.M. Sunday called by State Senator Melvin A. Steinberg (D., 2d Baltimore county) and

Floyd Pledger, president of the Metropolitan Associated Property Owners Association.

"I believe we must take steps to correct whatever social injustices exist in our State and country," Mr. Steinberg said in referring to Negro grievances against poor housing, jobs and education.

"But we cannot allow this to be used as a subterfuge for the small minority of people who take terrorist activity to accomplish ends that reasonable people are striving to accomplish without injuring the innocent," he added.

"The Responsible Citizens"

Speaking of the merchants whose property went up in flames during the rioting, Senator Steinberg observed, "I feel that responsible government is turning its head on the responsible citizens of the State."

"The pendulum has swung too far already and it must come back to the middle."

Mayor D'Alesandro met with another group of small business men today to talk about ways of getting them back into business, including possible financing.

He appealed yesterday to Senator Joseph D. Tydings (D., Md.) for stepped-up action for Federal relief.

The Senator said later that Federal financial aid for business men in Baltimore will be given priority attention.

Meanwhile, some inner-city merchants whose stores were undamaged or received little damage began reopening yesterday. The city's seven markets opened along with them.

The openings relieved food distribution problems and allowed some emergency food relief centers to close.

White Liberals Differ On Riot

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expression of the need and the need is extremely real."

William P. Cunningham, dean of the Maryland University Law School, said "I'm confused. I don't see answers to the questions."

While Mr. Kerpelman was shocked by the leniency of the police and soldiers, Dr. O'Connor said it was one of the factors why the riot ended so quickly.

Mr. Kerpelman said he spent the riot in fear in the predominantly Negro block where he lives while the looters set up a "flea market" in front of his house.

"Sense Of Despair"

Dr. O'Connor said he sat on the hospital steps with "a broad sense of despair" in the knowledge that his medical abilities could be used to help people but his help might be rejected because he is white.

However, he said, he eventually did go out and work at medical centers set up by the Community Action Agency and the Congress of Racial Equality where he saw civil rights leaders working effectively to calm the people.

Dr. Taussig said she thinks the rioting represents only a small segment of the black community and there are "many fine Negroes who regret the riots."

"Can Only Move Out"

Mr. Kerpelman contended that the rioters "are not fit to move up, downward or sideways in society; they can only move out of society."

Dean Cunningham was disturbed that people would use the riot as a basis for decisions in dealing with the problems of the slums.

This will only result in emotional reactions to a real problem that should be dealt with actively, he said.

Dr. O'Connor said that the white community must move immediately with some concrete action, "not promises."

"How loud do the people have to cry?" he asked.

White Liberals Concerned, Outraged Over Rioting

By Thomas B. Edsall

A small sampling of the white liberal community reveals riot reactions ranging from outrage to confusion to a belief that the riot was a long time coming and surprise that it was over so quickly.

Leonard J. Kerpelman, a former civil rights lawyer, thinks the National Guard "should have shot to kill on Saturday (the day the riot broke out)."

Dr. Garrett J. O'Connor, psychiatrist in charge of the Johns Hopkins Hospital outpatient de-

partment, said "this has been coming for a long time and was highly justified in the light of conditions the people have to live under."

Dr. Helen B. Taussig, advocate of increased Government financed medical care for the poor, said "I don't want to reward the riot but think it's an

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Whites' Alternative

Mr. Kerpelman said the whites' alternative is to "move out" of the city. He is not sure whether he will do this himself.

"I don't want to stay where I'm not wanted," he said.

Dr. Taussig remains committed to increased medical care and is very disturbed by State and Federal budget cuts in this area: "To decrease what they have is fundamentally wrong. There is, at least, a minimum we should do."

The Best Effort

Dr. O'Connor said the best effort the white community can do now is to help give the black community the means to rebuild itself.

The riot, he said, was not planned. "These things came out of the people's hearts."

One danger now is that white people are showing a tendency to forget the event. He said: "Every politician has been saying we are back to normal. Well, it's not over."

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Whites Walk In Penance

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share in white racism," a group statement said. "We confess to silence, apathy and to profiting from racial prejudice.

"We pledge ourselves to labor for change in the white community in order that Dr. Martin Luther King's people may finally be free."

The meeting at the conclusion of Lent, the Christian season of repentance, and the beginning of Passover, the Jewish celebration of liberation, the group said, was appropriate to mark "the murder of a great Negro American."

"We will change ourselves," the statement said, "and we will support the action program of the Kerner report" on racial disturbances in major cities last summer.

Jews Absent

"We who have been born into the white community need to free our spirit of a racism that shackles us," the group said.

The white community, they said, should dedicate itself to private and public efforts to aid Negro citizens.

That conviction, they said, brought about the procession.

Jews, who were worshipping on the first day of Passover when the march was to begin, were not able to be present. Rabbi Morris Lieberman, of the Baltimore Hebrew Congregation, one of the procession's sponsors, said today.

Other planners of the 25-member group were the Rev. Charles Costello, S.J., president of Loyola High School, and the Rev. Fred Webber, general presbyter of the Baltimore presbytery.

Whites Walk In Penance For King

By Michael Lewis

About 400 persons, all white, gathered outside the Cathedral of Mary Our Queen this afternoon to walk in penance for the death of Dr. Martin Luther King, Jr., and for their part in creating the conditions that produced rioting here.

The unprecedented procession saw young girls in bright-colored stockings, elderly women with canes and clergymen, among others, "united to acknowledge . . . our shame for the 'white racism' that permeates our nation," they said.

The procession "was occasioned by the rioting. . . . It was planned as a result of the rioting and is an attempt to express penance for the participants' white racism in the past by neglect, laziness, blindness or sheer malice," a spokesman said.

Route Of Procession

The procession was to go from the cathedral to the Friends Meeting House, Stony Run; to the Grace Methodist Church; to the Episcopal Church of the Redeemer, and back to the cathedral.

"The events of the last several days bring home to us graphically the tragic results of the evil we have allowed to be sown—the murder of the innocent Dr. Martin Luther King, the explosions in the ghettos which white America has established, maintained and condoned," said Harold L. Baranger, a member of the parish of the cathedral, said in a statement prepared for delivery to the assembled group.

Elderly women sat under a shade of cherry blossoms as they waited for latecomers to arrive. The well-organized groups began to line up for the procession at 12.10 P.M. in bright sunshine.

At the Friends Meeting House, the group was to stand in silence. There were to be speakers at their other stops.

25 Clergymen

The procession of penance was organized by 25 Catholic, Protestant and Jewish clergymen.

"It is time to confess our

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Cardinal Urges Divided Community To Reunite

Cardinal Shehan in his Easter message has asked Baltimoreans to stop blaming one another for this week's riots and to begin rebuilding and reuniting the city.

In a reference to bickering among factions over the responsibility for and the handling of the riots, he called "this city a community divided against itself" and said that "only in unity can this city rise from its wide-spread smoldering ruins."

The Cardinal, who is to offer mass for Easter at 10.15 A.M. tomorrow at the Cathedral of Mary Our Queen, called for "mutual forgiveness, wherever forgiveness may be required."

Text Of Message

The complete message said:

"The resurrection of Christ is a manifestation of the mystery of God's great love for man. Christ's passion, His death, and His resurrection are inseparable parts of the drama which manifests Christ's unfathomable love exercised in forgiveness, in redemption, in Christian unity, and in the embrace of all mankind.

"The risen Christ must be a living symbol not only of the love of God for man but also of the love which must reign in the hearts of all men—love for

God and love for each other without any exception, without distinction of race or creed or social condition.

Plea For Unity

"The tragedy of the past week threatens to leave this State and, in particular, this city a community divided against itself. Yet all of us know that only in unity can this city rise from its widespread smoldering ruins to a new life and new hope.

"Let us put aside the things that divide us. Let us avoid all futile attempts to assess blame for the past. In mutual forgiveness, wherever forgiveness may be required, let us go forward in the spirit of unity, in the spirit of love; let us bring about the resurrection of this city into a community of justice, of true charity, of peace.

"In the words of today's reading from the epistle of St. Paul, 'Let us celebrate the feast not with the old yeast of malice and wickedness but with the unleavened bread of sincerity and truth.'"

Riot Trials Held Model Set-Up

By George Hanst

The prosecution of Baltimore riot cases should serve as a model to the rest of the country, Charles E. Moylan, Jr., State's attorney, said today.

Cities afflicted with similar uprisings and mass arrests could use the Baltimore method, which resulted in the trial of some 5,000 cases in a week, the chief prosecutor said.

Mr. Moylan admitted that the crash program of marathon court sessions and speedy trials, a system which "mutually evolved" from decisions of prosecutors, defense attorneys, and judges, did away with the usual observance of due process.

Justice And Humanity

"Due process in the abstract may have suffered, but justice and humanity were the better for it," the State's attorney declared.

From the first night of the

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Riot Trials Held Model Set-Up

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riot, when persons arrested for looting or curfew violations were pouring into the police stations, it was "obvious that under the normal rules of evidence there was no way to try the cases" immediately, the prosecutor said.

With policemen returning to the streets and unable to stay to testify against a defendant, a trial delay of three or four days was in prospect, he said.

Faced with an alarming clogging of dockets, lawyers and judges realized that justice would be better served by waiving certain constitutional procedures and trying the case "right on the spot," Mr. Moylan said.

"Bare Hearsay" Evident

This meant, he added, that court officials "had to work from the bare hearsay of arrest registers and had to pull the story of the offense in large measure out of the defendant's own mouth."

The procedure was "probably fairer" to the defendant than the alternative of jailing him for a week to await a "fuller and fairer trial," Mr. Moylan commented.

The speedy trials, which at one point narrowed the time between arrest and court appearance to 40 minutes, enabled some defendants to pay fines at once and go home, he said.

Others were acquitted, thus avoiding a stay in jail which would have been necessary had the trial been postponed, he added.

Defendants who were sent to jail under sentences or in lieu of fines can still appeal, if they "really are aggrieved," Mr. Moylan pointed out.

But after observing the trial process, he said, he feels that "in the vast majority of cases, substantial justice was done."

The State's attorney contrasted the situation with that in other riot-struck cities where "more routine procedures" were followed by courts.

Invariably, courts in other cities had as many as 7,000 open cases, mostly involving curfew violations, several weeks after restoration of order on the streets, he said.



Sunpapers photo—Nolan

TROOPS BREAK CAMP—Early morning haze hangs over Druid Hill Park as Federal trucks prepare to leave after riot duty

Evening Sun 4/13/68 P. 20

3 Agencies Probing City's Rioting

Investigations by three law enforcement agencies into the origins of Baltimore's four days of rioting are continuing over the weekend, spokesmen for the three said today.

Meanwhile, the city remained calm as the remaining Federal troops called here for the rioting were leaving.

A city Police Department spokesman said an investigation is being made into possible illegal causes of the racial disturbances; he declined to say more.

"An investigation is being made into it, period," William R. Morrissey, department public relations director, said. He was

instructed by Commissioner Donald D. Pomerleau to tell the press that, he said.

"Appropriate" Way

Lt. Col. George E. Davidson, State Police chief of operations, said only that his organization was doing "what appears to be appropriate" in the way of an investigation.

Edwin R. Tully, agent in charge of Baltimore's Federal Bureau of Investigation office, said his agency is "looking into some aspects of out-of-state angles" concerning the riots. He said that he could not elaborate.

The city's police and fire departments reported last night

was quieter than a normal Friday night in Baltimore as National Guard patrols continued.

Troops Leaving

United States troops, which began to leave the city yesterday, were expected to be gone by tonight. The last of them were to leave Martin airfield at 3 P.M. today.

The 5,700 National Guardsmen here may be withdrawn "by Monday," Gen. George M. Gelston, State adjutant general, said.

"We will consider withdrawing on Sunday," he said. If Governor Agnew issues an order declaring the state of emergency he proclaimed a week

ago to be ended, the guard would be pulled out by the order.

Police yesterday shut down the special command posts they set up during the riots and went back to normal shifts, they said.

Fires Break Anew

A fire at the United Loan Company, in the 800 block Gay street, broke out early this morning. Five pieces of equipment fought the blaze, which was in an area hard-hit during the riots. Firemen are still investigating the cause of the fire.

Public School 59-A, in the 2700 block Shirley avenue, suffered minor damage about 8 P.M. when an arsonist poured flammable material on books and a teacher's desk and set them afire.

The fire was extinguished quickly. Investigators found an empty oil can on the teacher's desk.

Telegrams this morning were piled up in the Western Union office in Annapolis commenting on the Governor's chastising of moderate Negro leaders Thursday for not repudiating militants who, he indicated, condoned the rioting.

By 11 A.M. the Governor had received 1,442 telegrams, all but 92 commending him for making a "courageous" and "honest" stand.

Strong Support

Of the 362 telephone calls logged at the Governor's mansion up to 11 A.M. today, all

[Continued, Page 6, Col. 1]

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Three Agencies Seek Origin Of Riots

[Continued From Page 20]

but 9 backed the Governor, police there said.

The stand drew surprisingly strong support from the white middle class across the State, but alienated Negro leaders who bolted the meeting in which he delivered his stinging criticism.

A group of about 30 Catholic priests whose parishes are in predominantly Negro areas denounced the Governor in a statement.

"We demand that, if any assignment of blame is made, white inaction over a long period of time must top the list," the statement said.

Policemen Lauded

Baltimore's policemen were hailed by their commissioner and by Lt. Gen. Robert H. York, departing leader of Federal troops here, for their "dedication" and competence during the rioting.

"Each of you can be extremely proud of the job that the department has accomplished during the past several days," Mr. Pomerleau said in a memo that was to be read at department roll calls.

"I have been most impressed by their leadership, by their competence, by their understanding of the problem and by their dedication," General York said.

A meeting of owners of looted and burned-out stores scheduled for tomorrow night was canceled because the merchants apparently thought it was called to protest riot law-enforcement tactics and the meeting place would have been too small.

About 1,000 merchants were planning to crowd into a 150-capacity fire hall, State Senator Melvin A. Steinberg (D., 2d Baltimore) said.

The meeting, which will deal with only programs to aid business men who were riot victims, will be rescheduled in a larger hall, he said.

Warden Makes Plea

Hiram L. Schonfield, warden at the City Jail, made a plea that some sentences for curfew violations be reduced because certain judges levied stiffer sentences than others and because "it increases the overtime costs for guard duty."

General Gelston denied yesterday that guardsmen had fired at snipers as some had asserted.

"We know of only one round being fired by a guardsman during the entire time," he said, "and that was over the head of a suspected looter at a shopping center."

PAGE 1

EMERGENCY IS DECLARED AT AN END

Agnew's Proclamation Releases Guardsmen From Active Duty

Governor Agnew proclaimed the end of the state of emergency in Baltimore city and county yesterday, seven days and twelve hours after he first ordered the National Guard into the city.

The proclamation, which went into effect at 10 A.M., released from active duty the 5,700 guardsmen who had been in the city since 10.10 P.M. April 6.

It also rescinded the ban on buying or carrying "firearms, ammunition, explosives, flammable materials or other dangerous weapons or substances" in the city and county. The curfew and the ban on the sale of liquor were lifted Thursday.

"Crisis Has Abated"

In his proclamation signed in Annapolis yesterday morning, Governor Agnew noted that "after consultation with responsible officials in these areas I am advised that the state of public emergency and crisis has abated and domestic tranquility has been returned."

The four-day-long series of fires and looting in Baltimore's ghettos began about 5.30 P.M. April 6 in the Gay street area.

When city police declared the situation there out of control, Governor Agnew declared a state of emergency and the Guard was sent in.

The next day, April 7, President Johnson ordered Federal troops into the city.

Rioting Spread

The rioting, which at first was confined to the east side of the city, eventually spread to the west. But by Tuesday night the number of lootings and burnings had sharply dropped and Mayor D'Alesandro said "life in our city is returning to normal."

City police went back on routine shifts at midnight Thursday, and Lt. Gen. Robert H. York, commander of the Federal troops, returned responsibility for the security of the city to the State at midnight Friday.

Agnew Declares Crisis Ended

Guardsmen Released; Ban On Weapons Is Rescinded

(Continued from Page C 20)
most of them for curfew violations.

The shotgun-carrying policemen who have been guarding Police Headquarters since late Saturday night were also taken off duty yesterday.

Troops, Police Hailed

Governor Agnew sent a telegram to General Gelston to "salute" him and his troops on behalf of the people of Maryland for a job well done.

"The Governor sent a similar telegram to Col. Robert J. Lally, praising him and his troopers for "a performance of high quality" during the past two weeks which saw the State Police used to clear Bowie State College students from the State House, secure the college campus and come to Baltimore to reinforce city police.

Maj. Gen. George M. Gelston, State adjutant general, said yesterday, that Saturday night, the last night the Guard patrolled, was so quiet that it was "almost boring." He said there were no incidents.

In an interview yesterday, General Gelston, who admitted that he had not expected a riot to break out in Baltimore said, "I think there is less chance of it happening again.

"Doesn't Cure Anything"

"The vast majority of people of all sections have certainly learned that this is not a very profitable way of trying to cure the ills of the ghetto," he explained. "It doesn't cure anything."

Nor did General Gelston believe the riot had been organized by outsiders as some have charged.

"The way some stores were saved and some were wrecked shows the local people knew



AT EASE—Maj. Gen. George M. Gelston, the State adjutant general, chats with his staff officers yesterday after the Governor released the National Guard from riot duty.

just what stores they wanted to get to," he said.

He said even some Negro-owned stores were looted, and when his Negro officers talked with neighborhood people they were told these business men did not live in the neighborhood and lacked "soul."

General Gelston said the control plan developed before the riot had worked well when trouble began. He said he was particularly pleased by the "rapidity of getting troops in."

He said that during the transfer from State to Federal control and back to State, there was never any question as to who had the authority as was true in Detroit last summer.

Efforts Praised

General Gelston also had praise for the press, which he said acted with "restraint."

Although the Governor's order dismissing the Guard was for 10 A.M., most of the troops as the 5th Regiment Armory had been told quietly about it earlier.

By 9 A.M. the work of clean-

ing up and moving out of the armory had begun.

At 11 A.M., a battalion formation was called on the armory floor, and some 700 men heard Lt. Col. John Williams, commander of the First Battalion, 175th Regiment, praise their efforts.

"The past ten days were probably the best that all of us could give," he said.

The guardsmen then were marched outside, where they had lunch before being dismissed.

Lunch included cake and Easter eggs colored by the mess stewards.

Earlier in the morning, General Gelston marched the guardsmen from the armory to the Mount Royal Station, where Lt. Col. Austin F. Schildwater, chief chaplain, conducted an Easter service. The troops went to the service singing "Onward Christian Soldiers," and returned singing, "The Battle Hymn of the Republic."

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5.8-2

CITY FACES SUIT FOR RIOT DAMAGE

Couple Charges Negligence,
Seeks \$75,000

By GEORGE J. HILTNER

A Stevenson road couple, owners of property damaged and looted during last week's rioting, sued the city for \$75,000 damages yesterday for its alleged failure to "use all reasonable diligence" to prevent the uprisings.

The suit was filed in Superior Court by Max and Bertha Rubenstein, of the 2300 block Stevenson road, through their attorneys, Eugene Hettleman, Paul Jacob and Irving Jacob.

The plaintiffs said they are owners of residential and commercial properties in the 2300 block East Federal street, the 2100 block Greenmount avenue and the 500 block North Pulaski street.

Mayor, Council Charged

The bill of complaint charged that the Mayor and City Council failed to use all reasonable diligence and the powers entrusted to them for the prevention or suppression of such riots or unlawful assemblage.

The Sun F
4/16/68 p. C22

JUVENILE COURT SETS RIOT TRIALS

Special Session To Be Held
For 45 Suspects

Special sessions of the city's juvenile court will be held on Saturday to hear cases against juveniles arrested during the burning and looting last week, it was announced yesterday.

Judge Robert I. H. Hammerman, who presides in the city's Division for Juvenile Causes, said about 45 complaints against youths under 16 will be aired before him and two court masters.

An estimated 500 juveniles were taken into custody during the curfew hours, but most of them were almost immediately taken home to their parents and only a few are being prosecuted, according to Robert Fertitta, an assistant State's attorney.

Mr. Fertitta is head of a team of six prosecutors who will represent the State at the hearings, which will begin at 9 A.M., according to Charles E. Moylan, Jr., State's attorney for Baltimore city.

*The Sun 7
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RIOT PROBE PLEAS DENIED

Curran Is Latest To Ask
Mandel For Inquiry

Marvin Mandel, speaker of the House of Delegates, has been giving polite—but firm—refusal to legislators asking that the General Assembly or one of its committees start a probe of last week's racial disturbances in Baltimore.

The latest request for an investigation was made yesterday by Delegate Gerald J. Curran (D., 3d Baltimore).

Mr. Curran, a member of the Assembly's "grand inquest" joint committee, demanded in a letter to Mr. Mandel that the committee be instructed "to investigate and explore the extremely unfortunate civil insurrection that took place in Baltimore."

"I feel," the delegate's letter continued, "it is my duty to demand that this committee be activated as soon as possible so that the law-abiding citizens of our State can be truthfully apprised of the reasons why this disturbance occurred and to advise the Legislature and other State and local authorities of

(Continued, Page C 8, Col. 3)

Mandel Refuses Riot Probe Pleas

(Continued from Page C 26)

the Legislature's opinion on how to prevent future occurrences.

"You undoubtedly know that the law-abiding citizens of this State are incensed at this outrageous incident and will shortly be demanding reasons why, and action."

Mr. Mandel said he was turning down the Curran "demand" and others like it at this time for a number of reasons.

In the first place, the House speaker pointed out, "a lot of investigations are going on now."

He indicated that, while such bodies as the FBI, the Army, and State and Baltimore police are probing the riots, politicians should stay out of it.

Furthermore, Mr. Mandel said that, under the State Constitution, the joint General Assembly Committee of which Mr. Curran is a member is supposed to limit its investigations to "matters of alleged abuse in expenditures."

He hinted that at some date well in the future the Assembly or another of its committees could conduct an investigation to determine whether legislation is needed to help forestall a repetition of the disturbances and to clear up conditions that may have had a hand in causing them.

The Sun
4/17/68 p. C26

First the Facts

Marvin Mandel is acting wisely as Speaker of the Maryland House of Delegates in discouraging the calls for a legislative investigation of Baltimore's racial disturbances. Such an investigation at this point could offer little more than a public airing of charges and counter-charges without substantial basis in the types of information that would warrant generalized conclusions.

So soon after the event, Baltimore now has no clear picture of whether it was dealing with an outburst of ghetto resentment, or with criminal opportunism in the wake of Dr. King's assassination, or with the first stages of an organized revolution against the white establishment. Or, for that matter, with some of all three. It doesn't know whether the arsonists were one group and the looters another, or whether there was a predictable pattern of the places struck or whether the troublesome age group was the same in one section of the city as in another.

Until the city and State police, the Federal Bureau of Investigation and the Army have sifted through the available evidence as to who did what and why, Baltimore will continue to have only a shadowy image of the forces with which it was trying to deal. Once the facts have been pinned down—and certainly there should be all possible speed in doing just this—then there may be need for a legislative determination of how best to prevent a recurrence or to handle it differently, should one arise.

The Sun F
4/18/68 p. A20

5.8-2

Clark Opposes Force In Riots

By ALBERT SEHLSTEDT, JR.
[Washington Bureau of The Sun]

Washington, April 17—Ramsey Clark, Attorney General, today entered the national debate about shooting rioters, and rejected the idea of using "deadly force" in civil disturbances.

"I do not believe that the use of deadly force by law enforcement officers is permissible, except in self-defense or when it is necessary to protect the lives of others," Clark said at a meeting of the American Society of Newspaper Editors.

Contrast To Daley

His comments followed earlier remarks this week by Mayor Richard J. Daley, of Chicago, and others, who have called for a get-tough policy toward people who loot and burn during riots.

Daley said Monday he had ordered Chicago policemen to shoot arsonists and looters in the future. However, Daley told his City Council today that police department policy would be one of using the minimum force necessary to carry out its duties.

Mayor John V. Lindsay, of New York, has taken a milder stance, saying that "in times of trouble we're going to respect human life."

Clark was asked today about Daley's declaration which, specifically, would have policemen

(Continued, Page A 10, Col. 4)

RIOT FORCE IS OPPOSED

Clark Say Shooting Would Worsen Problem

By ALBERT SEHLSTEDT, JR.

(Continued from Page A 1)

shoot to kill arsonists and shoot to maim looters.

The Attorney General replied that the use of such force would tend toward a very dangerous escalation of the problem we're so intent on solving."

He said it was clear from the recent riots that only a very small fraction of Negroes were prepared to resort to lawlessness.

"More than 100 cities had outbreaks of violence and there was widespread rioting in more than half a dozen," Clark added.

"Fewer Deaths"

"But police generally acted with balance and because of that there were fewer deaths and less property damage in all of these disorders than we had in one riot last year."

Clark said that overreaction by police in any future outbreaks would drive a larger percentage of the black community to terrorist and guerrilla tactics. Limiting the use of force to protect other people or in self defense is made clear in the FBI's riot manual, Clark said.

These restrictions were impressed upon municipal authorities and police officials earlier this year during conferences sponsored by the Justice Department and the International Association of Chiefs of Police, he said.

Meanwhile, Daley defended today his order to Chicago police.

In a statement read to the Chicago City Council, he said the established policy of the police department in that city was to use only minimum force. That policy was "fully supported by this administration," Daley stated.

"But this established policy was never intended to support permissive violence, destruction and a complete denial for that respect for law which is vital to our democratic way of life," Daley was quoted as saying in a news dispatch from Chicago.

Mayor Lindsay, on the other hand, has been quoted as saying

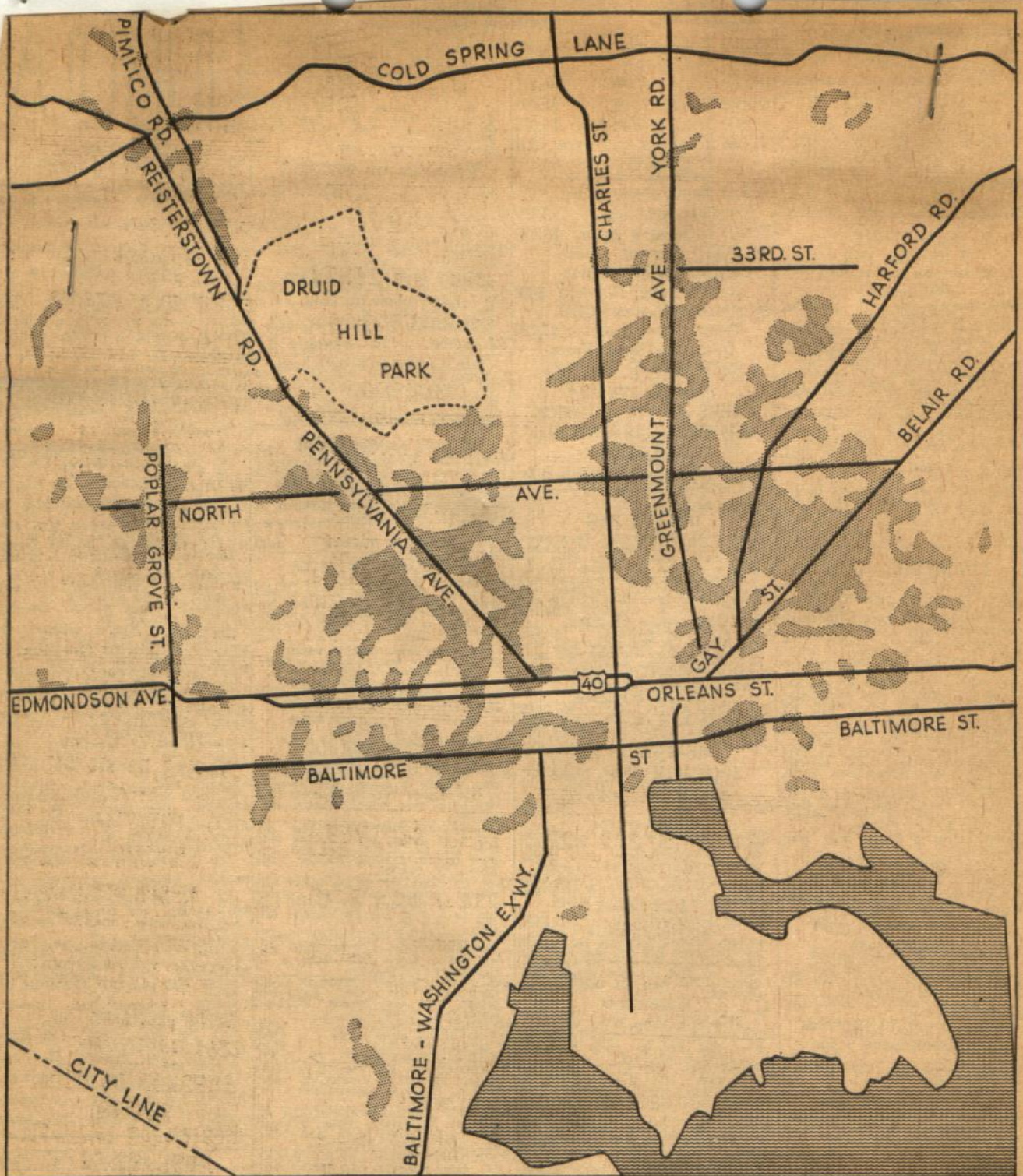
he ordered police to hold their fire against looters and arsonists in the belief that a person's life was more valuable than a suit of clothes.

The policy of firing only in self defense has been adopted by the Baltimore police department.

Donald D. Pomerleau, the city's police commissioner yesterday called critics of that policy "Monday morning quarterbacks" who are "without responsibility" for maintaining order.

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DISTURBANCE AREAS—Map, based on records compiled at city's Civil Defense command post, generally outlined areas

where burning, looting and other disturbances occurred. Period covered is from 4 P.M. April 6 to 3 P.M. April 11.

Rioters Damaged Less Than 700 Businesses

Somewhat fewer than 700 businesses were damaged by fire, looting and vandalism during rioting which began in Baltimore April 6, a survey by the Bureau of Building Inspection showed today.

Earlier estimates had indicated that more than 1,000 small businesses had been hit during the disturbances.

The BBI survey, conducted by fourteen inspectors working all day Friday and Saturday, listed 677 damaged buildings, but did not include nine structures and groups of structures which were so badly damaged that immediate demolition was ordered.

Others Not Counted

Also not included in the survey, according to Laurence J. Greer, general superintendent in the BBI, were fire damage and vandalism to a number of vacant properties taken over by the

city to make way for the East-West Expressway and other public projects.

The areas where demolition contractors were ordered to knock down hazardous ruins remaining in the aftermath of burning included a laundry and vacant candy manufacturing plant in the 1600 block Harford avenue, a confectionery store in the 1500 block of the street, a store and two dwellings in the 1700 block Aisquith street, and a public garage in the 500 block Wilson street.

Three Delicatessens

Three delicatessens in the 1000 block East Lombard street, a drug warehouse in the 700 block Whitelock street, vacant city-owned buildings at Linden and North avenues, a furniture ware-

house in the 1700 block Hunter street and a bar and two vacant houses on Druid Hill avenue were also scheduled for immediate demolition.

Grocery Stores

The street-by-street survey of the rest of the riot-stricken area showed that liquor stores, drug stores, taverns and groceries were the most frequent targets of burning, looting and vandalism during the outbursts which subsided by Thursday.

The survey listed 127 grocery stores looted, another 30 both looted and burned and three burned but not showing evidence of looting. Another 29

showed broken windows or other signs of vandalism.

The degree of damage was not assessed, nor was any dollar estimate of losses attempted.

Seventy four liquor stores were looted, another sixteen burned and looted and four burned without looting.

The report showed that 32 drug stores, including those with liquor licenses were looted, another two burned and eight sub-

[Continued, Page C 4, Col. 3]

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Less Than 700 Business Buildings Hit In Riot

[Continued From Page C 26]

jected to both fire and looting. Four more were vandalized.

Taverns And Bars

Looting was reported at 40 taverns and bars, with another two burned and nine both looted and burned. Signs of vandalism were found at seven others.

The visual survey was conducted by seven two-man inspection teams under the direction of William De Carlo, a supervisor in the BBI housing division.

The area covered by the seven inspection teams was generally bounded by Patterson Park avenue on the east, West Belvedere avenue and Thirty-third street on the north, Hilton street and Hilton road on the west and Pratt street and Washington boulevard on the south.

Question Neighbors

Inspectors drove through the area making notes of damaged buildings, and occasionally stopped to ask questions of neighbors, as in the 900 block Gay street, where a jewelry store was so badly burned that there was no indication as to what type of business had occupied the premises.

A number of buildings, the total not yet determined, were posted on the spot with condemnation signs giving owners ten days notice that the property must be repaired or demolished.

Demolition Orders

Immediate demolition was ordered only in cases where the condition of a building presented an immediate menace to public safety, Mr. Greer said.

With the State's 5,700 National Guardsmen released from duty yesterday by Governor Agnew, city police reported no instances of racial violence today, nine days after the start of the disturbances.

The guardsmen were released at 10 A.M., seven days and twelve hours after they were first ordered into the city.

Almost Boring

In between the call-up and release times, property damage in Baltimore reached an estimated \$10,000,000 property damage, six persons were dead, more than 700 persons injured and about 5,800 persons were arrested.

shotgun blasts about 8:30 P.M. Saturday in the 1900 block and 2000 blocks Kelly avenue. Each car was struck by about three shotgun blasts, police said.

According to Maj. Gen. George M. Gelston, State adjutant general, Saturday night—the last night the Guard patrolled in Baltimore—was so quiet that it was “almost boring.”

Governor Agnew had praise for the Guard's work. In a telegram to General Gelston on behalf of the people of Maryland, the Governor “saluted” the troops for a job well done.

Mr. Agnew also sent a similar telegram to Col. Robert J. Lally, head of the State police, praising him and his troopers for “a performance of high quality” during the past two weeks, in which the State Police were used to clear Bowie State College students from the State House, secure the college campus and come to Baltimore to reinforce city police.

Praise of Commanders

Guardsmen were also praised by their own commanders.

General Gelston said he does not believe the riot was organized by outsiders, as some officials have charged.

“The way some stores were saved and some were wrecked shows the local people knew just what stores they wanted to get to,” he said.

White Youths Hunted

In one apparent racially-linked incident, Northern district police are searching for a group of white youths suspected of cruising through Mount Washington Saturday night and shooting at four cars and a tavern owned by Negroes.

The four cars were hit by

The Emergency Ends

The riot emergency is formally over and, formally, this city has much it can be grateful for. All the law enforcement agencies—the city and State police, the National Guard and, in the end, the Federal troops—proved themselves more than dedicated. They managed to preserve, in the face of incessant provocation by the rioters, a personal detachment and a professional restraint which may well have been the key to the relatively quick end of the riots. If the no-shooting policy aired here is a new evolution in the technique of riot control, Baltimore as a whole must give it high marks.

That is only the formal part. The crisis recedes, but it leaves behind it little immediate change in the conditions and attitudes which brought this four-day outburst of Negro resentment. Immediate change was not likely. Whether they relish it or not, most of the Negro community is heavily dependent on the white community—on what Negroes like to call the “white power structure”—for the simple reason that it does have power and it is a structure, in a way the Negro community does not and is not. To date, the riots appear to have dented this controlling structure only at the edges, at the fringe of conscience represented by clergymen. That is a start, but no more than a start. Besides, there has been backward motion too.

One sign of this is the continuing but essentially aimless exchange of insults between Governor Agnew and some of the Negro leaders. This part can be stopped right now. Both the Governor and the responsible Negro leaders know that the city's racial problems must be dealt with by black and white acting together, that a collision is mutually profitless. Let this unbecoming aftermath promptly be put behind by both sides, and let the real work of mending begin.

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4/15/68 p A14

677 Firms Damaged During Baltimore Riots

BALTIMORE, April 15 (AP)—Almost 700 businesses were damaged by fire, looting and vandalism during the rioting which began April 6 in Baltimore, a survey by the Bureau of Building Inspection showed today.

Earlier estimates had indicated that more than 1000 small businesses had been damaged during the disturbances.

The survey showed 160 grocery stores, 94 liquor stores, 42 drug stores and 51 taverns or bars burned or looted during

The survey conducted by 14 building inspectors Friday and Saturday listed 677 damaged buildings. This did not include nine structures or groups of structures ordered demolished immediately because they were so heavily damaged.

It also did not include damage and vandalism to a

number of vacant properties taken over by the City and scheduled for demolition to make way for the proposed East-West Expressway.

The street-by-street survey showed what was known at the time of the violence — liquor stores, drug stores, taverns and groceries were the most frequent targets of the rioters.

Inspectors did not assess the degree of damage or attempt to make any dollar estimate.

The area covered by seven inspection teams was generally bounded by Patterson Park Avenue on the east, West Belvedere Avenue and 33d Street on the north; Hilton Street and Hilton Road on the west, and Pratt Street and Washington Boulevard on the south.

Inspectors drove through the area, making notes of damaged buildings and asking questions of residents.

YOUTHS GET RIOT HEARING

Most Adjudged Delinquent Placed On Probation

The city's Juvenile Court held an accelerated special session yesterday to hear looting, curfew violation and other charges placed against 37 youths during the recent civil disorders.

The session lasted four hours as Judge Robert I. H. Hammerman and two court masters conducted speedy hearings in three courtrooms.

About half the cases involved curfew violations. Most of the others involved possession of stolen property, looting, or curfew violations in conjunction with other crimes.

Most Found Delinquent

All but a handful of the defendants were found to be delinquent and were put on probation. Of the remainder, one was placed in an institution and the rest had their cases dismissed.

The youngsters were all under 16, the legal dividing line in the city between juveniles and adults.

They were among an estimated 500 juveniles taken into custody during the disorders, but most were released in their parents' care without being prosecuted.

Six State's attorneys handled yesterday's prosecutions.

A team of six volunteer lawyers represented most of the defendants, although a few had retained counsel privately.

A large proportion of the youngsters seemed to have had some previous contact with the juvenile court, frequently in connection with a prior offense, truancy, or a parent's complaint of incorrigibility. A few had been involved in child neglect cases.

One 12-year-old boy, who had previously been involved in a neglect hearing, came into court with his mother. The youngster had been taken into custody in a pawnshop which had been broken into.

Well Cared For

The boy was well-dressed in a bright blue suit. His mother explained to the court master hearing the case that the youngster's father had returned home since the time of the neglect hearing and the child was now well cared for.

The master asked the youngster what he was doing in the looted pawnshop. The boy explained that he was looking for a radio.

When the master asked him what he wanted the radio for, the youth responded "To sell it, to anybody who'd buy it."

He said he wanted the money to go to Gwynn Oak Amusement Park.

The youngster was placed on probation.

No Prior Trouble

Another case involved a fifteen-year-old boy who had never been in trouble before. The youth, who had above-average grades in high school and came from a stable family, had been arrested for looting an East Baltimore market.

He explained that he had been walking down the street with a few friends on the second day of the disorders when he saw a group of people taking food out of the market.

"Everybody was grabbing groceries, so I got some, too," he said, adding that he knew that doing this was "wrong."

He was placed on probation and given a stern warning by Judge Hammerman.

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Riot-Case Handling Differs In Baltimore, Washington

By ALVIN P. SANOFF

The speed and the relative leniency with which Baltimore courts handled cases during the recent civil disturbances was in marked contrast to the slower pace and harsher treatment in neighboring Washington.

While the courts here tried more than 5,000 cases in seven days, the Washington courts limited their activities to arraignments and hearings, postponing all trials to a later date.

Enormous Backlog

The net result is that Washington is faced with an enormous backlog of cases, while Baltimore is not.

However, in order to try the cases swiftly, Baltimore law enforcement officials had to make the decision to be relatively lenient with those arrested.

Almost all the defendants were charged either with curfew violations, which carry a maximum 60-day sentence and \$100 fine, or disorderly conduct, which carries the same fine and a maximum 30-day sentence.

And most looters were

charged with one of the two relatively mild misdemeanors rather than with a felony, such as burglary, which carries a maximum ten-year sentence.

Charles E. Moylan, Jr., Baltimore State's attorney, said the decision to treat the cases as misdemeanors was made because of the difficulty in proving a more serious charge and because of a desire to try the cases quickly.

He explained that felonies have to be presented to a grand jury for indictment before a trial can be held. And this procedure, of course, takes time.

Grand Jury Cases

Of the more than 5,700 arrests made during the disorders here, only 33 cases have been presented to the grand jury so far, and 41 more are expected to go to the jury this week.

In Washington, officials are preparing more than 3,300 of their approximately 7,000 cases for the grand jury. Most of the felonies involve charges of sec-

(Continued, Page 23, Col. 2)

Handling Differs In Riot Cases

By ALVIN P. SANOFF

(Continued from Page 26)

ond-degree burglary, which carries a minimum two-year sentence.

Officials there decided to sacrifice speed in an effort to crack down on many of those arrested during the disturbances.

That task was made somewhat easier by the District of Columbia's burglary statute, which requires only that the prosecution prove that a person entered a burglarized building. The prosecution does not also have to prove that a person actually did the breaking in, as it has to do in Maryland.

Statute Differences

At a time of civil disturbance, when it is hard to differentiate between those who actually break into an establishment and those who are looters and scavengers, the difference in the statutes becomes important.

The Washington approach has been criticized in many quarters as being unduly harsh. And here is some feeling that law enforcement officials in the Capital may yet reduce some of the burglary charges to lesser offenses, such as petty larceny, a misdemeanor carrying a maximum one-year penalty.

During the disorders of the past few years, Mr. Moylan said yesterday, many cities "have tended to overcharge" defendants. As a result, he said, prosecutors often lost their cases because they did not have the evidence to substantiate the heavy charges.

Pitfall Avoided

Mr. Moylan said that the more lenient approach used in Baltimore avoided this pitfall and at the same time brought a large number of convictions.

The Baltimore system was not without its shortcomings, however.

Mr. Moylan has admitted that the due processes of law were not strictly followed during the crisis.

Some prisoners remained in jail for as long as five days before appearing in court.

Other defendants, whose arrest records had been lost, supplied the details of their arrest to court officials and then were convicted on the basis of this information.

Released by Court

In Washington, defendants who had not appeared before a judge for 48 hours were ordered released by the court. And when officials were uncertain of the charges against some defendants because records and evidence had vanished, the men were freed.

Baltimore's system also had another serious shortcoming by comparison with Washington's, according to observers.

Here, some 300 to 400 individuals who were convicted of curfew violations and were unable to pay their fines were sentenced to jail in lieu of payment.

As a result, poor people who were fined as little as \$25 may spend as much as 25 days in prison working off their sentence at the rate of \$1 a day.

Suit Threatened

The Maryland branch of the American Civil Liberties Union has threatened to file suit to obtain the release of these individuals, thus giving them a chance to raise money to pay their fines.

Curfew violators in Washington spent only twelve hours in jail, a measure designed to keep them off the streets during the disturbances, and then were released with a summons ordering them to appear at a certain time and date for a trial. Later, officials decided to allow most defendants to post \$25 collateral instead of standing trial.

In both cities, many of the legal shortcomings were largely the result of inadequate preparation.

Courts and detention facilities were ill equipped for handling the deluge of prisoners.

Record keeping was sloppy. Prisoners were not asked to prove their identities and aliases were accepted.

There were no set bail policies.

And there were no plans for providing defense counsel, although lawyers from the American Civil Liberties Union and the Legal Aid Bureau volunteered their services without being called.

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p 26

Arrests Present A Profile Of City Rioters

Comprise Workingmen, 30 Or Older, And Unemployed Youths; Few Women

By STEPHEN J. LYNTON

At least as many of the lawbreakers who were taken into police custody during the four-day riot which began in Baltimore a fortnight ago were working men, 30 years old or older, as were unemployed teen-age boys.

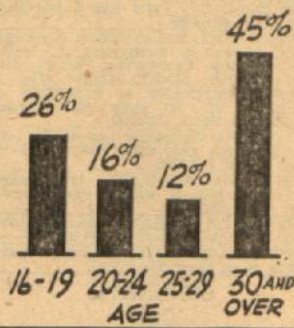
Nearly all were Negroes, and most were men or boys rather than women.

Most of the looters lived within ten city blocks of the stores which they looted. Very few of the lawbreakers had traveled even across town.

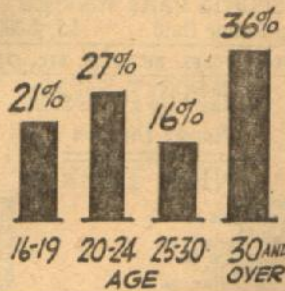
More Serious Acts

Although most of the suspects seized by the police claimed to have unskilled, semi-skilled or skilled jobs, the unemployment rate among the lawbreakers

LOOTING SUSPECTS



CURFEW OR DISORDERLY CONDUCT SUSPECTS



RIOTERS—Survey of arrest records shows wide range of ages among those non-juveniles arrested during riot.

was still quite high—at least 23 per cent.

But the evidence that young and middle-aged adults played a significant role in the rioting does not contradict the belief, held by many, that teen-age boys and men in their early 20's committed the more serious acts of violence.

Most witnesses believe that

groups of youthful boys and men did most of the window-smashing and rock-throwing at the start of the four days of turmoil.

Most witnesses also believe that the youngest children and the older men and women did not participate in the rioting in large numbers until the initial

destruction had already occurred.

The very old and young looted goods but did not tear down gratings or break windows.

Intoxication apparently had some impact on the pitch of the rampage in some locations. But observations on this point are sharply divided and recorded evidence is lacking.

The motives frequently given for acts of havoc were retaliation for racial discrimination and rebellion against economic exploitation.

The evidence tends to support the findings of the National Advisory Commission on Civil Disorders which attributed last summer's turbulence essentially to "white racism." But it also suggests that economic oppression has played an equally important role.

Symbol Of Injustice

Witnesses often noted that economic and racial motives were closely linked.

One Negro social worker who witnessed much of the rioting

(Continued, Page C 8, Col. 2)

The Sun 4/22/68 p. C-20

Riot Arrests Divided Among Workingmen, Unemployed Teen-Agers

Few Women Involved; Nearly All Of Them Were Negroes

By STEPHEN J. LYNTON

(Continued from Page C 20)

said: "They strike against the thing that symbolizes injustice. It just so happens that the corner store symbolizes injustice."

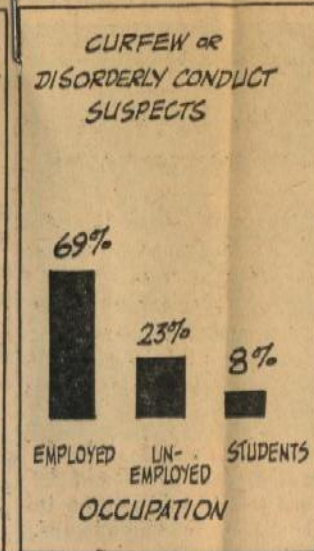
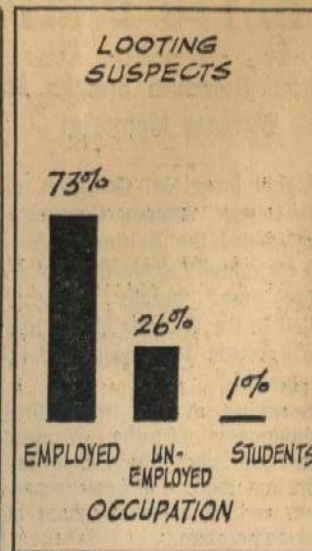
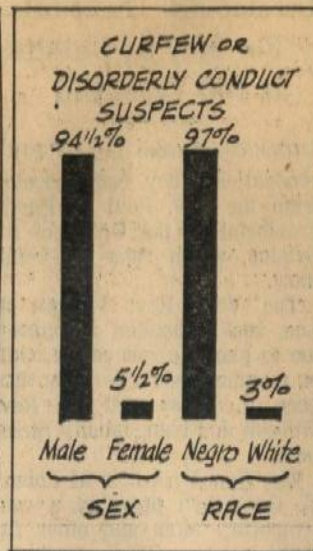
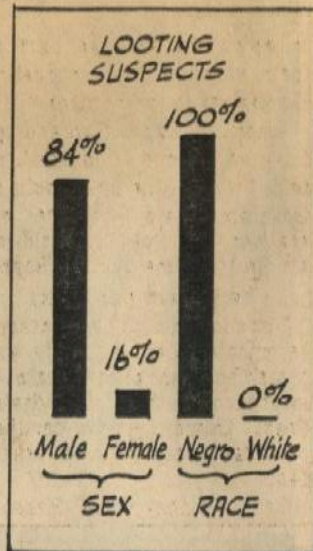
These conclusions are based on a survey of 1,403 of the 5,000 to 6,000 arrests records filed with the Police Department during the riot, on an examination of newspaper accounts and photographs of the rioting, on the observations of reporters who covered incidents of violence and heard court testimony, and on interviews with attorneys who defended suspects arrested during the riot and with anti-poverty workers, civil rights leaders, and State and city race relations officials who were on the streets during the rioting.

Inaccurate Data

The findings are limited because of the apparent inaccuracy of much of the data on the police arrest records, because of the imprecision of many witnesses' observations, and because of the refusal of the city Police Department to grant reporters interviews with its members.

Policemen have been under instructions not to discuss their observations during the riot without permission from the police commissioner. And Wade H. Poole, the deputy commissioner who was acting as commissioner in the absence of Donald D. Pomerleau, the commissioner, who was vacationing in an undisclosed place, said: "We're honoring no requests" for interviews.

"Official" Study



A survey of 1,403 of the more than 5,000 arrest records arising from the rioting produced statistics on suspects

took part in the Baltimore rampage than in some other cities last summer.

Estimates of the proportions of men and women and of the unemployment rate among the rioters in Baltimore are similar to those found in other cities.

Lived Near Location

Elsewhere, as in Baltimore, most of the lawbreakers lived near the locations of the rioting.

But despite any indications of a prototype of the Baltimore rioter, the rebellious ran a broad gamut.

One morning during the riot, an old working man strolled along Pennsylvania avenue toward a bus stop on his way to work. He carried a lunch pail.

Abruptly, he paused beside a vandalized clothing store, removed a men's cap from the window and quickly boarded his bus. "He never had time to tell if it fit him," remarked a race relations official who witnessed the theft.

In Sunday Suit

On Palm Sunday, a 9-year-old boy, who had just come from

they cited some Negro-owned stores which had been damaged.

"Half-Way Fair"

White-owned stores were spared, one race relations official remarked, "if the guy had been half-way fair" in his business dealings.

Some witnesses to the rioting believe that the economic motive grew in significance as the days passed and as families began to fear they would go hungry.

"I'd rather take a chance on going in that store and getting caught than taking a chance on getting caught without food for a week or two," a woman told one civil rights worker.

Although the death of Dr. Martin Luther King, Jr., was seldom described as a motive for the prolonged rioting in Baltimore, one anti-poverty worker said: "The death of King triggered it. Everybody was mentioning Dr. King."

Child Crying

He remembered observing an 8-year-old child standing alone on a corner on Edmondson ave-

rested were men and only 5.5 per cent were women.

Of the looting suspects, 28 per cent told the police that they had skilled or semi-skilled jobs, 45 per cent said they had unskilled jobs, 26 per cent said they were unemployed or were welfare recipients, and 1 per cent said they were students.

Of the curfew violators and those charged with disorderly conduct, 30 per cent said they had skilled or semi-skilled jobs, 39 per cent said they had unskilled jobs, 23 per cent said they were unemployed or received welfare assistance, and 8 per cent said they were students.

Home Addresses

Sixty-five per cent of the curfew violators and the disorderly gave the police home addresses within ten city blocks of the location of their arrests, and 73.5 per cent of the looters gave addresses within ten blocks of their arrests.

Another 13 per cent of the looting suspects and 17 per cent of the others arrested gave addresses within twenty blocks of the locations of their arrests.

removal of gates or gratings—described the vandals mainly as teen-age boys or men in their early 20's. Some teen-age girls tagged along but seldom took part in the destruction, according to the witnesses.

The looters may have fallen into more complex patterns. Although some witnesses said no distinctions existed among the looters, many others described differences between the looters of different types of establishments.

Liquor Looters

Many said that the looters of liquor stores and of drug stores selling liquor were primarily teen-age boys and men in their 20's.

At grocery stores and food markets, many witnesses observed an entirely different pattern. Most of the looters appeared to be little children and women in their late 20's or older. Often the children appeared to be gathering food for their parents. Adult men were less frequently seen than elsewhere.

and furniture shops included many teen-age boys and young men but they also included more women and older men than were at the liquor stores.

Many witnesses believed that the characteristics of the looters changed as days passed. Gradually the looters included increasing numbers of women, older men and young children.

The more mysterious figure among the rioters was the arsonist. Few witnesses said that they had seen fires started. And very few charges of arson or possession of arsonists' equipment, such as Molotov cocktails, have been placed.

One anti-poverty official claims to have observed the white owner of an already looted store set it on fire and hurriedly drive away. The Fire Department extinguished the small blaze, he said.

White Youths Arrested

Police arrested several white youths after they tossed a Molotov cocktail from a speeding car, setting up a sheet of flame across the street.

The police have placed arson charges against several Negro men in their 20's. And anti-poverty workers have described several arson incidents involving Negro teen-agers and young men.

In one instance, three anti-poverty workers described an attempt by a young Negro man to set fire to a grocery store on Ashland avenue. He doused the floor with a flammable fluid, they said, but neighbors persuaded him not to strike a match.

One anti-poverty worker described two instances at grocery stores on Eager street in which he had persuaded Negro teen-agers not to set fire to the paper in the shops, arguing that a fire would harm the homes of

cause of the refusal of the city Police Department to grant reporters interviews with its members.

Policemen have been under instructions not to discuss their observations during the riot without permission from the police commissioner. And Wade H. Poole, the deputy commissioner who was acting as commissioner in the absence of Donald D. Pomerleau, the commissioner, who was vacationing in an undisclosed place, said: "We're honoring no requests" for interviews.

"Official" Study

The Police Department claims to be making the only "official" study of the riot. It has withheld some 4,000 arrest records, which are normally public documents, while its planning and research staff is examining them.

Its study, however, will also be limited by the inaccuracy and incompleteness of the official data.

One attorney who defended hundreds of suspects during the riot described much of the information on the arrest records as "lies" corroborated by courtroom "perjury."

Particularly subject to doubt are addresses and occupations given to the police. Many suspects apparently expected milder penalties if they claimed steady employment and an address near the place of their arrest.

One curfew violator described himself in court as a city water department worker out to fix a leak in the street. But the city personnel office listed him as out of work for the past ten days.

The absence of arrest records for most teen-agers and children younger than 16 imposes another limitation on analysis of the riot participants. Only 51 petitions have been filed against juvenile offenders. But authorities estimate that some 500 young teen-agers and children were actually taken into police custody.

Nevertheless, many of the statistics appear so decisive and tend to corroborate the observations of witnesses so closely that their implications would remain valid even with significant adjustments to account for inaccurate or absent data.

Similar Pattern

The general characteristics of the rioters in Baltimore appear similar to the pattern found in riots throughout the United States last summer by the National Advisory Commission on Civil Disorders.

A larger proportion of the lawbreakers in Baltimore was Negro. But Baltimore has a larger Negro population than most other cities where riots occurred.

More older people probably

prototype of the Baltimore rioter, the rebellious ran a broad gamut.

One morning during the riot, an old working man strolled along Pennsylvania avenue toward a bus stop on his way to work. He carried a lunch pail.

Abruptly, he paused beside a vandalized clothing store, removed a men's cap from the window and quickly boarded his bus. "He never had time to tell if it fit him," remarked a race relations official who witnessed the theft.

In Sunday Suit

On Palm Sunday, a 9-year-old boy, who had just come from church services, stood outside a looted grocery store on Ashland avenue. The boy, dressed in his Sunday suit, clasped a symbolic palm in one hand; in the other, he held a stolen light bulb and a can of grape juice.

Two welfare recipients, an elderly woman and her brother, were arrested in a charred grocery store. The woman was holding a white pillow case and her brother was filling it with cans of food.

On the Sunday afternoon of the riot, a 10-year-old boy stood beside the broken window of a looted grocery store on Gay street, passing out containers of food to passers-by.

Not "The Man"

Among the strollers was an anti-poverty worker who asked the boy what would happen to him if he were caught stealing by the police. "Well, they didn't put the Man (the white man) in jail for stealing from us," the 10-year-old boy declared.

The incident is one indication of the pervasiveness of racial and economic motives for the lawbreaking. Even the careless remarks of looters and vandals in the streets carried social overtones.

While the frequent expressions of hatred for "whitey" have an obvious racial meaning, other remarks bore a subtler economic significance.

One Negro man, about 35 years old, who was carrying a television set away from a Fulton street store, indicated the economic patterns of slum life when he declared off-handedly: "I'm repossessing it."

All For Free

On the first evening of the riot, a looter emerged from a drug store on North avenue and, in an apparent burst of economic discovery, announced to a nearby crowd: "Everything's for free, everything's for free."

Some anti-poverty, civil rights and race relations workers noted that most of the looted and burned stores had white owners, while few of them had Negro owners.

But those who stressed economic motives named specific white-owned stores which had been spared by the rioters although neighboring establishments had been destroyed. And

"I'd rather take a chance on going in that store and getting caught than taking a chance on getting caught without food for a week or two," a woman told one civil rights worker.

Although the death of Dr. Martin Luther King, Jr., was seldom described as a motive for the prolonged rioting in Baltimore, one anti-poverty worker said: "The death of King triggered it. Everybody was mentioning Dr. King."

Child Crying

He remembered observing an 8-year-old child standing alone on a corner on Edmondson avenue one night after Dr. King's death. The boy was crying. "We don't have any more leader," the child said.

Many witnesses said that teen-agers expressed racial motives more often than economic motives for the rioting, while adults and some younger children expressed economic motives.

The survey of police arrest records for persons 16 years and older shows that teen-agers from 16 to 19 made up between one-fifth and one-fourth of the number of persons arrested during the riot.

Arrest Records

The statistics are based on arrest records for 1,247 persons charged with curfew violations or disorderly conduct and for 156 others whose records had a notation indicating looting or attempted looting.

Of the looters, 26 per cent were 16 to 19 years old, 16 per cent were between 20 and 24 years old, 12 per cent were 25 to 29 years old, and 45 per cent were 30 or older.

Of the curfew violators and the unruly, 21 per cent were 16 to 19 years old, 27 per cent were 20 to 24, 16 per cent were 25 to 29, and 36 per cent were 30 or older.

All of the looting suspects were Negroes. Ninety-seven per cent of the other suspects were Negroes.

84 Per Cent Men

Eighty-four per cent of the looting suspects were men and 16 per cent were women, while 94.5 per cent of the others ar-

39 per cent said they had unskilled jobs, 23 per cent said they were unemployed or received welfare assistance, and 8 per cent said they were students.

Home Addresses

Sixty-five per cent of the curfew violators and the disorderly gave the police home addresses within ten city blocks of the location of their arrests, and 73.5 per cent of the looters gave addresses within ten blocks of their arrests.

Another 13 per cent of the looting suspects and 17 per cent of the others arrested gave addresses within twenty blocks of the locations of their arrests.

Only 4 per cent of the looting suspects and 10 per cent of the persons arrested for curfew violations or disorderly conduct gave addresses outside the East or West Baltimore slum areas where their arrests occurred. Only 1 per cent in each category gave an out-of-town address.

Broad Patterns

The statistics for race, sex and residence conform to the broad patterns indicated by interviews with anti-poverty, civil rights and race relations workers who were on the streets during the rioting.

Their descriptions of the ages of the rioters suggested some differences, however.

Most witnesses to vandalism—the window breaking and the

ments.

Liquor Looter

Many said that the liquor stores and of drinking liquor were teen-age boys and men 20's.

At grocery stores markets, many witnessed an entirely different scene. Most of the looters appeared to be little children and women in their late 20's. Often the children appeared to be gathering their parents. Adults were less frequently seen where.

The looters of cloth-

STARK TO ASK STATE HELP ON RIOT DAMAGE

City Councilman Says
Political Boundaries
'Are No Barrier'

By ROBERT A. ERLANDSON

A Fifth district city councilman will ask the Council today to petition Governor Agnew to convene a special General Assembly session to enact broad riot-recovery measures for Baltimore city.

The resolution, sponsored by Councilman Alexander Stark (D., 5th), calls for help not only in economic recovery but also in reimbursing the city for the approximately \$750,000 it spent on public safety and health services during the four days of violence that began April 6.

In addition, the resolution, which will be backed from the outset by Councilmen Jacob J. Edelman (D., 5th) and Robert C. Embry, Jr., (D., 3d), calls for establishment of tax incentives to business men who hire the poor and unskilled, establishment of on-the-job adult education programs and creation of free-tuition scholarships at all State-maintained institutions for use by any poor youths who otherwise meet normal college-admission requirements.

State Should Help

Mr. Stark said the State should help Baltimore recover from its four days of burning and looting because the violence caused "inconvenience, alarm and losses to residents of surrounding counties, thus demonstrating again that political-subdivision boundaries are no barrier to our social and economic effects on each other and the well-being and stability of our

(Continued, Page C 9, Col. 2)

STARK PLANS BID FOR AID TO CITY

Would Ask State Help In
Recovery From Riot

By ROBERT A. ERLANDSON

(Continued from Page C 20)

city directly affects the entire State."

The destruction of businesses, he said, will cause tax-revenue loss to the State as well as the city, and will require an attempt at indemnification of property losses to help restore economic activity in affected areas.

Legislative action may alleviate some of the causes of poverty and social unrest by "offering hope and attainable goals" to the poor, who are more numerous in Baltimore than other parts of Maryland, Mr. Stark said.

Extra Tax Revenues

He also said State tax revenues will apparently exceed estimates by the State comptroller, making available extra money that could be used to finance his plan. Mr. Stark made no estimate of how much his proposals would cost.

The Councilman, a former member of the House of Delegates, proposed broadening the recently enacted State Good Samaritan bill to provide compensation for property damage or loss from riot or civil disturbance.

He also suggested that business men be allowed to amend their 1967 State income tax returns to take immediate credit for losses not covered by insurance, rather than wait until next year to reflect those losses on tax returns.

Losses Would Be Offset

Temporary revenue losses from giving tax incentives to employers who hired the poor and unskilled would be offset by taxes paid by the newly employed and by their removal from welfare rolls, Mr. Stark said.

Mayor D'Alesandro and William D. Schaefer, City Council president, have already agreed to the principle of adding \$1,000,000 to the city budget to reimburse business men for uninsured riot losses, and of asking Governor Agnew for the same amount from State funds.

If existing laws do not permit this, they have said, the Governor should convene a special session of the General Assembly to enact legislation that does.

See F

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P.C. 20

CIVIL-DISORDERS STUDY REFOCUSED

Hopkins Unit Nearing End
Of 15-City Analysis

By ALVIN P. SANOFF

The Johns Hopkins University is nearing completion of extensive study to be issued as a supplement to the report of the National Advisory Commission On Civil Disorders.

The study, which will treat fifteen cities including Baltimore was at first on the relationship between community institutions and ghetto residents and on the effect of that relationship in determining whether or not a city would be struck by civil disorders.

But the disorders of recent weeks in cities which had not previously experienced disturbances, brought a change in focus.

A Change In Tense

Peter Rossi, chairman of the social relations department at the Hopkins, who is in charge of the study, said yesterday he is now concentrating on how the relationship between institutions and ghetto dwellers affected the nature of the disorders in the cities under study.

The study, which is being financed by a \$190,000 Ford Foundation grant, is one of three supplemental reports being prepared for the Commission On Civil Disorders, which is under the chairmanship of Gov. Otto Kerner of Illinois. The others are being prepared by the University of Michigan and by Columbia University.

The reports are expected to be issued before July 1, when the commission is scheduled to disband.

Mr. Rossi said yesterday that he expected to have preliminary results compiled in late May.

He said researchers have completed their work in the fifteen cities and that their data are now being analyzed.

Mr. Rossi said that between 200 and 300 persons have been involved in compiling the study, which got under way in January. This includes six interviewers who were earlier on the staff of the Kerner Commission.

Mr. Rossi said that the study is divided. The first part is based on interviews with public officials and other community leaders in the fifteen cities. These were largely carried out by the former staff members of the Kerner Commission.

Other Cities Named

The second part consists of interviews with whites who have a daily relationship with ghetto residents.

Mr. Rossi said those interviewed included policemen, teachers, social workers, store-owners, employers and political workers.

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4/25/68
J.C.10

RIOT-CONTROL AIDS ORDERED

Police Buy \$69,670 Worth Of Masks, Grenades, Guns

By ROBERT A. ERLANDSON

The Police Department has ordered \$69,670.50 worth of new riot-control equipment, including helmets, gas masks, gas grenades, shotguns and ammunition.

A department spokesman said the orders were not a direct reaction to the recent disorders and had been under consideration before the rioting started.

A week after the riots, however, 59 policemen, members of the municipal employees union, contended there was a shortage of riot helmets and proper riot guns.

Deemed Hazardous

They charged that, when Eastern district officers finally got helmets, they were World War II civil defense helmets, which they contended were hazardous should they be grabbed from behind in a crowd.

The department's order is for 2,500 riot-disaster helmets, 50 face shields and 50 chin straps at a total cost of \$37,125, the largest single amount in the package.

According to the requisitions, \$27,885 is to come from the 1968 contingency fund and \$9,240 from 1968-1969 budget funds.

The order includes 100 12-gauge shotguns equipped with rifle sights, and 32,500 rounds of ammunition. The ammunition ordered is 25,000 rounds of buck shot and 7,500 rounds with rifled slugs.

Too Big For Deer

The buck shot is the largest size available and is not legal for deer-hunting in Maryland, according to a sporting goods firm. Rifled slugs are single pellets for use in a shotgun; the rifling on the projectile propels it in a rotary fashion like a bullet from a rifled-barrel weapon.

Rifled slugs would be useful for long-range shooting such as against snipers where a buck-shot pattern would be too wide.

The department spokesman said much of the ammunition was ordered for target practice.

The ammunition cost was listed at \$3,445, and the riot guns at \$8,249.25.

Other major items ordered included 300 gas masks at a total of \$9,600 and 1,895 mini-grenades at \$9,001.25. The grenades contain riot gas, a strong variety of tear gas.

The department spokesman said the gas grenades represented a "bare minimum," and asserted tear gas is used periodically by police for such things as flushing suspects from buildings.

Fifty transistorized megaphones, usually called bullhorns, and costing \$2,250 completed the major items ordered.

The spokesman said it was decided to purchase a helmet for every officer who could be expected to need one when the original policy of attempting to rotate the existing supply proved unfeasible.

No Change In Policy

He said the order represents no change in the Police Department's policy of using restraint in dealing with looters and burners in a riot situation, but was a realistic recognition that such outbreaks can occur again and the department must be equipped as fully as possible.

The equipment order, he said "is the result of our evaluation of our needs."

The policy of restraint has come under heavy criticism from various public officials and private citizens who contended the police and the military gave undue regard to life at the expense of property. In some cases, it has been charged, police permitted looters to escape when they might have been halted by shooting.

*The Sun E**
5/4/68 p. B9

Riots Here Seen Well Planned

By MICHAEL OLESKER

The riots that rocked Baltimore were tightly organized and precisely executed, and the city may not yet have seen the worst of them.

Burning and looting were purposely restricted to Negro ghettos, but future trouble may be harder to control.

The city's militant Negroes are watching the white community's reaction to the explosion, and the advances that "civil rights people" make before making their next move.

The analysis is that Richard Winborne, a Negro who is definitely not one of the so-called "Negro leaders" Gov. Spiro Agnew recognizes.

Winborne is a barber on Greenmount Avenue, just off North Avenue, and he's been privy to plans that began to be formulated as far back as last summer. He still hears the words being passed.

WHO THE PLANNERS and rioters were, and how many were

in on the execution, Winborne isn't saying. He is saying:

"You can believe the whole thing was planned. They only hit areas they wanted to hit."

Emphasizing the extreme execution that went into the rioting, he noted:

"Except for a few freak cases, the rioting never left the Negro ghettos. The white neighborhoods weren't touched."

Militant blacks weren't trying to start a race riot, he explained, just trying to "make a point." The point, according to Winborne, is that Negroes want to run their own neighborhoods' economies.

The plan included no killing, he said, adding, "That's why the white man has nothing to fear."

Negroes want to get white merchants out of their neighborhoods in order to set up Negroes in neighborhood stores. They are tired of being exploited, Winborne said, and they are tired of seeing their money "taken out to the suburbs."

THE PLAN WAS to burn down the stores of white merchants—and perhaps keep burning them

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Riots Here Seen Well Planned And Executed

Continued from Page 1B.

down—until insurance companies will no longer invest in them.

How long can they last if they keep getting burned out?" Winborne asked.

There was some call for shooting in the early planning, but it was voted down at the last minute, he said. The idea was to kill systematically a number of white merchants.

"We started thinking about it last summer," Winborne recalled, "when we couldn't get into taverns around here. Actually, the riots almost started right then, but at least that's definitely when the idea was hatched."

There was no definite time set aside for the rioting to begin, Winborne said. Dr. Martin Luther King's assassination merely presented an excuse.

Winborne said representatives from each section of town—"fellows in the know"—were in on the planning.

He added, "The crudeness of the thing makes it look bad, but the purpose isn't crude. White people are angry at objects being burned, but they don't understand the desperation that provoked it."

THREE OVERWHELMING factors provoked the violence, according to Winborne: resentment, desire to control their own affairs and the teaching of the black Muslims.

The majority of white store owners are not — and have not been — hiring Negroes in any

capacity, Winborne said, and from there stems much of the original bitterness.

"When they want to close the stores down because they're sick or whatever their reasons are, the stores just shut down," he said. "They don't show any consideration."

"When we want to buy a piece of bread we've got to drive out of the neighborhood. Why can't they hire a Negro to run the store when they want to stay home? How much can a man steal in eight hours?"

It may no longer be enough merely to let blacks work in white men's stores. Negroes now want to be their own bosses.

"Look," Winborne said, "these young kids are asking themselves, 'Why can't we run our own neighborhood? The Italians run their own neighborhood. The Jews and the Poles run their own neighborhoods. Why can't we?'"

WINBORNE SAYS he knows the way to get economic equality for Negroes—and he isn't looking for any help from white people.

He pointed an accusing finger at a select group of Negroes—"the ones who are rich, the bankers, the ones who have made it big."

"The Negro millionaires are forgetting about other Negroes when they make it to the top, and the militants are asking why," Winborne said.

"Am I my brother's keeper?" Winborne said repeatedly. "That's what it boils down to. Why can't

they be their brothers' keeper, like the Jews and the Italians are?"

"That's what's holding us back. We have nobody to invest in us. It's not enough for the white man to do it any more—the militants don't want to hear from him."

"We've got to have pride in our own people, but our own people won't help us to get anything to be proud of."

IN HIS SELF-DOCTRINE, Winborne was, he said, pointing out the difference between the militants and the moderates.

"The non-violent Negroes"—of which, in all other respects, Winborne considers himself a believer—"is sitting back and telling the government, 'give me something.'"

"So the government is playing towards them, but they're not reaching wounds behind them. That's no good. We want our fortunate (Negro) brothers to help us. We don't want a welfare state."

Legislation is not impressing militant Negroes, Winborne said, because resentment has built up so much over the years. White people are aware of the feelings he admitted, and he thought this both good and bad.

"Fear," he said. "That's the great thing we've got going for us. People are engrossed in fear, and it's all unfounded."

"It's all based on lack of understanding, and it feeds on itself."

The white store and tavern owners are walking around with pistols hanging out of their pockets. People notice.

"It provokes more fear and hate." On the other hand, he said, "fear is what brought about the gains in legislation."

MODERATE WHITES may be underestimating the teachings of the Black Muslims, a religious sect that preaches militarism and race separation.

"The Muslims deal with identity, and it's tickling to the ear," Winborne said. "These people aren't stupid. They're educated, but it's an indoctrination of their own."

"There were church men from all faiths when the rioting was going on," he commented. "They walked up and down the streets and told people to stop but nobody paid attention. Islam has pulled people away from the church."

Again, pride is the key word. The Black Muslims instill self-pride, and in doing so they have been able to accomplish objectives that traditional Negro churchmen have not been able to approach.

Winborne, 43, lives on the 2800 block Kennedy Avenue, with his

wife Bernice and five children. He was at work when the rioting started.

WINBORNE SAYS he's in no danger for speaking out about the riot plans. "It's no secret to the police," he remarked. "There's a SNCC headquarters around the corner and the police have a picture of every face that goes in there."

The planned march on Washington is not the answer to any problems, either, Winborne said. He thinks most Baltimore Negroes consider it a waste.

"Everybody knows there's poor people in America," he said. "And Negroes aren't going to take a day off from work to go."

Winborne said that last month's rioting stopped only when certain Negro leaders determined that it would.

He said four representatives from each section of town—16 men in all gathered at Pennsylvania Avenue and Mosher Street and decided to call for a halt. They were men with influence among the militants — "people that, when they say 'quit' you quit."

NEGRO MILITANTS have no use for most of their so-called "leaders." Winborne said:

"It means they're 'leaders' because Gov. Agnew wants to call them 'leaders.' If they were leaders, they could have stopped the riots."

"People around here look up to Major (William) Harris but he's an exception. They don't recognize the NAACP or the SCLC or Clarence Mitchell. They can only reach the moderates, not the militants."

Prices are up in colored neighborhoods," he said. "It's as if they're saying: 'You were smart, you rioted, and now we're gonna get it back.'"

In the end, this may only succeed in bringing about the white merchants' greatest fears—a repeat of last month's violence.

"The militants are watching these places," Winborne said, "very closely. They want to see what's going to happen."

"It needs time to build up, but it's very possible that we will have more riots."

How soon? As of last week, the word was: It won't happen in the immediate future.

Police Officials Deny 'Holding' Lively Warrants

City police have seventeen warrants for the arrest of Walter H. Lively, militant civil rights leader and director of the Urban Coalition.

All but one of the warrants are for parking violations and the total fine involved would be \$200. The other warrant is for a bus stop violation. Some are nearly a year old.

Low-ranking police sources say privately that little effort has been made to serve the warrants because police officials want to save them for an "easy arrest" at a disturbance or disorder.

Police officials deny the warrants are being held as an extra tool to facilitate an arrest at a demonstration or the approaching Poor People's March on Washington.

Delay Denied

Both William R. Morrissey, police information director, and Col. Frank J. Battaglia, chief of patrol, officially denied that only a minimal effort had been made to serve them.

"Some" attempts to locate Mr. Lively were made when the warrants were first issued but when these were unsuccessful, "they were thrown back in the hopper," Mr. Morrissey said.

A traffic officer must have "flagged" the old warrants when he noticed Mr. Lively's name in the newspapers during the riot, he continued.

In last month's rioting, at least six civil rights leaders were arrested by Maj. George C. Schnabel, deputy chief of area 2, but in all the cases, either the charges were dismissed or no charges were ever placed.

Warrant's Location

Mr. Lively was arrested on the first night of the riot by Major Schnabel on investigation of arson, but no charges were ever placed against him.

Although the normal proced-

[Continued, Page E 4, Col. 2]

Officials Deny Warrants Held

[Continued From Page E 8]

There is to make a warrant check on anyone who is arrested, Mr. Morrissey said this was impossible during the riot.

The warrants are not in the hands of Eastern district police, which would be the normal procedure, since Mr. Lively lives in the 1000 block North Broadway.

Instead, Colonel Battaglia has them. Colonel Battaglia is in charge of supervising police activities at demonstrations. "I'm at every one of them," he said.

Colonel Battaglia said the warrants are in his possession because he is the most likely police officer to have direct contact with Mr. Lively.

Mr. Lively said he thinks the police are holding the warrants so that he can be arrested whenever the police choose to do so.

Cites Police Probe

He said police have been questioning youths in the Gay street area asking them if he was involved in any of the fires or looting during the riot.

"The police may want to be able to hold me in custody on the traffic charges," Mr. Lively said, while they try to complete a more serious case against him.

"It would make it easier to make the 'political' decision to charge me with some serious offense if I were already in jail," he said.

The warrants are all from the period between May and September, 1967. The first was issued May 23 and the last on September 23.

Address Change

Asked why he had not paid the tickets, Mr. Lively said he never received summonses. He said both his office and home addresses have changed during the last year.

He said the tickets must have been issued to people working with him in the Union For Jobs Or Income Now, a civil rights group. Although the cars in question were registered to Mr. Lively, he said he does not drive.

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QUICKER ACTION PLANNED ON RIOTS

More Police Will Respond Immediately, Mayor Says

In any future racial violence, police will move in faster, with more men, and start making arrests as soon as trouble starts, Mayor D'Alesandro said yesterday.

He said there will be a "terrific premium" on police intelligence work, and that officers will be deployed to potential trouble areas as soon as information becomes available, without waiting for the violence to increase.

"We can't have a few people arrest a lot of people," the Mayor continued, in reference to incidents during last month's disturbances when police found themselves outnumbered and could not make arrests until reinforcements arrived.

Advance Warning

"We want as much advance warning as possible," Mr. D'Alesandro said, so a heavy concentration of police can be made to make arrests.

The Mayor said he still advocates the policy of restraint adopted throughout the four days of burning and looting here, which has been heavily criticized by some persons who believe officials took the view that property was less valuable than the lives of vandals.

In a speech last night before the Baltimore Alumni Senate of the Delta Theta Phi law fraternity, Mayor D'Alesandro said, "Law and order must and will be upheld with as much force as necessary to carry this policy out."

On The Spot

Arrests must be made on the spot, and police must use every means to protect themselves, he said, adding that the fundamental problems the city faced during the disorders are still present.

"We faced them as best we could and with what I believe was courage and restraint," the Mayor said. "At times it is more important to withhold the application of force than to smash down with an iron fist."

While critics would prefer the use of the iron fist, Mr. D'Alesandro continued, the record of the Baltimore riots shows a minimum of bloodshed and more than 5,000 arrests, many of them of young men and women.

"I do not condone their acts," he said "but I would not want

See See F

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CALA FORMS CITIZEN UNIT

Post-Riot Group Set Up To Spur Law Enforcement

Vincent Cala, the chief inspector for the city Liquor Board from 1954 to 1959, has established an organization designed to put pressure on local legislators to "stop the criminal element from rioting, looting, raping, and murdering our law-abiding citizens."

Mr. Cala said that the organization, called the Citizens National League, was formed after the four-day riot in Baltimore in early April and has enlisted more than 1,000 local retail business men as members, including eight to ten Negroes.

Mr. Cala, who was active in Republican affairs in the early 1950's when he was president of the Frank Culotta Republican Club, said that the Citizens National League was non-partisan and, despite the apparent fears of some Negro business men, was not a "racist" or "radical" group.

The league will make its headquarters in a second-floor room directly above the Civic Center Tavern, in the first block South Howard street, which Mr. Cala said he has managed since 1959, when he left the Liquor Board job.

Mr. Cala said that the organi-

zation will urge city councilmen, State lawmakers and congressmen to "allow the laws of this country to again be enforced."

He said the group would not make specific proposals, how-

ever. "As to how to enforce them," he said, "we're not experts."

"We're interested in the business man operating without having any fear," he added. "This is not America any more."

The Sun F

5/13/68 p. A 11

Police To Seek Fund Approval For Riot Gear

By ROBERT A. ERLANDSON

The Police Department plans to ask the Board of Estimates today to approve orders for \$69,283 worth of riot-control equipment which was received on informal bids, without formal advertising procedures, because the commissioner has certified the existence of an emergency situation.

The largest single purchase, for \$38,434, was of riot helmets and face shields from the Mine Safety Appliances Company, of Towson.

According to a letter from George W. Warren, Jr., city purchasing agent, the informal bids were taken because "the police commissioner has certified to the director of finance that an emergency exists and that the equipment should be purchased in a minimum amount of time."

Last week, however, when it became known that the department had requested the materials, which also include tear gas grenades, shotguns and ammunition, megaphones and binoculars, a police spokesman said the items had been considered before last month's riots.

The tear gas is in a so-called mini-grenade. The department tested two types and settled on one called CS40 pyro-mix as the more effective.

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5-4-13

RIOT-LINKED TERM RAISED TWELVE-FOLD

Judge Sodaro Changes Columbia Student's Sentence To Year

By GEORGE J. HILTNER

A Columbia University student yesterday had his sentence increased twelve-fold when he appealed his riot-connected Municipal Court conviction to the Criminal Court.

Glenn L. Cook, 20, who had been given a 30-day jail sentence in Municipal Court for possession of Molotov cocktails last April 7 in Baltimore, was imprisoned for one year after a new trial before Judge Anselm Sodaro.

Criminal Court judges are not bound by the punishment imposed in Municipal Court when cases are appealed from the lower tribunal.

15 Others Drop Appeals

Judge Sodaro also increased the punishment on another man convicted of violating the curfew, possessing a deadly weapon and unlawfully possessing gasoline April 8, raising the prison term from three to five months and reimposing fines totaling \$100.

The defendant was John A. Davis, 28, of the 2600 block Oswego avenue.

Judge Sodaro's action in those two cases was followed by a rash of dismissals of the appeals by the defendants. A total of 15 appellants out of 35 scheduled for trial made a last-minute decision not to be tried by Judge Sodaro and to accept the Municipal Court convictions and punishment.

Cook, of the 1100 block North Ashburton street, was arrested in the vicinity of the 1000 block West Baltimore street after police spotted a companion openly carrying a Molotov cocktail.

Says He Found Devices

While being questioned, Cook surrendered a small improvised explosive device from under his coat and later another one fell to the ground, according to James B. Dudley, prosecutor.

The accused contended he and his friend found the devices, but had no intention of using them.

(Continued, Page C 9, Col. 4)

30-DAY TERM MADE A YEAR

Columbia Student Appealed Riot-Connected Conviction

By GEORGE J. HILTNER

(Continued from Page C 26)

He said he "got caught up in the action."

Cook said he was on leave of absence from the university at the time of his arrest and was working at a steel plant to earn money to return.

Davis was arrested in the vicinity of Howard and Lexington streets while operating an auto in which police found fourteen pints of whisky, a starter pistol, a grappling hook under the front seat and an uncovered half-full can of gasoline in the trunk.

Acquitted Of Looting

The man was acquitted of a looting charge because of the inability of the State to prove the source of the whisky. He had been fined \$50 on that charge in Municipal Court.

Davis contended he bought the whisky for \$10 and insisted the lid to the gasoline can was somewhere in his car. He testified that the grappling hook had been purchased by a friend and left in the auto.

The man testified the starter pistol was his, but did not work, and said he was unable to explain how it got into the auto. Questioned by Fred K. Grant, prosecutor, about being on the street in violation of the curfew, Davis contended he was en route to meet his wife at a bus station.

In another case, Judge Sodaro reversed a Municipal Court conviction of a 42-year-old father of five children, who had been imprisoned for six months for attempting to loot a liquor store at Caroline and Madison streets April 8.

Acting For Store Owner

The owner of the store, David Balachow, testified that Lawrence Bagby, of the 1400 block East Madison street, the accused, had been employed by him for about three years and that he had authorized him to go into the store and salvage whatever remained.

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FOOD, LIQUOR MAIN TARGETS OF RIOTERS

Police Analysis Shows Most Damage Was In West Of City

By ROBERT A. ERLANDSON

Grocery stores, package liquor stores and bars were the favorite targets of rioters during last month's violence, and the overwhelming majority were white-owned, according to an official Police Department analysis of the outbreak.

Although the riot erupted in East Baltimore, the report showed that most of the total damage occurred in West Baltimore.

The report said 5,512 adults and 51 juveniles, the vast proportion of them Negroes, were arrested during the riots, with 63.2 per cent picked up for curfew violations.

Thirteen persons, all Negroes and four of whom had been drinking, were arrested as arson suspects, the report said. All were Baltimoreans, it said, and none was armed or in vehicles. Three of the persons were released after investigation, one was jailed in lieu of a fine and nine were held for grand jury action.

The report, submitted confidentially to city officials by Donald D. Pomerleau, the police commissioner, indicated 1,049 businesses, plus 2 Baltimore Transit Company buses, were burned, looted or otherwise damaged during the civil disorders between April 5 and April 12.

84 P.C. White-Owned

Of the businesses, the report said 883, or 84 per cent, were owned by whites while 74, or 7 per cent, were Negro-owned.

The ownership of 16 businesses, representing 7.2 per cent of the total, was unknown, but the report said, "It must be assumed that a large portion of these

(Continued, Page C 14, Col. 6)

LIQUOR, FOOD MAIN TARGETS

Police Find Riot Damage Mostly In West Baltimore

By ROBERT A. ERLANDSON

(Continued from Page C 28)

establishments were owned by whites."

The breakdown said that 263 groceries, 25.1 per cent of the total, were damaged and 217 package stores and bars, representing 20.7 per cent of the total, were damaged.

The police report included statistical analyses not only of property damage and ownership but of arrests for the riot period.

High Crime Areas

It said most of the disturbances occurred in the Eastern, Central and Western police districts, in areas characterized by high crime incidence by normal reporting standards.

Approximately one third of the total damage reported was in the Western district, the report said, while the Eastern district contained about 21 per cent and the Central district 18 per cent.

There was some spill-over reported in the Northeastern, Northwestern and Southwestern districts, which received from 7.6 per cent to 11.4 per cent of the damage, while the Northern, Southern and Southeastern districts each sustained less than 1 per cent of the total damage reported to police.

The most frequently reported type of damage, the report noted, was looting, of which 723 incidents were reported. Next was malicious destruction with 256 reports and fires with 180 reports. The Western district had the most reports of all categories.

Ranking behind grocery stores and liquor outlets was a miscellaneous category of businesses which did not fit any of the listed groups but which accounted for 14.5 per cent of the damage with 152 reports.

Other specific types of businesses on which significant numbers of damage reports were received were drug stores, laundry and cleaning stores, clothing and department stores, restaurants and furniture-appliance stores.

40 Homes Damaged

The report listed 40 homes and 22 banks and loan companies as damaged.

Altogether, the report listed 1,154 complaints of damage to business establishments, which included multiple types of damage such as fire and looting to the same place.

The report was compiled by Franklin G. Ashburn, director of the Police Department's Planning and Research Division and was submitted to Commissioner Pomerleau April 26.

It broke statistics down by police districts and the days on which the various offenses occurred.

Curfew Violations

The document showed 5,069 Negroes (4,655 men; 414 women) and 443 whites (413 men; 30 women) were arrested during the week.

It showed 3,311 Negroes and 177 whites arrested for curfew violation, 342 Negroes and 49 white arrested for disorderly conduct, 910 Negroes and 45 whites arrested for larceny, and 493 Negroes and 172 whites arrested for other offenses.

The Sun

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Stopping Another Riot—I

Mayor, Police, Guard Look Ahead

This is the first of two articles about the city's anti-riot preparations.

By Thomas B. Edsall

Since the Easter week rioting here, the Mayor has taken a harder line, the police are beefing up their anti-riot personnel and the National Guard has scheduled weekend drills so that battalion-size forces are immediately available.

Mayor D'Alesandro, who before the riot cut off questions from the news media about tactics to be used during a riot, now answers the same questions with:

"Immediate mass arrests with a strong show of force."

Police Commissioner Donald D. Pomerleau claims "no changes are being made as a result of the riot," but in the same interview says that the district operational squads are being enlarged.

Tactical Units

These squads are essentially tactical units of sixteen to eighteen men trained in crowd control which have been sent in as complete units to high crime rate areas.

Maj. Gen. George M. Gelston is considering altering the two-week summer drill locations and dates for the guard so that they would be closer to the city.

During the week members of the Poor People's March on Washington traveled through the State, General Gelston had large numbers of men on duty all week long.

These changes of attitude and policy are part of a wide variety of changes that will be explored today and further in an article tomorrow.

Watching Weapon Search

General Gelston, Mayor D'Alesandro and Commissioner Pomerleau, are all closely watching the nation-wide search for the effective "intermediate weapon"—a weapon that can control crowds, but that will neither impede police activity or kill members of the crowd.



AT RIOT SCENE—Gen. George M. Gelston and Mayor D'Alesandro (above) tour a riot area Easter Week. Police Commissioner Donald Pomerleau is at right.

continues to be to arrest anyone committing a crime."

Commissioner Pomerleau said the department's shooting policy remains the

but their danger is that "these days, one person can start something."

The Mayor did not answer questions about the size of this group, although he did say all of them are under surveil-



he is checking into is a water truck equipped with high-pressure tanks.

Two Advantages

This would have the two advantages, he said: mobility and the fact that rioters would be unable to cut any hoses from hydrants.

The Mayor's immediate mass arrest policy represents a distinct change from the policy on the night of April 6, the first day of the riot.

That night, the police had arrested less than 200 persons by 11 P.M., more than 5 hours after the crowd at Belair Market went out of control.

The policy then appeared to be one of containment by the method of cordoning off areas of violence and sending in small police contingents to break up crowds.

Pomerleau Declines Comment

Although the Mayor says that the new policy is one of immediate arrests, Commissioner Pomerleau refused to comment on the Mayor's statement.

It was impossible to tell if Commissioner Pomerleau is going to back the Mayor up on this question because he would only say "you'll have to ask Mayor D'Alesandro about that" and "our policy

Among the crimes of violence that warrant shooting, Commissioner Pomerleau said, is arson.

Commissioner Pomerleau refused to discuss any of the police undercover work infiltrating civil rights organizations, although police are known to have men observing civil rights groups and regular reports are made on their activity.

But Mayor D'Alesandro thinks that effective undercover work lies elsewhere:

"There is an undercurrent of a hoodlum, criminal element that I don't believe will stop at anything to get their goals," he said.

Small Network

The Mayor said that he gets regular intelligence reports from the police and they indicate there is a small network of criminals who are neither revolutionaries or militants but rather simply after the goods obtained from looting during periods of disorder.

This group, Mr. D'Alesandro said, is made up of small cliques that hang out in bars. They do not have the support of the Negro community at large, he said,

groups were actively involved in the starting and continuation of the April riot, General Gelston thinks they "were involved," but not to the same extent.

General Gelston met with a group of men he described as "dope and numbers racketeers" on Pennsylvania avenue during the latter part of the riot, and they offered to help stop it.

He has maintained contact with them, he said, partly because they are in close contact with an important segment of the Negro community.

Have Power

Also, he said, when this group said they would help, they have "as much power as anybody (to back the offer up). They are known (in the community) and can apply a little more force."

Commissioner Pomerleau said shortly after the riot that he did not believe the riot was completely organized although there appeared to be "intentional stimulation" of the violence.

Since then, he said, the evidence indicates even less "stimulation" than he thought previously.

But, even though he thinks there was little planning or organized thinking behind the violence, he refuses to discuss details of police activity, because, in the

police can mobilize large forces of men and vehicles. They are usually within ten blocks of areas considered potential "hot spots."

The number of staging areas is unknown, but police said they are putting in telephone lines and other facilities to improve communications on them.

Another effort is buying more satellite repeater stations. These are essentially intermediate steps, electronically, between the patrolman on the street with a walkie-talkie and the central radio headquarters.

Boost Wattage

The repeater stations boost the wattage of incoming calls from the patrolman and then send them out at tenfold the power so that they can reach the main radio.

The districts themselves are being restructured as part of the over-all reorganization of the department so that the crime load will be more evenly distributed among the available manpower.

A consequence of this is that there will be more police in Negro areas, although Commissioner Pomerleau says this is not the reason for the change.

TOMORROW—Some disagreement between authorities.

Civil, Military Authorities Differ On Deployment Of Police, Guard

This is the second of two articles about the city's anti-riot preparations

By Thomas B. Edsall

Although the Mayor's office, police and National Guard have been continually reviewing and revising tactics to be used if the city has another riot, they all differ on some key questions.

These differences center on the use of manpower during a disorder, the power to arrest and what different roles the National Guard, Federal troops and police will play.

In interviews with Police Commissioner Donald D. Pomerleau, Maj. Gen. George M. Gelston and Mayor D'Alesandro, it was learned that the major disparity in tactics concerned the deployment of police and guardsmen.

Mayor D'Alesandro said guardsmen, Federal troops and police will be sent out in "combined personnel teams" of eight to ten men.

Smaller Groups

The advantages of this method are that eight to ten men are enough to control 50 rioters, the Mayor said, and the group is small enough so that there could be a great many of them spread over the city, effectively controlling a vast area.

This would also prevent the situation that occurred in the last riot in which police deployed in small numbers would be forced by their lack of manpower to simply look on as a store was looted.

But General Gelston said that, to his knowledge, this is not how his guardsmen will be deployed and, in fact, he dislikes the idea.

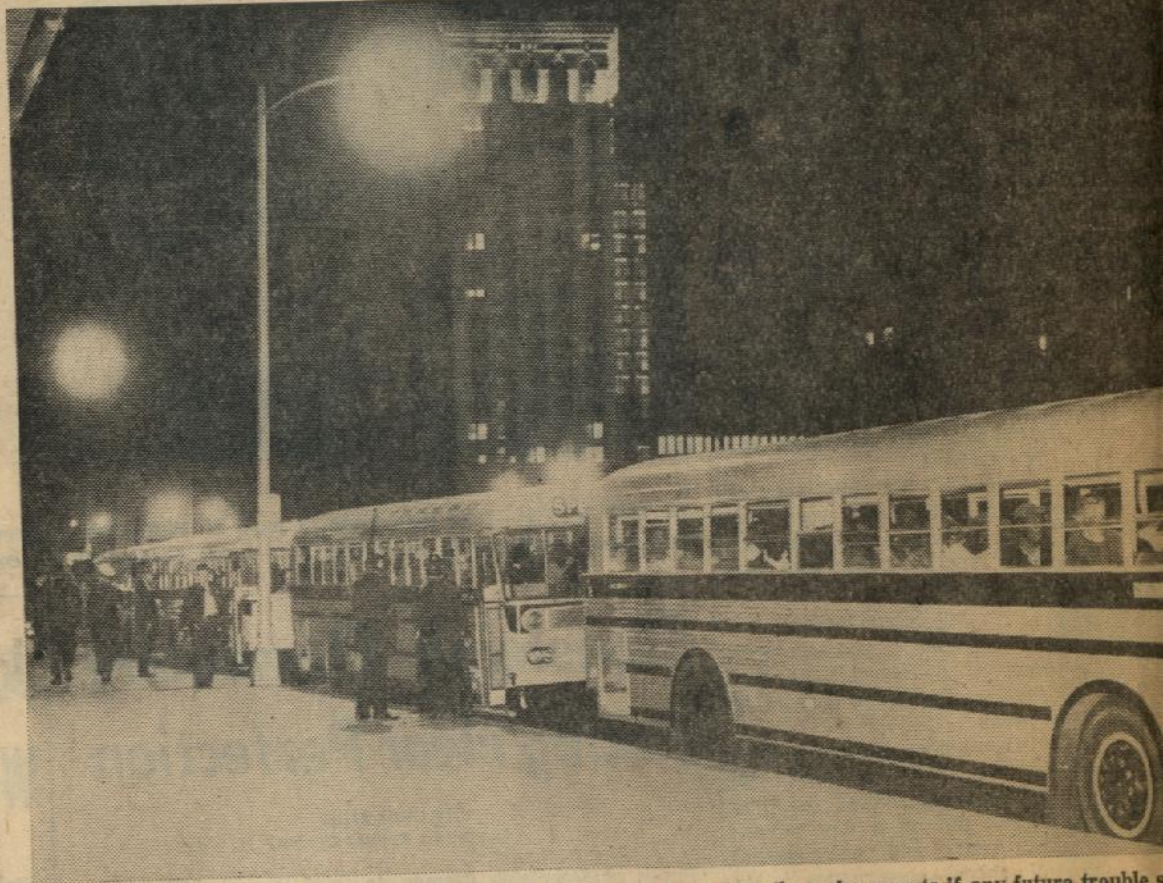
Instead, he said, the guardsmen will be assigned in units both to the district police stations and in roving patrols.

Roving Patrols

When a policeman in the field sees a large group starting to loot a store, he will immediately radio a message to headquarters and either a roving patrol will be immediately dispatched or a unit from a district station.

The problem with combined personnel units, General Gelston continued, is that one person would have to command it thereby breaking up the normal chain of command within the police and within the guard and troops.

General Gelston's description of future procedures was essentially the same as



PRISONERS—Busloads of curfew violators had to be taken to the Civic Center for detention after the last riots. Who will primarily make arrests if any future trouble is the subject of some disagreement now among

was used in the Easter week violence and Commissioner Pomerleau described future and past practices in an almost identical manner.

Gen. William H. Hard, operations officer for United States General Robert York, who commanded the operation here after it was Federalized, said that a problem with the combined units described by the Mayor is that unless there is martial law, Federal troops cannot command civilian police forces.

Support Role

"Our role is to support and assist them (the police) to regain control of the area where they were before we came and where they will have to be when we leave," General Hard said.

Troops would work together with police on a "cooperative command basis," General Hard said, but it would only be

for the time it takes to regain control in a specific area of violence.

The second major area of difference between officials concerned the power to arrest.

Mayor D'Alesandro said that at the beginning of the last riot, "there was obviously a misunderstanding between the law enforcement personnel about who can make arrests. We now know that everyone can make arrests."

This is apparently true during the initial stages of a disorder when it is first the responsibility of the police and then the National Guard when the Governor declares an emergency.

But, both General Gelston and General Hard say that when the troops are Federalized, they lose the power to make arrests.

Asked about the power of Federal

troops to make arrests

Pomerleau said "as far as I did (during last month)

But General Hard said not have arrest power. people and hold them for

No Involvement

General Gelston said his men have the power the guard is under State not want his men to be involved in the exercise of

"The courts would like to arrest people, but all (and follow up) requirements would decimate our much," General Gelston

The role of the guard the streets, stopping not to make arrests a in court as prosecution

Civil, Military Authorities Differ On Deployment Of Police, Guard

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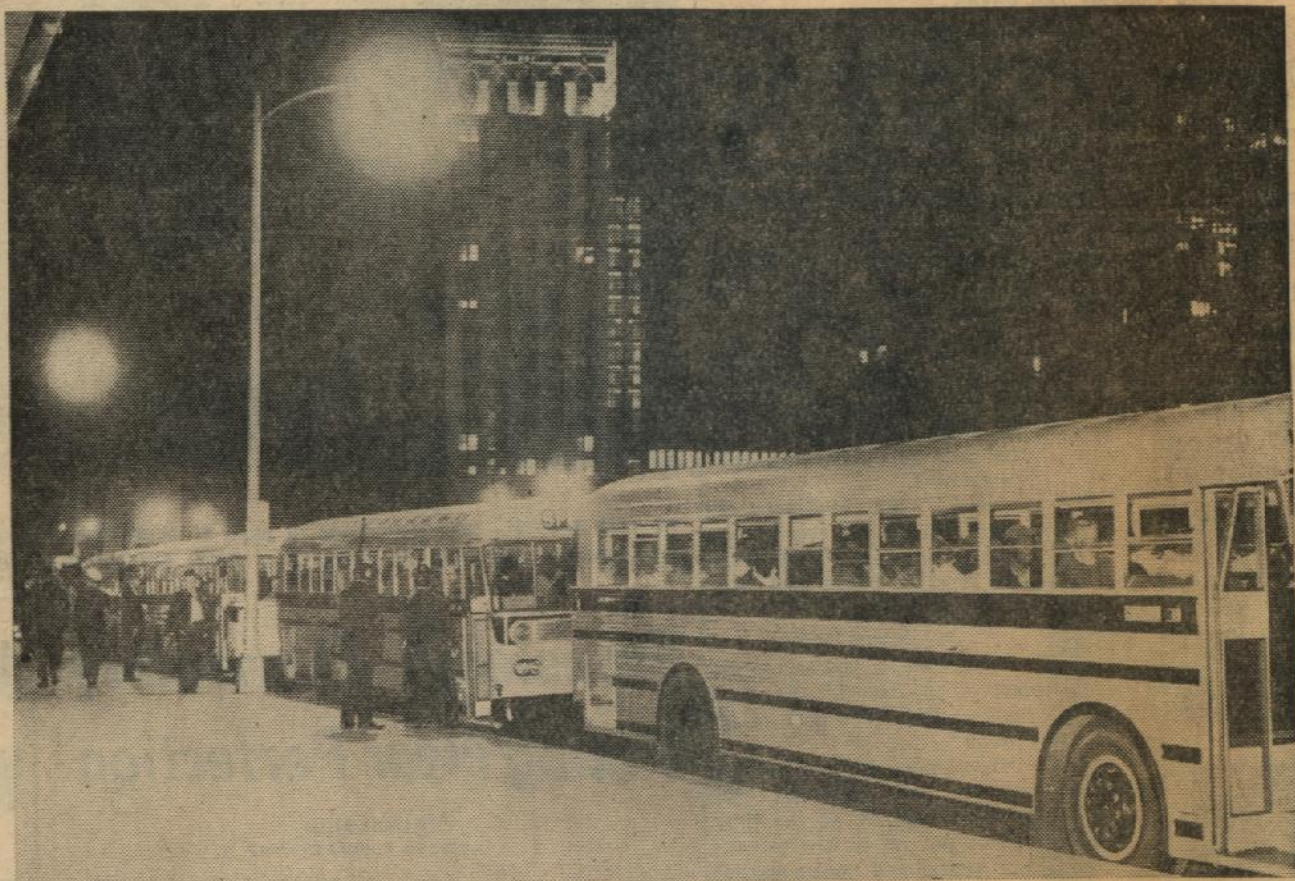
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Asked about the power of Federal

troops to make arrests, Commissioner Pomerleau said "as far as I know they did (during last month's riot).

But General Hard said "the troops do not have arrest power. They can detain people and hold them for the police."

No Involvement

General Gelston said that even though his men have the power to arrest while the guard is under State control, he does not want his men to have to get involved in the exercise of the power.

"The courts would like us to formally arrest people, but all the paper work (and follow up) required by an arrest would decimate our manpower too much," General Gelston said.

The role of the guard is to be out on the streets, stopping violence, he said, not to make arrests and later appearing in court as prosecution witnesses.

Mayor's Riot-Justice Panel Lists 67 Recommendations

By ROBERT A. ERLANDSON
(Continued from Page C 24)

a scavenger. Conviction would carry a penalty of \$500 fine, six months imprisonment or both.

Procedures for booking and disposing of prisoners virtually integrated as the number of arrests rose into the thousands. Sixteen of the recommendations dealt with that subject.

Booking Procedure

The recommendations included a simplified and decentralized booking procedure for minor offenses, although the committee recommended that the complete routine be followed in serious crimes such as arson and burglary.

The committee, which included representatives of State and local legal agencies and bar associations as well as legislators, assisted by volunteers from top law firms, suggested an abbreviated arrest form in order to reduce to a minimum the time policemen must spend off the streets.

The curfew, while conceded to be one of the greatest weapons during the disorders, produced various problems, the report said, many of them created because Governor Agnew's proclamation stipulated no exceptions and discretion was left to officials on the scene.

The committee also noted that judges took varying views on the seriousness of curfew violations, and imposed sentences according to their beliefs.

Curfew Punishment

The report challenged the authority of municipal courts to try curfew violators and recommended that State legislation give them concurrent jurisdiction with the Supreme Bench and that uniform punishment be provided for that crime.

The committee said the offense of curfew violation should be isolated from other crimes to prevent its use as a vehicle for sentencing for more serious but uncharged and unprovable crimes. That is one aim of the bill introduced last night.

It also recommended that minor offenders be charged at booking command posts and transported to a central detention center.

Rumor Control Body

Such centers, possibly at Memorial Stadium and the Civic Center, would be under an emergency operations center for the administration of justice.

The committee said should be created to coordinate and direct all public and private agencies "whose mission touches on the judicial process during emer-

some did allege police used excessive force in some cases.

The committee said it has sent these to the Police Complaint Evaluation Board for action.

The committees' 87-page report was divided into eight chapters according to areas of judicial administration examined by the subcommittees. They were: arrest and booking procedures; review of curfew; interim detention and transportation of prisoners; pre-trial release; trials; sentencing and post-sentencing procedures; flow of court papers, and providing counsel central coordination and public information.

It recommended that Mayor D'Alesandro appoint an individual responsible for implementing the recommendations. The Mayor said he "leaned toward" Mr. Russell, a former Supreme Bench judge, as that person. Herbert J. Bolgard, an assistant city solicitor, acted as executive director of the committee.

The report questioned both the practical and constitutional repercussions of requiring bail for curfew violators. Under the emergency situation, it said, the requirement for bail exerted pressure on defendants to choose summary trial by stipulation of circumstances of the case rather than wait in jail.

The report recommended a special procedure for persons arrested as curfew violators: overnight detention and release on a summons for later trial unless they choose immediate trial.

Assembly Proposal

The General Assembly should enact a law to expunge the record of a simple curfew violator after two years, it said, in order to recognize the distinction between that offense and a more serious one such as scavenging.

A shortage of defense lawyers became immediately evident during the disorders. The committee said the Legal Aid Bureau should have responsibility for central coordination of manpower and should designate a defense counsel coordinator to insure the maximum number of attorneys are available.

The resources of the entire organized bar should be used to compile rosters of volunteer defense attorneys, it said, and they should work closely with the American Civil Liberties Union, whose members are generally skilled in defense of criminal cases.

The bureau should also undertake to train volunteer attorneys in problems in criminal

RIOT-JUSTICE PANEL LISTS 67 PROPOSALS

D'Alesandro Submits 'Anti-Looting' Bill As A First Step

By ROBERT A. ERLANDSON

Mayor D'Alesandro's special committee on riot justice submitted a detailed report yesterday containing 67 recommendations for strengthening the judicial system under emergency conditions.

In the view of George L. Russell, Jr., the city solicitor, who headed the group, justice did not "break down" during the April riots.

But sufficient "pitfalls" developed to make it clear that the city was judicially unprepared to meet the emergency.

One of the most severe problem areas was that involving persons arrested with obviously stolen goods, but where there was no way of proving the loot's origin or ownership.

In such cases, the report noted, prosecutors charged defendants with curfew violations, but judges imposed sentences equivalent to those imposed in theft cases when police testified more was involved than simple curfew-breaking.

Scavenger Bill

As a first step forward in implementation of the committee's report, the Mayor had an "anti-looting" or "scavenging" bill introduced in the City Council last night. The bill is designed to cope with persons arrested in stores that have been closed by emergency or who are in an emergency area with goods for which they cannot account.

In such cases, the bill provides that the possession and circumstances would be presumptive evidence of theft and the person would be considered

(Continued, Page C 14, Col. 4)

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the committee said should be created to coordinate and direct all public and private agencies "whose mission touches on the judicial process during emergency conditions."

It recommended that such a coordinated plan should become part of the over-all city civil emergency plan.

Also as part of the plan, the committee suggested that the Mayor immediately establish a rumor control bureau to assist news media and the public in verifying the accuracy of stories spread during disorders.

Central Data Source

Along with the central detention centers the committee recommended establishment of a central data bank to enable the emergency operations center and private individuals to learn the location and status of persons confined during the disorders.

Inability to locate friends or family during the mass arrests was one of the greatest complaints voiced about the administration of justice during the riots. The committee recognized, however, that many defendants created their own problems by giving police false names and information when they were booked.

The report said none of those defendants who were interviewed by the committee complained of police brutality, but

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Investigating Commission Offers Recommendations To Abort Re-Occurance Of Civil Disorders

By DON WALLS

Once again the Maryland Crime Investigating Commission has shown its analytical efficiency in a recent report on the social disturbances which molested local businesses and damaged and/or destroyed properties in many Baltimore communities. The commission has made every effort to avoid criticism of personalities without shying from its critical survey of practices and procedures, especially where it has felt constructive changes must be made.

Epic Proportions

April 6 is a day that will long be remembered by every localite as the beginning of a four night-three day crises that reached epic proportions. A time that saw six people die, more than 700 others injured, over 1,000 businesses looted or destroyed, 5,500 persons arrested, and insurance agencies made pay some \$12,000,000 to meet 1,600 claims from riot victims. Aside from these startling revelations there have been some 70 suits filed in Superior Court asking more than \$5 million in damages from Baltimore City for failure to provide proper protection. The Commission's report estimates direct cost to the City government because of the disturbance to more than \$800,000 which in effect will cause a tax increase of 2 or 3 cents in the next fiscal year. About 80 per cent. of the bill stems from overtime charges.

Damaged Areas

It is reported that the area of damage, looting and destruction was generally bounded by Patterson Park avenue on the east, West Belvedere avenue and Thirty-third street on the north, Hilton street and Hilton road on the west and Pratt street and Washington Boulevard on the south. Cherry Hill, a community of 40,000 negroes, did not have a single window broken, nor a single looting, the report states.

The report cites a two-pronged problem with regards to poor conditions which breed civil disorders. The disorders, because of the lack of diligent work among the black and white citizens of the community, include ignorance, apathy and more discrimination than is honestly admitted by either races. Because of this discrimination results of poor opportunity toward employment are evident.

Background Of Disorder

Citing the background of disorder, the report stated findings that bring certain conclusions for consideration. They are:

"Social and economic conditions in the looted areas constituted a clear pattern of severe disadvantage for Negroes compared with whites. There is no evidence to contradict the National Advisory Commission on Civil Disorders' Report that the looter had completed only a few years of education.

Very few had attended high school. As compared to the white community, more citizens in the disturbed areas were likely to be unemployed and if employed, were three times as likely to be in unskilled and service jobs. They average only 70% of the income earned by whites and are more than twice as likely to be living in poverty. Although housing costs the Negroes relatively more, they actually have worse housing and are three times as likely to be overcrowded and substandard. When compared to white suburbs, the relative disadvantages are even more pronounced."

Suggestions Offered

The report notes the expectancy of a disturbance reoccurrence by August of this year. In line with the President's Riot Report, the Maryland Crime Investigating Commission recommends the following:

- Assign seasoned, well-trained policemen and supervisory officers to patrol the ghetto areas, and to respond quickly to disturbances.
- Develop plans which will quickly muster maximum police manpower and highly-qualified senior commanders at the outbreak of disorders.
- Provide special training in the prevention of disorders and pre-

pare police for riot control and for operation in units, with adequate command and control and field communications for proper discipline and effectiveness.

- Develop guide lines governing the use of control equipment and provide effective alternatives to the use of lethal weapons.
- Establish an intelligence system to provide police and other public officials with reliable information that may help to prevent the outbreak of a disorder and to institute effective control procedures in the event a riot erupts.

Resident Contracts

- Develop continuing contacts with ghetto residents to make use of the forces for order which exist within those communities.
- Establish machinery for neutralizing rumors and enabling Negro leaders and residents to obtain the facts. Create special rumor details to collect, evaluate, and dispel rumors that may lead to a civil disorder.
- That more adequate police protection be provided to the ghetto residents to eliminate their high sense of insecurity and the belief of many Negro citizens in the existence of a dual standard of law enforcement.
- Better educate the citizen in the ghetto of the procedure for bringing grievances against the police and other municipal employees.

Better Programs

- Develop and use better programs to insure widespread community support for law enforcement.
- Recruit more Negroes into the regular police force and continue to review promotion policies to insure fair promotion for Negro officers.
- Recruit more of the ghetto youth into the Baltimore City Police Cadet program. These junior officers could perform duties in the ghetto neighborhoods but would not have full police authority.

FRIDAY:

"Baltimore Unprepared"

The Daily Record

6/12/68 p1

Local news

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City Police Can't Cope With Riots: Pomerleau

ANNAPOLIS, June 13—(AP). Baltimore Police Commissioner Donald D. Pomerleau told a legislative Council committee yesterday the city police force "cannot cope with a riot."
Pomerleau said that whenever disorders of the magnitude of the

city's April rioting breaks out, "it must become the responsibility of the military to cope with it."

"We have everything we need to take care of any proper police action," the commissioner testified before the council's Judiciary Committee, which is making a

study of what the Legislature needs to do in the area of civil disorders.

THE POLICE FORCE, even if it is brought up to its full authorized strength of 3,333 men, he said, isn't large enough to deal with rioting.

The commissioner expressed doubts that any police department in the nation, "with the possible exception of New York City's 32,000-man force," can control rioting.

Pomerleau, State Police Commander Robert J. Lally and Maj. Gen. George M. Gelston, state adjutant general, told the committee that riot control legislation enacted by the 1968 General Assembly has given the state effective weapons to deal with civil disorders.

Pomerleau described it as "entirely adequate. I see no need for any additional legislation."

Lally suggested some minor changes to clear up the intent of the law.

GELSTON ALSO suggested some possible legislation, including a measure which would require stores to keep guns in an inoperable state until they are sold. He said this would prohibit rioters from using guns stolen during looting forays.

The state National Guard commander urged the committee to look into the financial problems faced by Guardsmen who get only \$10 a day when called to active duty.

"It's pretty tough on the troops," he said, in suggesting that private employers be required or encouraged to make up the difference in pay.

Gelston and Pomerleau both defended the sparing use of guns by police and military personnel during the Baltimore riots.

"THE USE of weapons has not been effective, Gelston said. "Detroit is the prime example."

He said looting and burning reached much higher levels than in Baltimore, despite the fact that police and guard troops fired more than 200,000 rounds in Detroit.

"Police and Guardsmen were firing at each other, fighting pitched battles with each other," Gelston said.

He reminded the committee that a shot from an M-1 rifle "can kill people blocks away who are not participating."

Gelston said the Guard in Maryland "has been involved in five anti-riot campaigns. We have yet to fire a shot."

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5-6-8

Confused Coordination And Officials Looking Aside Responsible For Unprepared Local Riot Control

By DON WALLS

(Second of Four Part Series)

According to the Maryland Crime Investigating Commission's report on the civil disturbances last April Baltimore was unprepared because the city officials did not believe there was any imminent trouble. Governor Agnew had proposed a curfew for 6 P. M. on April 6, but city officials looked the other way. The report questions "What magic was supposed to prevent the disorders in Baltimore while such disorders were raging as close at 40 miles away?" The burned-out businessman supports the same question with tears of frustration and contempt in his eyes.

Shortage Of Guns

The report gives slight criticism to the shortage of riot helmets and guns stating that there was no additional ammunition for service revolvers, and each officer had been issued only twelve rounds. It further points a finger at other factors: There was a lack of organization in issuing riot equipment to the men; plainclothesmen carried riot guns in cars while uniformed officers, working the worst sections, were unable to obtain any special weapons; although regulations weapons were ordered for use, members of the force at Central carried non-regulation firearms. The report makes emphasis toward policemen who "deserve the most modern equipment and top backing from his superiors."

Officers Short Changed

There were a number of officers, according to the report, that felt they had been "short changed".

The report pays honor to the Army, which was responsible for finally bringing the mob under control. The report states: The police, trained to work singly or in pairs, discovered that they were neither psychologically prepared nor physically equipped to function as a semi-military unit, which is what riot control demands. They lacked the command structure, the weapons, the knowledge of mass formation tactics which can disperse or contain an unruly mob. The guard units, on the other hand, were heavily armed for warfare.

Lack Of Intelligence

The report, in analysing what Baltimore went through, has cited a "lack of intelligence about the enemy's plan" as responsible for most of the confusion. Because of previous unreadiness to fight a war in the streets. Guard units throughout the U. S., under direct order from the President, have launched a program to combat civil disorders. Following the pattern of the Army, troubled cities across the nation are:

- Sending police undercover men into the ghettos to look, listen, and to gather information on what the militant leaders are saying with special efforts being made to track down the sources of the wild rumors that often incite riots.
- Stockpiling arms, ammunition, and tear gas, and spending

huge sums on body armor and helmets needed to protect police officers attempting to control an unruly mob.

- Training men in the tactics the military uses to put down civil disorders—the mass formations of armed men that can disperse or contain a mob, and the special techniques of killing or capturing a sniper without unduly endangering the innocent. Believed important also is passing new ordinances giving mayors greater powers to set curfew hours; to seal off certain sections of the city from all traffic; to close up businesses selling guns and ammunition, liquor or gasoline in areas threatened by a riot.

Kept Informed

- Keeping the department of justice informed of the mood and temper of their minorities by reporting every morning to a special riot control room in Washington where phones and teletypes are manned 24 hours a day. A computer attempts to digest all this information with a view to predicting riots before they start.
- Holding command post exercises with their allies, the state police and the National Guard, meshing their communications nets, assigning areas of responsibility and setting up the chain of command that will take over when these forces come in to back up the local police.

Providing the department of the Army with details of their battle plan. The Army in turn is coordinating its plan with those of the city, and stockpiling riot control equipment at strategic depots from which it can be airlifted to any threatened city. And the National Guard is tying in its plans with those of the Army, the state police and the city governments.

The report recommends that Maryland authorities respond in similar fashion. The Commission does not propose that human life should be taken in defense of property, but if the rioter(s) menaces the lives of others then "shooting him is justified". The report continues.

Controversial Device

"This does not mean that non-lethal devices tested for crowd control, should not be used as quickly as possible in other cases. An early promising, but now controversial, device is an innocent-looking black squirt can, about the size of a can of shaving cream, which propels a stream of super tear-gas for a distance of 20 feet. Sold under the trade name Chemical Mace, it contains an ingredient that, when sprayed on human skin, sets up a chemical reaction affecting the nerve ends. The person hit in the face by Mace goes down instantly, gasping, choking, his eyes, nose and throat burning as if on fire. Mace is not available to private citizens, but some 3,000 local state and Federal law enforcement agencies were using it. Some discontinued its use because of possible permanent after-effects. Policemen have nicknamed this chemical "instant apathy". For half an hour, the individual sprayed is as helpless as a newborn baby."

Instant Banana Peel

"Many of the other non-lethal devices tested for crowd control sound as if they might have been a product of one of the more imaginative television series. A substance called Rio Trol, nicknamed 'instant banana peel', when sprinkled on the sidewalk in powder form and then wetted down, makes the surface so slippery that a rioter (or a policeman) cannot run, walk, or even stand on it. A noise-making device called a Curdler utters a sound of such brain-numbing intensity that the thought processes of all who hear it are disrupted. Sticky nets that may be fired over the heads of the

(Continued on Page 4)

Daily Record
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Baltimore Riot: \$14 Million Loss
The Washington Post, Times Herald (1959-1973); Jun 17, 1968; ProQuest Historical Newspapers The Washington Post (1
pg. B3

Baltimore Riot: \$14 Million Loss

BALTIMORE, June 16 (AP) Losses suffered in Baltimore during the April rioting topped \$14 million, the Maryland Insurance Department announced yesterday.

Newton I. Steers, State insurance commissioner, said his Department made the survey as part of a riot recovery assistance program urged by Gov. Spiro T. Agnew.

Steers said insured losses of \$11.6 million were suffered by 1508 persons or firms. The uninsured loss, he said, was at best a "guesstimate." The total was about \$650,000 higher than preliminary loss figures issued a month ago, Steers said, with all of the increase in the insured category.

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Suburb and State

The Washington Post, Times Herald (1959-1973); Jun 19, 1968; ProQuest Historical Newspapers The Washington Post (1877 - 1991)
pg. B12

Suburb and State

Aide Refuses Higher Rate for Fire, Riot Insurance

State Insurance Commissioner Newton I. Steers has refused to permit insurance companies to charge Marylanders higher rates for fire and riot coverage.

The Commissioner indicated to the Maryland Fire Underwriters Rating Bureau that his decision is not final and that he will reconsider the matter if the Bureau asks him to do so.

Steers was required by State law to make a decision Monday in regard to the request for higher rates filed by the Bureau, which represents 263 companies. That request came before fire insurers sustained losses estimated at \$11 million in the Baltimore riots.

The commissioner also

has action pending to try to halt the cancellation of policies in Baltimore's riot area and he said he wanted to clear up the cancellation question before acting finally on the rate increase request.

Bar to Choose

Four names were placed before the Fairfax Bar Association yesterday to fill the vacancy created by the resignation of Fairfax Circuit Court Judge John C. Testerman, who stepped down June 1.

They are Henry C. Mackall, past president of the bar association; Fairfax lawyer Edward D. Gasson; Robert Hurst, a substitute County

Court judge, and Martin E. Morris, a County Court judge.

On Friday, the association will choose one of the four as its nominee to fill the judgeship post. The Governor makes the actual appointment, but usually accepts the Bar's recommendation.

Airport Suit

The dismissal of a taxpayer's suit, which seeks to block the sale of Friendship International Airport to Maryland, was recommended to the Circuit Court on Monday by Harry Sachs, general equity master.

The recommendation will become final unless it is challenged by the complain-

ant, Samuel D. Shapiro, an insurance agent who seeks the Republican nomination to Congress in the 7th District.

In his suit, Shapiro opposed the sale of the airport by the city for \$27.5 million, contending the land and improvements were now worth as much as \$75 million. The suit alleged no offer was solicited from other private or governmental purchasers.

Suspect Bonded

A College Park woman charged with murder in the shooting of her husband Saturday night has been released under \$5000 personal bond pending a preliminary hearing.

Prince George's Circuit

Court Judge Roscoe H. Parker released Virginia Etheridge, of 7305 Radcliffe dr. and scheduled a hearing next Tuesday.

Her husband, Lee R. Etheridge, 43, died after he was shot once in the chest with a .22 pistol. He was a NASA engineer.

Wattay on Riots

Paul F. Wattay, 37, an Adelphi corporation lawyer who is seeking the Republican nomination for U.S. Senator from Maryland, says law enforcement authorities must be instructed to "take prompt and vigorous action to quell" civil disturbance.

In a five-page position paper entitled "Riots—USA", Wattay said that the

"longer. . . violence remains unchecked, the more dangerous and difficult (the) application of decisive force becomes."

Welfare View

Virginia State Sen. Charles R. Fenwick (D-Arlington), called yesterday for an "individual" approach to welfare assistance, saying it would be more effective than mass demonstrations like the Poor People's Campaign in combatting poverty.

Efforts should be directed at training welfare recipients to become self-supporting if possible, Fenwick said in Richmond, echoing recommendations of a State welfare study commission that he heads.

From staff reports and news dispatches

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GOOD EFFECT OF RIOT CITED

Moylan Says Gun Restraint Aided Race Relations

Charles E. Moylan, Jr., State's attorney for Baltimore, said last night the city emerged from the April riots with better race relations than it had before the disorder.

He said this would not have happened if there had not been restraint in the use of firearms.

"The restraint that was exercised," he declared in a speech, "did spare us the holocaust, the civil war, that I think Newark and Detroit brought upon themselves."

A "Pandora's Box"

Mr. Moylan argued that if the city had unlocked a "pandora's box" by allowing troops stationed here to use the 11,000 M-1 rifles available to them, "a civil war" would have resulted, "possibly the scars of which would not have healed for the next 50 years."

Speaking at the annual dinner of the obstetric-gynecology department of Sinai Hospital, Mr. Moylan said most critics of the way the riots were handled were not on the streets during the disorder. These critics, who were not identified by Mr. Moylan, have been "grabbing headlines," he charged.

Mr. Moylan contended that there is no such thing as a "good way" of handling a riot. What cities have available to them is the choice of a lesser of evils, he said.

Relatively Lucky

Calling Baltimore relatively lucky because it came off with less devastation than most riot-torn cities, Mr. Moylan told his audience at 3900 North Charles street: "The area in which we are luckiest of all is in human relations, the area of race relations."

He described it as "heart-warming" during the riots to

see Negroes among the police and Federal troops. He particularly praised Negro leaders who went into the streets in efforts to halt the disorders.

Mr. Moylan emphasized that the riots here were not a racial conflict between the 55 per cent of the population that is white and the 45 per cent that is Negro. He said it was, instead, the fraction of 1 per cent who rioted against the 99 per cent of both blacks and whites who did not riot.

But, he argued, if guns had been used to fight the rioters, the result would have been black against white.

Mr. Moylan also spoke against coming up with plans that are to fixed to control a

riot. He argued flexible methods because "every riot has an absolute distinct personality of its own."

He said it was Baltimore's flexibility that helped it to avoid the mistakes of other cities.

Mr. Moylan, who was actually scheduled to speak on "Crime in Baltimore," last night, said he threw away the script on reading the reports of the arrests of the participants in the Poor People's Campaign in Washington.

He said that either by design or from spontaneous reaction, when Washington "blows" the same thing is likely to occur in Baltimore within 48 hours.

However, there was no way to predict a riot, he added.

The Sun

6/26/68 J. A. B

Agnew Orders Guard Units On 'Alert' For Long Holiday

By GENE OISHI

(Annapolis Bureau of The Sun)

Annapolis, July 3 — Saying he has received "persistent reports of possible trouble," Governor Agnew ordered today certain National Guard units to be "in a high state of readiness" over the Fourth of July weekend.

Hopes For "Happy Holiday"

Mr. Agnew said he sent his directive to Maj. Gen. George M. Gelston, the State adjutant general, and added:

"I have notified General Gels-

ton and other law enforcement officials to act quickly and firmly to put down any disorder.

"I sincerely hope that Marylanders will have a happy and safe holiday, but we will be ready to meet any situation that might develop."

The Governor declined to elaborate on his prepared statement, but, in Baltimore, General Gelston said Guard units will

(Continued, Page B 13, Col. 1)

Governor Calls Guard To 'Alert'

By GENE OISHI

(Continued from Page B 20)

probably be placed on "house alert," which means that guardsmen will have to stick close to their homes.

General Gelston, however, added that law enforcement officials have found "no basis or foundation" to reports that riots are planned for the Fourth of July in Baltimore as well as in other large cities in the country.

A spokesman for the Baltimore Police Department said the city force was also on alert and off-duty personnel will be on call during the holiday weekend.

Lt. Col. Frank J. Battaglia, chief of patrol of the city Police Department, said "several hundred" additional men were placed on duty beginning today.

But Colonel Battaglia said, "At this time there is nothing to authenticate any of the rumors [of a possible riot]."

At the Pikesville headquarters of the State Police, Col. Robert J. Lally, the superintendent, said State troopers in the metropolitan Baltimore area have been alerted and that off-duty troopers were placed on a standby basis.

He said additional troopers will be on duty, but he noted that additional personnel was always called up during holiday weekends to handle the heavy flow of traffic.

The Sun E*

7/4/68 p. B20

Gelston Denies Weapons Curb In Riot Duty

By W. H. Burnett

Maj. Gen. George M. Gelston, commander of the Maryland National Guard, has branded as "just not true" a statement that soldiers on riot duty in Baltimore were under orders not to use their weapons "even as clubs to protect themselves or stop looting."

The statement was attributed to a friend of the Maryland commander, Maj. Gen. Archibald A. Sproul, last commander of the 29th Infantry Division. General Sproul said last week he had resigned his commission because of such orders.

General Sproul said the riots in Baltimore and Washington "were lawlessness under the protection of police, Army and National Guard and I will have no part of protecting lawlessness."

Denial Voiced

General Gelston said Guardsmen on riot duty in Maryland have had at least sixteen rounds of ammunition with them since 1963 and have not been told they cannot use their rifles as clubs.

"We have had five riot campaigns in Maryland without a shot being fired by the National Guard," General Gelston said. "And our disturbances have all been less violent than Detroit's, when 200,000 rounds were fired, in some cases with law-enforcers shooting at other law-enforcers."

Detroit's disturbances, the general pointed out, left 43 persons dead and devastated more than 10 square miles of the inner city.

Only An Instant

Guardsmen who patrolled the streets of Baltimore, Cambridge and Salisbury carried unloaded rifles, he said, but they had ammunition close at hand at all times.

"It would only have taken an instant to load if there was any

[Continued, Page C 18, Col. 4]

Gelston Denies Riot Charge

[Continued From Page C 26]

necessity for it," General Gelston said. "What we were mainly worried about was some shot being fired accidentally and precipitating more trouble than we already had."

The Maryland commander said he was "startled" by the charge of General Sproul, 53, a veteran of 28 years in the National Guard, who started as a private.

The division he finally headed, known as the "Blue and Gray" of Maryland and Virginia, landed on the Normandy beaches during World War II and was deactivated early this year.

Were Classmates

General Gelston and General Sproul were classmates at the Command and General Staff School.

After retirement ceremonies last month, General Sproul told a civic club meeting in Harrisonburg, Va., that he felt so strongly about riot orders issued from Washington that he handed in his resignation.

"General Sproul had no experience whatever with riots, as far as I know," General Gelston said. "I understand the reason he gave for his retirement was 'business incompatibility.'"

*Evening Sun 55**
7/8/68
p. C 26

Baltimore Riot Suits Are Upheld

BALTIMORE, July 18 (AP) —The City of Baltimore can be sued for damages resulting from riots last April, Judge Albert L. Sklar ruled in Superior Court Wednesday.

About 200 suits are expected to be filed by insurance companies for claims they have paid. Nearly 100 damage suits seeking more than \$5 million have been filed against Baltimore by merchants and property owners.

The suits against Baltimore allege the City failed to use diligence and the powers entrusted to it to prevent or suppress the uprisings.

"This court cannot hold that the City, as a matter of law, did not have the ability of themselves or with its own citizens to have prevented damages claimed by the plaintiffs," Judge Sklar said.

The 10-page opinion said "it is not the intention of this court to speculate what the City could have done or to judge the sufficiency of what was done by the city.

The City's defense was that it enjoyed governmental immunity from suit.

The City cannot appeal the ruling on governmental immunity until after a case has been completely tried.

Sklar noted that the Court of Appeals ruled in 1862 that the city was liable for injury to property during riots.

City attorneys contended a 1966 police omnibus bill made the article inapplicable because the new bill made the City police department a State agency.

Sklar said suits resulting from riots in 1862 were upheld then when police were under State control.

Keys: Sklar
1862 ruling

RIOTS CAUSE POLICE DRAIN, LALLY SAYS

Troopers Entitled To Extra Pay Or Days Off, Burch Says

By GENE OISHI

The superintendent of the Maryland State Police said yesterday that civil disorders in the State were causing a serious fiscal and manpower problem in his department.

Col. Robert J. Lally, the superintendent, received yesterday an opinion from the State attorney general, which said the State Police had the option of compensating their men for overtime work either with extra pay or with extra time off.

Colonel Lally said the opinion was just what he had hoped for, but the question was now moot because it now turns out that department does not have the money to provide overtime pay.

Time Off

Thus, the large amount of overtime accumulated by State Police troopers during the disorders in Baltimore and in Salisbury will have to be compensated with extra time off, which could cause a serious manpower problem.

Colonel Lally said that at the time he asked for an opinion from the attorney general he had hoped his department would have a budget surplus with which to pay for overtime work.

As the department closed out its books for fiscal 1968, which ended June 30, this surplus did not materialize, the superintendent said.

10 Days' Average

During the past fiscal year, Colonel Lally said, his men in the trooper and trooper first class ranks averaged about ten days of overtime each. This would total about \$200,000 in overtime pay.

If the overtime pay was extended to corporals, sergeants and higher ranking officers, the superintendent said, the overtime pay could total more than \$1,000,000.

In previous years, he said, riot duty was limited to disorders in Cambridge, which involved minimal overtime compensation compared to the April riot in Baltimore.

If the wave of civil disorders continues, Colonel Lally said, his department will continue to have fiscal and manpower prob-

(Continued, Page C 6, Col. 1)

Lally Says Riots Tax Manpower

By GENE OISHI

(Continued from Page C 22)

lems in the current fiscal year.

There are no funds in the current budget, he said, for overtime pay. He added, however, that his department will include overtime funds in the budget request for fiscal 1970, which is due in September.

In addition to "budgetary preparedness," Colonel Lally said he will also seek legislative clarification of the laws governing overtime pay in his department.

In spite of the attorney general's opinion, the superintendent said, the present law is "a little fuzzy," as to what classes of employees in his department are entitled to overtime pay and under what conditions.

The Sun 7
7/12/68 p C 22

U.S. May Investigate Riot Shooting Here

By Thomas B. Edsall

Members of the United States Attorney's office today raised the possibility of a Federal investigation into the case of a patrolman who shot a suspected looter during the April rioting in Baltimore.

Yesterday, the city's grand jury refused to indict the Eastern District patrolman, Bernard E. Hartlove, on homicide charges.

The Federal investigation would be based on provisions of the Civil Rights Act prohibiting State officers from using excessive force in carrying out their duties.

Steven H. Sachs, the United States attorney, said "our office will investigate any case in which allegations (of violating the Civil Rights Act) are raised."

Make Your Own Conclusion

Mr. Sachs said "you can conclude from that whatever you think appropriate."

If an investigation is ordered, Mr. Sachs said, the Federal Bureau of Investigation would be called in to gather all pertinent information.

Charles E. Moylan, Jr., the State's attorney, ordered the case to be taken on a "special" before the grand jury after "unusual circumstances" were revealed in newspaper articles.

The articles revealed that at least three witnesses were not called when the case was at the preliminary hearing stage in Homicide Court.

Charges Dismissed

At that time, Judge Jerome Deiner dismissed murder charges against Patrolman Hartlove, 28, after only an assistant city medical examiner and two policemen testified.

The medical examiner, Ronald Kornblum, said that the bullet killing the suspected

looter, William V. Stepter, entered through his back from "a very slight angle" and went out his chest, killing him instantly.

The initial reports by the Police Department's homicide squad conflicted with the medical examiner's statements because they said Mr. Stepter was shot through the chest.

"Witness Gets 'Run-Around'"

A newspaper article revealed that three witnesses were found in one afternoon, including one man, Samuel Sawyer, who said he had been given a "run-around" when he tried to find

[Continued, Page 6, Col. 3]

U.S. May Probe Riot Shooting

[Continued From Page 18]

out the date of the preliminary hearing at Central Municipal Court.

He and two other witnesses, Curtis S. Dredden, who said he saw the actual shooting, and Adam Newsome, testified before the city's grand jury.

At the preliminary hearing, Patrolman Hartlove did not testify, but his partner, Patrolman Donald Edwards, testified that he arrived on the scene in the 1200 block St. James street just before the shooting but looked the other way to take the keys out of his car.

Five-Block Chase

Patrolman Hartlove told him, he said, that Mr. Stepter, 44, had a knife in his left hand and was about to throw a brick with his right hand when he fired. The incident occurred after a five-block chase from the scene of a liquor store looting in the 1000 block North Gay street.

At the scene, Patrolman Hartlove told reporters that Mr. Stepter twisted his back to throw the brick, making the line of fire more towards Mr. Stepter's back.

Evening Sun 5S **
7/13/68 p. 18

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All

CITY RULED LIABLE FOR RIOT DAMAGE

Immunity Plea Denied; Ruling Affects Suits By 100 Merchants

By GEORGE J. HILTNER

Judge Albert L. Sklar ruled yesterday in a far-reaching opinion that the city of Baltimore can be sued for damages resulting from the riots last April.

Nearly 100 suits claiming damages in excess of \$5,000,000 have been filed against the city by merchants who allege that the city failed to use diligence and the powers entrusted to it to prevent or suppress the disorders.

In denying the city's defense of governmental immunity from suit, Judge Sklar declared that "it is the finding of this court that this court cannot hold that the city, as a matter of law, did not have the ability of themselves or with its own citizens to have prevented damages claimed by the plaintiffs."

In view of Judge Sklar's holding, an estimated 200 additional suits are expected to be filed by insurance companies because of claims made against them by their insured for riot damage.

Prompt Trial Expected

In such actions, the insurance concerns will seek to recover from the city amounts they have paid clients on riot damage claims.

Since the city cannot appeal Judge Sklar's ruling on the governmental immunity defense until after a case has been completely tried, it is expected that one case will be called for trial promptly.

Then the legal issue could be finally adjudicated by the Maryland Court of Appeals on an appeal from the final verdict.

Judge Sklar was conferring with attorneys late yesterday on the next step to be taken to effect a quick high-court ruling on the city's contention.

Referred To Statute

If the judge had ruled in favor of the city, counsel for the plaintiffs could have appealed immediately because the decision would have been a final adjudication for them.

Judge Sklar noted that it was "unfortunately necessary" for him after 100 years to look at Maryland's Article 82, known as the "riot statute," enacted in 1835 and invoked in 1862 when the Court of Appeals ruled the city was liable for injury to property during riot.

This article makes the city liable for damage if it has notice of the impending disturbance and the ability to prevent it, but fails to act to suppress the rioting.

City attorneys contended this article was made inapplicable when a later police omnibus bill made the city Police Department a State agency. They argued the omnibus bill repealed article 82 by implication.

1862 Suits Upheld

But Judge Sklar noted that suits resulting from riots in 1862 were upheld and at that time the police were under State control.

The judge said he carefully read the police omnibus bill and similar measures and reached the conclusion that they "have not repealed either directly or by implication the provisions of (Continued, Page A 15, Col. 4)

The Sun 7
7/18/68 p 1

RIOT SUITS ARE UPHELD

Judge Rules City Is Liable For Damages

By GEORGE J. HILTNER

(Continued from Page A 1)

Article 82 in their application to the city."

"It is a primary rule of statutory construction," he wrote, "that the Legislature has full knowledge of existing laws and legislation pertaining to the subject matter under legislative consideration.

"Furthermore, there exists the legal presumption that, if the Legislature had intended new legislation to repeal certain existing legislation, the Legislature, knowing that repeal by implication is never favored by the court, would have expressed a clear intent to that effect within the statute."

Answering the city's argu-

ment that, without control over the police force, it lacked the ability to prevent the damage caused by the riots, Judge Sklar asserted:

"Has The Power"

"As a conservator of the peace, the Mayor has the power

to authorize anyone to arrest another who shall be engaged in a riot, and at common law it was the right and duty of justices of the peace on occasion of riot to disperse the assemblages, arrest the rioters and, if need be, call upon all the peo-

ple, except women, infants and clergymen, to assist them in the performance of those duties.

"That the Mayor of Baltimore city is a conservator of the peace is unquestioned," the Superior Court ruling asserted.

Riot-Loss Liability

The State law making any county, city or town in Maryland liable for personal property losses resulting from riots within their respective jurisdictions is clear both in design and intent. A subdivision can't stand by and do nothing; it must do what it can to protect private property or cover the financial losses. However, that law was enacted a long time ago, in 1835 to be precise. Since then times have changed radically and, in the case of Baltimore, the control over the formally organized police power has been moved from City Hall to the State House.

But the passage of time and the changes to the contrary, Judge Albert L. Sklar has ruled that the old statute still prevails. He has so held over the objection of the Baltimore city government. So, the way is open to hear on their respective merits about 100 suits in which more than \$5 million in damages allegedly resulting from the April riots is being sought.

There will be a test case, of course. This is necessary. The Sklar ruling is an initial one. For final determination the Court of Appeals must act. Until that action comes uncertainty will remain, this despite the fact that the city, has not had control of its Police Department for over a hundred years —the lack of control seems to have

been ruled out as a defense, this by a Court of Appeals ruling in 1862. But there is more to the legal muddle than police control, and it will be well to have the legal questions settled in the court proceedings now in prospect.

The Sun F
7/19/68 P. A10

City Shunning Riot Causes Study

By David Runkel

In the aftermath of Baltimore's days of looting and fire bombing in early April, reports were made on the events that led up to the break out of violence and of the administration of justice during the disorder.

But, no city report has been made on the underlying factors that led thousands (5,512 were arrested) to join in the fray.

And, no such report is slated to be made.

Mayor D'Alesandro is opposed to such an investigation.

"The causes of the riot are already pretty well known and such a report would not inure to the benefit of the city," the Mayor said.

Pittsburgh Report

In Pittsburgh, a report on the causes of the Easter Week rioting there has led to a new round of charges and counter-charges between whites and Negroes.

The report, recommending twelve steps to eliminate racial turmoil, has been attacked by the National Association for the Advancement of Colored People for not dealing "with the substantive causes of unrest."

Mayor D'Alesandro says Baltimore did obtain information about the underlying reasons through the questioning of hundreds of persons arrested.

The Mayor's Objectives

The Kerner Commission National report, issued shortly before the Baltimore troubles, and "the day-to-day problems we handle" give the city knowledge about the fundamental causes of unrest in the ghetto, Kalman Hettleman, administrative assistant to the Mayor, commented.

The Mayor's program, in many ways, is aimed at improving conditions in the inner-city, he said; mentioning \$80,000,000 school construction

[Continued, Page C 5, Col. 3]

City Shunning Riot Study

[Continued From Page C 24]

program, job programs, hoped-for housing improvements, and better sanitation programs.

The two major reports on the April 5-9 rioting in Baltimore have been made by the Police Department and a special Mayor's Committee named to study the administration of justice.

The police study concentrated on the events leading up to the out break of trouble and the occurrences during the civil disorder.

The justice group looked into the arrests and trials of the more than 5,500 persons and made recommendations for the improvement in the courts in the event there are future disorders.

Evening Sun 55*
7/22/68
p C 24

Opposes City Bill

Russell Favors State Law on Daytime Looting

City Solicitor George L. Russell Jr. said today he will recommend withdrawal of a pending City Council ordinance aimed at stopping daytime "scavenging" during riots.

A "scavenger" is one who takes merchandise from a store already broken into by "looters" — those guilty of breaking and entering or burglary, he said.

At night, he reported, scavengers may be picked up on curfew-violation charges.

But in daytime, an officer must prove that a suspect does not own the merchandise he carries home. And merchants are not likely to be in the riot-afflicted neighborhood to identify such property as being stolen, Russell continued.

THE BILL was designed to meet these problems, Russell noted.

But he now wants the bill withdrawn in order to review its constitutionality, which he termed "unclear."

He also said it will probably be introduced in revised form in the next session of the General Assembly as a state-wide measure, with city government backing.

The pending measure would ban persons in riot areas from possessing goods "of a nature and kind and under circumstances from which (it) may be presumed an intent to steal such merchandise."

Russell explained that the wording might cause problems:

"Suppose a man could not afford to hire (a moving van company) and, in moving his belongings, police saw him riding down the street with a refrigerator in a truck?"

IF THE MAN did not have a bill of sale or other proof of ownership to show to inquiring officers, he would probably be charged under the scavenging bill, should the council pass it, Russell continued.

The revised version of the bill would clear up the problem, he said, and would probably be incorporated in state-wide law next year.

The council measure was modeled on suggestions that Russell made May 31 in his report on the Administration of Justice Under Emergency Conditions (the Holy Week riots).

*News-American
7/26/68 p. 14 C*

5.8-2

RIOT JUSTICE JOB REFUSED BY RUSSELL

City Solicitor Says Task Is Rightfully That Of State

The city solicitor stepped down yesterday as chairman of a task force charged with implementing the wide-ranging recommendations of a committee he headed to study the administration of justice during the April riots.

In a letter to Mayor D'Alesandro, George L. Russell, Jr., the city solicitor, said that the responsibility for administering justice in the city rests with the State, and that the State should be responsible for making the changes outlined in his commission's report.

In mid-June Mr. D'Alesandro asked Mr. Russell to head a task force charged with implementing 67 recommendations for the strengthening of the judicial system in times of emergency.

City Was Unprepared

At the time the commission's report was released, Mr. Russell said that the administration of justice did not break down during the riots, which saw police make more than 5,500 arrests, but that sufficient pitfalls developed to make it clear that the city was unprepared to handle such a crisis.

The letter to Mayor D'Alesandro was also signed by Gerald S. Klein, an assistant city solicitor, who served as staff director of the task force formed to implement the committee's recommendations.

The letter noted that the State, through the city's police commissioner, is vested with "plenary powers" for law enforcement in Baltimore, and that the responsibility is "accentuated" in emergencies by the Governor's power to declare a state of emergency and activate the National Guard.

It said that only 3 of the 67 recommendations involved municipal personnel or private agencies.

"The burden of decision-making is primarily vested in the State government," the solicitor wrote. "This is confirmed by the reactions of task force members."

The Sun F
7/28/68 p. 20

Police, Riots, Damage

Confusion is compounded by the withdrawal of City Solicitor Russell from the leadership of Mayor D'Alesandro's special task force which is considering the administration of justice during the April riots. In cutting off his association with the task force, Mr. Russell explained that the responsibility for administering justice in the city rests with the State.

The Russell position is in accord with what has been public opinion for years. The Police Department, the law enforcing agency in the city and certainly a basic factor in the administration of justice during rioting, is financed in the main by the city, but operates under a commissioner appointed by the Governor, and has long been considered a State agency. But the old base for opinion here has just been successfully challenged in the lower courts.

A few days ago Judge Albert L. Sklar ruled that under a riot measure written in law in 1835 the city could be held responsible for damage resulting from a riot. The test of that responsibility would seem to rest on the actions taken by the city and, more particularly by the mayor, to prevent damage.

The Sklar ruling cannot become definitive unless it is sustained by the Court of Appeals. In the meantime what is the situation?

Mr. Russell's withdrawal from the special task force leadership suggests that the city is keeping clear of any possible indication that it supports the Sklar decision and that the city government has even the remotest responsibility for what happened last April or for steps to meet a similar situation in the future.

At the same time city officials, including Mr. Russell, have opinions which differ from those of State Attorney General Burch as to procedures under the Supreme Court's "stop-and-frisk" decision. The city officials have urged Police Commissioner Pomerleau to limit the searches. On this score the city is not remaining aloof from police matters—even in the matter of regulations.

There have been claims that the full responsibility for the Police Department should rest at the City Hall. Maybe, maybe not. What is needed at the present is a clear ruling as to where the top responsibility for police operations rests. Without such a ruling confusion will continue.

The Sun I
7/30/68 P. A10

City Posing Queries To Litigants In Riot Cases

By David Runkel

The city is filing papers in Superior Court today asking plaintiffs in riot-damage suits to provide more detailed information on their claims.

The city claims the plaintiffs' declarations are "so general so as not to give the defendant sufficient notice of the claim,"

which causes the city to be "unable to answer or otherwise plead thereto."

A series of questions about the riot beginnings, the damages suffered by the plaintiffs and what the city could have done to prevent the disorder is then asked.

George L. Russell, Jr., city solicitor, said the first "demand for particulars" was filed against one of the plaintiffs yesterday, and that identical papers will be filed against the other 200 or so plaintiffs before the end of the week.

Tactical Move

The request for more information is the latest tactical move in the suits, the first of which were filed shortly after the end of the April riot. The plaintiffs — merchants whose stores were damaged by fire or looting — claim that the city failed to use diligence and the powers entrusted to it to prevent or suppress the disorders.

The city responded by claiming that the city was immune to the suits because the Police Department is a State agency. Judge Sklar denied this plea July 17.

The city's demand now is a preliminary to the trial of a test case.

Questions Asked

The plaintiffs were asked to answer the following questions:

1. On what date did the city obtain information that would give it good reason to believe that the civil disorders referred to in the declaration were about to take place?

2. What ability did the city have to prevent the injury complained of?

3. In what manner did the city fail to use all reasonable diligence or all powers entrusted to it to prevent or suppress the trouble?

4. When did the disorders begin and when did the damage occur?

5. When did the city ask the Governor to declare an emergency, when was that emergency called, when was the United States asked to use armed forces in the city and when were the Federal troops deployed here?

*Evening Sun 55**
7/31/68
P. C. 6

58-2

Agnew Expands View On Shots At Looters

Annapolis (Special) — Governor Agnew today recommended that looters "should surrender when challenged and apprehended by the police, and then they'll serve the penalty."

But Mr. Agnew added that "when that fugitive runs in the face of an order to halt, then the policeman is justified in using the severest means to stop him."

His comments were offered during a press conference when he was asked to clarify earlier statements.

"Severest Means" Query

Attempting to do this, the Governor first said that "I don't think looters should ever be shot."

Asked to explain how a policeman could use "the severest means" to halt a fleeing suspect, and yet not shoot looters, Mr. Agnew replied:

"The question is not really
[Continued, Page D 5, Col. 7]

Agnew Expands On Riot Views

[Continued From Page D 14]

shooting looters. It is, should people who are fleeing justice, when a policeman doesn't know the severity of a crime, be stopped by any means available?

"And I say, yes, they should."

Mr. Agnew emphasized that the law enforcer on the scene must use his own "training and intelligence" in deciding whether to shoot.

"I don't think looters should be shot if they surrender," he added.

Evening Sun 55
8/2/68 p. D14*

U.S. OFFERS AID ON RIOTS

State Eligible For \$79,000
For Prevention, Control

[Washington Bureau of The Sun]

Washington, Aug. 13 — Ramsey Clark, the Attorney General, said today that Maryland is eligible to receive \$79,605 in Federal aid for the control, detection and prevention of civil disorders.

Mr. Clark wired Governor Agnew inviting his "urgent attention" to the grant program, which is authorized by the omnibus Crime Control and Safe Streets Act of 1968.

The Attorney General, who called every governor's attention to provisions for this month's special grants, said the money will become available by August 19.

It will remain available until August 31 "for programs and projects dealing with the prevention, detection, and control of riots and other violent civil disorders," Mr. Clark said.

Applications will be accepted through August 26 for the matching grants, which will pay as much as three fourths of the cost of the programs and projects.

Half the \$8,700,000 maximum permitted under the act for the fiscal year ending next June will be made available this month. The grants, figured on a population basis, range from \$5,873 for Alaska to \$414,989 for California.

The Sun F

8/14/68 p. A9

Armored Truck Loan Plan Set By Police

The Baltimore Police Department has worked out arrangements for borrowing armored trucks for use "in the event of an emergency situation."

"There have been a number of occasions in other cities recently that have required law enforcement agencies to retrieve both injured police officers and civilians from exposed

positions," Police Commissioner Donald D. Pomerleau wrote to the Board of Estimates in asking approval for the borrowing agreement. In these instances, rescuers have been exposed and made "vulnerable to attack."

He obviously was referring to the trouble in Cleveland last month when three policemen were gunned down by a rifle-

man, who quit shooting only when his rifle jammed.

The trucks the city will be able to borrow have gun ports on both sides and have bullet-proof glass. They are regularly used for carrying money and other valuables.

The cars would be borrowed from the Federal Armored Express Company, 910 South Grundy street.

James Dunbar, president of the firm, said he agreed to allow the city to use the vehicles, when needed, at no cost "because we have to live in this community, too." As many trucks as needed would be available to the city, Mr. Dunbar said.

The trucks, he said, were manufactured by the same firm that built six armored vehicles purchased by the Virginia State Police earlier this year. However, the trucks the city can borrow are not "riot vehicles," he added.

Liability Agreement

The agreement between the Police Department and the company calls for the city to be liable for any damage done to the vehicles and for the injury or death of any person while the trucks are being used by the city.

This part of the agreement must be approved by the Board of Estimates.

In another police matter due to come before the board today, Mr. Pomerleau has asked to send two men to attend a seminar on the use of helicopters in law enforcement patrol in Long Beach, Cal.

The total cost of sending the men would be \$860. Scheduled to attend are Wade H. Poole, deputy commissioner, and Dr. Franklin G. Ashburn, research director of the city police.

Last month, the board approved a test of the use of a helicopter in fighting crime.

*Evening Sun 58 *
8/14/68 p. C2*

POLICE AUXILIARY PLAN PROTESTED

Salisbury Negroes March
In Criticism Of Force

By KIRK SCHARFENBERG

[Salisbury Bureau of The Sun]

Salisbury, Md., Aug. 24—As helmeted police outfitted with tear gas cannisters and riot guns looked on, Salisbury Negroes demonstrated today against the creation by the city's mayor of an all-white, stand-by police force.

Carrying signs referring to the auxiliary force as "216 murderers on the loose," about 75 Negroes marched peacefully through downtown Salisbury shortly after 1 P.M. before gathering at the local police station to hear one of their leaders describe the force as "a group of white vigilantes."

Kenneth R. Brown, national director of the college division of the National Association for the Advancement of Colored People, also told the demonstrators that assurances by Dallas G. Truitt, the mayor, that he would contact Governor Agnew before mobilizing the auxiliary were insufficient.

"It's like putting a gun in my hand, smacking me and then telling me not to use it," he said. "You know I'm going to shoot." He called on the Governor to come to Salisbury and discuss the situation with the Mayor.

Earlier this week, the Mayor
(Continued, Page 20, Col. 3)

POLICE AUXILIARY PLAN PROTESTED

Salisbury Negroes March
In Criticism Of Force

By KIRK SCHARFENBERG

(Continued from Page 22)

announced he had signed up 216 members of the National Tax-payers Coordinating Committee, a local citizens group, to serve as police officers in the event of a civil disturbance.

Later he clarified his position, saying the auxiliary force would be given police training and would be used only in the event of a statewide emergency when there were insufficient state police and national guardsmen to handle a situation in Salisbury.

Mr. Brown also repeated the demand of the youth council of the local branch of the N.A.A.C.P. that the city dismiss a local detective, charged with manslaughter following the shooting of a Negro deaf-mute in May, from the payroll.

The detective, patrolman Jerry C. Mason, has been suspended from police activities since the shooting of Daniel K. Henry, arrested as a burglary suspect, but has remained with the police department in a clerical capacity pending the outcome of his trial.

The Sun D*

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Ⓟ 20



PTL. C. G. MILLER TRIES FOR SIZE
... police department's new riot helmet.
—News American Staff Photo.

City Police Equipped With New Riot Helmets

By **HOLLACE WEINER**
Police Maj. G. Gordon Gaeng, a short husky officer, paced the floor at police headquarters and complained about flying objects—not jet planes and satellites. But bricks and bottles and eggs. The kind of objects which are hurled at policemen everyday when they answer calls for trouble. "When you arrive you get bricks and bottles thrown at you. Even firemen are harassed now

with pop bottles and whisky bottles," Gaeng asserted.
BUT NOW GAENG, director of the Property Division, can pace the floor in peace. The department's answer to pelting mobs has arrived. The answer is a shipment of riot helmets designed to absorb
Turn to Page 3C, Column 1.

Shockproof New Riot Helmets For City Police

Continued from Page 1C.

the shock of a 2,500-pound crushing blow.

Weighing only one pound, 15½ ounces, the new protector is formed from seven layers of plastics laminated into a sturdy shell. The layers, termed phenolic resins, contain plastic fibers and strands of wire.

A plastic apron extends from the dome of the helmet to cover the ears and the back of the head.

TO PROTECT THE policeman's face from flying eggs and tomatoes, the helmet comes with an adjustable visor. The clear plastic visor tips up and down like a welder's shield.

If it becomes spattered with egg, the cop on the beat can slide the shield away and restore his vision without batting an eyelash.

Another feature of the helmet is that it's adjustable for every wearer. A headband of soft plastic can be tightened like a belt to fit head sizes 6½ to 7½.

A nape strap of harder plastic stretches across the back of the helmet from earpiece to earpiece. When this is tightened and the officer has his chin strap fastened, no force can pull the helmet from a policeman's head.

THE LIGHTWEIGHT headgear

has another safety feature. The dome of the helmet doesn't touch the officer's head. The head is cushioned, instead by a network of straps suspended inside the shell. This network makes the helmet shock absorbent.

Manufactured by Mine Safety Appliances Co., of Pittsburgh, the helmets cost approximately \$15 apiece. The police department purchased 2500 helmets in June and they are currently standard items in patrol cars.

The quest for a new helmet began in the wake of the April civil disorders. Deputy Commissioner of Services Thomas Keyes recalled, "The helmet we had at the time of the Holy Week disorders had several obvious deficiencies. The face mask couldn't be stored and it wasn't optically correct."

If an egg smashed into an officer's face mask, "he would have to remove the helmet and remove his protection, Keyes explained.

"THERE WAS NO suspension in the old helmets," Keyes added. "Every blow would be absorbed by the skull."

He described the old head gear as "civil defense-type helmets" shaped like baseball caps.

Keyes said that following disorders, the department contacted over six manufacturers, giving them specifications for riot hats.

The helmets submitted were handed to the city's Bureau of Tests which subjected each headpiece to a rigorous evaluation.

"THE HELMET WE decided upon wasn't actually the cheapest in price," Keyes noted. "But it offers maximum protection commensurate with the mobility which a man must have."

Patrolman C. G. Miller of the Recruiting Unit tried on one of the shiny blue helmets and applauded Gaeng on the department's selection.

"It's lighter and more comfortable than a motorcycle helmet," the patrolman remarked.

*New-American
8/30/68 p. 1C*

5.8-2

INCITEMENT TO RIOT LAID TO 3 YOUTHS

Fourth Person Faces A Shooting Charge In East Baltimore Row

The grand jury charged three teen-agers yesterday with incitement to riot in presentments resulting from two near-tragic melees in East Baltimore September 14. A lunchroom proprietor was also charged with attempted murder in the same incident.

The riot and related disorderly conduct presentments named Floyd L. Killott, 19, of the 900 block North Caroline street, William H. Nichols, 18, of the 1200 block North Gay street, and Herman S. Moore, 16, of the 1300 block North Luzerne avenue.

They were arrested at 9.30 P.M. as a crowd of more than 400 teen-agers gathered at Preston street and North Milton avenue and began pelting passing cars driven by whites.

According to a separate presentment, Moses Jackson, 47, of the 1200 block North Luzerne avenue, fired into a crowd of teen-agers outside his lunchroom at Milton and Chase streets at 10 P.M. the same night.

Youth Hit In Neck

One of the shots is alleged to have struck Thomas Ford, 15, in the neck. The wound was not fatal.

The defendants were arrested as East Baltimore erupted for a second consecutive night in disorders which caused police to seal off the area around Hoffman and Milton streets for several hours.

The apparent trigger of the disorder was a collision at about 8.30 P.M. between an Eastern district patrol car and another vehicle.

A largely teen-age crowd hemmed in two other patrol cars when they arrived at the scene.

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TEEN-AGERS HELD ON RIOT CHARGES

Judge Finds Racial Aspect
Of Mob Scene Sickening

A Municipal Court judge ordered three teen-agers held for grand jury action yesterday on charges of inciting to riot in East Baltimore Saturday night.

Judge Jerome Robinson, in Eastern Municipal Court, was visibly disturbed by a police account of the incident involving a bottle-throwing mob of more than 500 teen-agers and young men at the corner of Preston

(Continued, Page C 8, Col. 5)

(Continued from Page C 22)

and North Milton streets at 9.30 P.M.

"I regret it. I don't even like to think about it," the judge said, referring to the fact that the mob, made up of Negroes, attacked only cars driven by whites.

The three teen-agers arrested, Floyd Lee Killeit, 19, of the 900 block North Caroline street, William H. Nichols, 18, of the 1200 block North Gay street, and Herman S. Moore, 16, of the 1300 block North Luzerne avenue, were ordered held in \$2,000 bail each on the inciting-to-riot charges.

Patrolman Leonard Santivaschi testified that the three teen-agers arrested were seen "throwing rocks, bottles and bricks . . . at any white car that came along."

He said that by "white car," he meant a car with white persons in it.

Sum F
9/16/68 p. c 22

Rumor Center Urged For Annapolis

By Sue Miller
[Annapolis Bureau of The Sun]

Annapolis—A member of the Maryland Commission on Human Relations who is an Annapolis resident today said that the city government should give priority to the establishment of a rumor control center to keep down the kind of civil disorders that cropped up last weekend.

"A person should be able to call a number and verify a rumor that appears to have an adverse affect," said Thomas Hunt, who was appointed to the commission by Governor Agnew.

Such an arm of the government would provide the communication and awareness between City Hall and the city's black ghetto areas that now do not exist, he added.

Eviction Reports

The commission member said he believes the weekend ghetto incidents that led to window breaking in the business section and stoning of police cars and taxicabs were stimulated by reports that 60-day eviction

letters had gone out to those living in the one block area of the Fourth Ward across from Arundel Center.

"Just what is going on should be made clear to these people," Mr. Hunt said.

These people, he added, have been led to believe that better homes would be built in this section for them. Now they understand they will have to give up their homes for a county government parking lot and this has made them panicky."

"Half Dozen Families"

Joseph W. Alton, Jr., Anne Arundel county executive, says that "only a half dozen families will be involved" in the Fourth Ward black ghetto razing that is planned to make way for a \$2, 200,000 Arundel government complex parking garage.

"Most of the buildings will be business properties," he said.

At the same time, Mr. Alton reiterated a promise that "no one will be put out on the street. We won't do anything until homes are found for all people."

In all, some 43 properties, predominantly rental properties on Calvert, Northwest, Clay and Washington streets, adjoining the county government headquarters, are slated to be torn down.

A 600-car multi-deck structure is expected to be completed by 1971.

Recently, urban renewal consultants for Annapolis indicated a garage that size will not be needed to serve employees of the government complex which is to be expanded at its present Calvert street location.

Won't Vacillate

But, Mr. Alton says, "I'm not concerned with what those bureaucrats from Washington think. I'm not about to let urban renewal come in three years after I've made commitments. If I vacillate, I would be a jellyfish."

Mr. Hunt said the city has a "great communications gap and that it needs discussions, not the street fighting."

He urged the Annapolis Urban Renewal Commission to send out a newsletter on a weekly basis to those who live in the Fourth Ward, site of a \$5,000,000 town center rehabilitation project still in the planning stages.

For Rent Escrow Bill

Mr. Hunt has two other recommendations:

1. The city should pass a rent escrow bill which would place the tenant in the position of watchdog for the enforcement and compliance of the city housing code.

2. The City council should hold informal meetings out in the various parts of the community and thus learn firsthand of the problems of all segments of the city.

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local notes

5.8-2

COURT SUSTAINS RIOTING CHARGE

Youth, 17, Found Guilty Of
Urging Throwing Of Rocks

By GEORGE J. HILTNER

A 17-year-old youth was convicted yesterday of inciting a riot during the racial disturbances last April by urging a crowd of people to throw rocks at windows and at police cars.

Judge Shirley B. Jones returned the guilty verdict against George C. Izabell, of the 2500 block Boyd street. Sentencing was deferred pending a new trial move.

Police said they were summoned to the 1700 block Frederick avenue last April 7 and observed that a cafe window had been broken and whisky bottles distributed over the street.

Market Window Broken

The defendant was leading a group of about 30 persons on Mount street and urging them to break windows, according to testimony produced by Hilary Caplan, prosecutor. Bricks were then thrown through the window of a food market at Baltimore and Mount streets, it was testified.

The Sun

10-26-68

P B-20

5.8-2

STUDY CLAIMS RIOT DANGER STILL LOOMS

Quaker Group Asserts That 'Establishment' Is Unresponsive

By STEPHEN J. LYNTON

A new study of the four-day riot in Baltimore last April concludes that little has changed since then to lessen racial tensions, the "white establishment" remains unresponsive to the needs of slum residents and the city is in danger of future violence.

A summary of the report says bluntly: "Baltimore is ripe for future disorders because the established white leadership in the city refuses to deal creatively with the city's racial inequities."

"Communication continues to be garbled. Black and white speak but do not reach each other," the report says. "Black spokesmen, calling for energetic action to prevent holocaust, find that the white audience hears only the threat of holocaust."

"Over-Reaction" Cited

Governor Agnew's response to the early signs of disorder is called an "over-reaction." The report's summary says it tended "to inspire the very behavior it was designed to prevent . . . by creating a larger sense of danger than was real at that time."

The study also concludes, as have some others, that the riot was not the result of a conspiracy.

The study, based on interviews, a survey of sections of the riot area and existing research, was released yesterday by the American Friends Service Committee, a Quaker-affiliated social service organization, whose Middle Atlantic regional headquarters are in Baltimore.

The 35-page, 6-month study was prepared by Jane Motz, a member of the executive committee of the organization's National Community Relations Committee.

The study says the only hope for improving slum conditions and averting future violence lies with the city's Negro leaders.

"Baltimore's black leadership shows more vitality and more capacity to focus on the issues

(Continued, Page 20, Col. 3)

STUDY WARNS OF RIOT PERIL

Unresponsive Leadership Cited In Quaker Report

By STEPHEN J. LYNTON

(Continued from Page 28)

than does the white," the study says.

The study praises the "restraint" of the police, the Army and the National Guard during the riot, though it questions some of their riot strategy and argues that the city Police Department needs improvement, especially in its relations with Negroes.

Though finding no substantial evidence of a conspiracy, the study notes: "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," the report says.

Post-Riot Topics

"Similarly," it adds, "post-riot conversations deal with the question of who will be hit the next time violence flares in Baltimore."

"Some black leaders claim to have been on the streets after the outbreaks had begun, helping to keep the situation stirred up," the report says.

It accuses officials at all levels of Government with having the "self-delusion" that "a lot is being done to help inner-city residents."

The study argues that anti-poverty programs lack adequate funds, "elude real citizen control," and therefore increase frustration in the slums. "This explosive mixture of myth and frustration is lethal," the report says.

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5.8-2

Pomerleau Sees Growing Trend To Mini-Riots

Donald D. Pomerleau said yesterday that "we're moving into the insurrectionary, revolutionary phase" of civil disorders in Baltimore and throughout the United States.

Mr. Pomerleau, the city police commissioner, said that the police might increasingly confront the danger of "mini-riots" or "micro-riots."

He expressed the hope, however, that an end has come to the widespread outbreaks of rioting which have disrupted cities throughout the United States in the past four years. He voiced no certainty.

Mr. Pomerleau's remarks were made in a brief address yesterday morning sponsored by the Chizuk Amuno Congregation in Baltimore county.

Most of his talk consisted of a reading of recent reports by J. Edgar Hoover, the FBI director. They dealt primarily with allegations of Communist ties

(Continued, Page C 12, Col. 2)

Shift Foreseen In Civil Disorder

(Continued from Page C 24)

and violent tactics of some militant student and black power organizations.

"I quoted directly from this most authoritative source so that you would be in a better position to understand my problem—which is really your problem," Mr. Pomerleau told the audience as he completed the Hoover reading.

Mr. Pomerleau's analysis of a shift from widespread rioting to

more confined but more directly insurrectionary violence was apparently based both on the FBI findings and on his meetings with police officials throughout the United States.

His estimate of the outlook in Baltimore was mixed. He said that the city might have escaped a major riot altogether if it were not for the assassination of the Rev. Martin Luther King, Jr., last April.

He argued, on the other hand that many of the organizations named in the Hoover reports had branches in the city.

Newsmen had been asked not

to attend the mid-morning meeting at which Mr. Pomerleau spoke because of the police commissioner's objections to their presence.

At the start of his talk, Mr. Pomerleau remarked, "I stay rather aloof from the [news] media."

Varied Audience

He said that he wished to avoid the dangers of a "quote out of context." He added, however, that he had "no aversion to the [news] media at all."

Both members of the Jewish congregation and non-members were admitted to the gathering,

which attracted an average of about 200 to 300 persons. They included non-Jews, Negroes and whites.

Under questioning from members of the audience, Mr. Pomerleau suggested indirectly that some of the violence during the Democratic National Convention in Chicago might have been avoided if the police shifts had received more frequent relief.

The Chicago police were assigned to twelve-hour shifts. Mr. Pomerleau said that more frequent relief might be helpful to prevent policemen from "blowing their cool" under stress. But

he offered any broader evaluation of the police approach to the Chicago convention.

Also under questioning, Mr. Pomerleau said the city Police Department had no plans to obtain tanks or other armored equipment because these were better operated by the military.

He noted, however, that the city police has "an abundance of chemical agents" and equipment for dispensing them "in large volumes." He described these agents as "humane."

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Pomerleau Sees New Peril In 1-Business Mini-Riot

By Allen Seeber

Police Commissioner Donald D. Pomerleau does not "take as dark a view" as the executive director of the Community Relations Commission as to whether major riots will recur in Baltimore.

"I'm very hopeful the riots are over," he said, but "today we face another problem we should be more concerned about."

The Police Department is confronted with "micro-riots" or "mini-riots," he added, "where two or three hundred people start running business men out of their shops."

Earlier, David L. Glenn, the C.R.C. executive director, had

told the same breakfast meeting yesterday that he thinks "dark, dark days are ahead."

Disrupt Society

"The black militants say there is no reason to expect the white man to change, so the only way to get change is to disrupt the society," Mr. Glenn commented.

"We are in the midst of a revolution locally and nationally," he added, "and we have yet to respond."

Both men were speaking at a weekly forum before almost 200 members of the Chizuk Amuno Congregation at the synagogue in the 8100 block Stevenson road.

The theme of the forum was

"Which Way Baltimore? Are the Riots Over?"

Alloofness From Press

At the beginning of his remarks, Mr. Pomerleau acknowledged maintaining aloofness from the press "because they tend to quote me out of context."

A news report published Saturday said the commissioner had told his hosts he would not speak "with the press there."

Synagogue officials said they feared he would turn around and walk out if he found television cameras and newsmen present.

At the meeting, Mr. Pomerleau said the department has a director of information, William R. Morrissey, whom "we pay more than \$17,000 a year to do the talking."

"Insurrectionary . . . Phase"

"We're moving into an insurrectionary, revolutionary phase" of civil disorders, he told the group. "This is a national problem," he added.

"I don't think we would have had a riot (last April) if not for the murder of Dr. Martin Luther King," he stated.

The commissioner devoted the major part of his 30-minute speech to quotations from FBI Director J. Edgar Hoover's remarks to a presidential committee on violence.

Mr. Hoover has charged that Communists and Communist sympathizers substantially influence, if not dominate, left-wing activist movements on campus and in the ghetto.

None Under Every Roof

"But I don't believe there is a Commie under every rock," Mr. Pomerleau said.

"I quoted directly from this most authoritative statement so that you might understand my problem—which is really yours."

"We have in Baltimore the Black Panthers, S.N.C.C. (Student Non-Violent Coordinating Committee) and other groups which are militant," he emphasized.

"Do you know that Stokely Carmichael was invited to the Soul School and that 800 to 1,000 Baltimoreans attended? He was interrupted 32 times (by applause)?"

Individual Involvement

Mr. Glenn said that solutions to problems which cause riots call for "individual involvement."

"But I believe we can't have involvement until the leaders of business and government give their support," he told his audience, which was largely comprised of Jewish businessmen.

"I would hope that we have no more riots," he added, "but we haven't removed the causes" and "the extremists in our country still have issues to exploit."

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5.8-2

Guilt Found In Riot Fire-Bombing

By GEORGE J. HILTNER

Louis Price, 29, was convicted yesterday of riot, conspiracy and solicitation to commit arson and disorderly conduct charges growing out of the fire-bombing of a former cleaning establishment in the 2200 block Greenmount avenue during the riots last April.

Judge J. Gilbert Prendergast deferred sentencing pending a new trial move by Price, who lives in the 300 block East Twenty-third street.

Gregory Ferrell, a former policeman who is now a Harbor Tunnel guard, testified that he observed Price come out of the East North avenue office of the Student Nonviolent Coordinating Committee and thereafter en-

courage a crowd of people to "burn and loot because one of our own brothers the late Dr. Martin Luther King, has been killed."

Testimony On Store Visits

According to testimony, the accused also went into several business establishments along Greenmount avenue and was overheard telling the proprietors: "If you don't close, you are going to be burned out."

Price also directed the crowd to break windows in the cleaning store and eventually a fire-bomb was thrown causing the place to burst into flames, according to George J. Helinski, deputy State's attorney.

Firemen who responded to the

blaze were pelted with rocks, the former policeman told Judge Prendergast.

The witness also testified that Price was seen tying a black rag on a certain tavern in the vicinity of Greenmount avenue and Twenty-third street.

A pharmacist testified that about 1 P.M. a group of four men came into his place of business and advised him to close in memory of Dr. King.

Price denied exhorting the crowd and taking part in the fire-bombing, although he acknowledged having been in the area that day, April 6. He also denied having been in the S.N.C.C. office.

The Sun F

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5.8-2

PLEA DENIED IN RIOT CASE

City Man Gets 60 Days For
Role In Catonsville Attack

[Towson Bureau of The Sun]

An appeal was denied yesterday in the case of a 20-year-old Baltimore man who had received a 60-day sentence for assaulting a police lieutenant, disorderly conduct and resisting arrest in a riot at a Catonsville motel May 5.

Chief Judge Robert C. Murphy of the Court of Special

Appeals, who was sitting as a circuit-court judge, upheld the sentence given Howard T. Bond, of the 2700 block Lauretta avenue by magistrate Norman R. Summers.

According to testimony presented by Robert A. DiCicco, assistant prosecutor, the defendant tried to strike Lt. Richard T. Davis while officers were arresting Bond and two other men.

The defendant claimed that he was arrested after he tried to find out what had happened to a companion who was arrested outside a fraternity dance at the Howard Johnson's Motel at U.S. 40 and Ingleside avenue about 2 A.M.

He said he flailed his arms

about while being bitten and knocked down by a police dog. He denied trying to hit the lieutenant or using abusive language to police.

The friend, according to testimony, was seized while trying to avert the arrest of a third man by removing him from the motel parking lot.

According to police reports, a crowd of some 300 people had gathered when police tried to break up a fight and assaulted, reviled and spat on the officers.

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5.8-2

Russell Blames Riots on Whites; Survey Says No

While Baltimore City Solicitor George L. Russell Jr., was laying the blame for riots on denial of Negro rights by white society in a speech yesterday, a study of Johns Hopkins sociologists confirmed that representatives of central institutions in the ghetto such as law enforcers, merchants and educators believe the Negro has already achieved as much equality as he deserves.

HOPKINS

By REA MURDOCK

More than half of those who deal daily with the Negro poor in the city ghetto think blacks are being treated on a par with whites, a survey made by Johns Hopkins sociologists for the Kerner Commission has revealed.

Two out of five such ghetto workers as policemen, teachers, social workers, merchants, political bosses and employers, thing Negroes are pushing too hard toward equality.

Most of the policemen, employers and merchants believe that Negro rioting was caused more by the agitation of militants than problems of poverty and unemployment.

MOST OF THE educators, social workers and political workers "took opposite stands, recognizing inequality and accepting an environmental rather than instigational theory of riot causation," the report found.

The Hopkins survey of such ghetto workers in 15 American cities, including Baltimore, said that "central institutions of our local communities serve the ghetto poorly and are insensitive to the objectively discriminated-against position of urban Negroes."

It noted that a majority of those interviewed, who work in but do not live in the black

Turn to Page 3C, Column 6.

RUSSELL

By DAVID AHEARN

Baltimore's Negro city solicitor has blamed white American society for causing riots by denying Negroes their full rights, and predicted that America has not seen the last of ghetto riots.

He also declared that looters should not be shot by police. However, he also said that "rioting is criminal and is to be condemned."

City Solicitor George L. Russell Jr. made the remarks in a speech yesterday given at the Kansas City (Mo.) 33rd annual convention of the National Institute of Municipal Law Officers.

"THE BASIC fact of civil disturbance is its social cause," he said. "The 'Establishment' has too long victimized the Negro by ignoring that fact."

Russell also said the merchants who were burned out and looted by the rioters are to blame for contributing to the cause of riots. "Manifestly, those who have suffered losses in recent disorders have shared directly in the misery wrought by the precise social ills which fathered the destruction.

"They have represented the advantaged on whom the disadvantaged loosed their anger."

Russell called for the federal government to compensate the merchants, and said the state and city governments cannot be held liable for riot damages because their police fail to stop riots.

THE SOLICITOR said that police cannot control riots. "Civil disorders of recent years have, by contrast, been the spontaneous lawlessness of sizable segments of whole communities and wholly beyond the capacity of local police to do any more than contain," he said.

Says Negro Rights Denied

Russell Blames White Society for Rioting

Continued from Page 1C.

ceived than by shooting him. The same may be said of pickpockets, petty thieves, jaywalkers, drunk drivers, panderers and embezzlers.

"No more effective means of escalating the intermittent disorder into protracted revolution have ever been conceived than by indiscriminate shooting of those involved.

"I AM AWARE of no occasion where a modern and civilized nation has sanctioned the summary execution of thieves, and I find the recent pronouncements proposing this course for looters morally and legally incomprehensible."

He said ordering a shoot-to-kill policy in riots would be the formation of a "new politics of blood."

City Comptroller Hyman A. Pressman and Gov. Agnew in April said police should shoot when there is no other way to stop looters.

Russell said in effect that democracy has not worked for Negroes, because they have been a minority comprising only 10 percent of the voting population.

THE AMERICAN population, in short, has not acted to eliminate the causes of riots that exist among Negroes, he said. "The national community has utterly failed to discharge its responsibility for the sociological and economic conditions which foment disrespect for the system and in turn impel civil disturbance," he declared.

The Negro does not abide by law because he has not been included in the democracy, Russell continued. "This society has

... by its institutions disassociated 10 percent of its population, and they have in turn lost the reason to abide by its rules."

Solving the Negro's problems by government action means that white taxpayers' money will have to be used, he said: "Their (problems) alleviation taxes and inconveniences the large and politically controlling majority.

"Thus our freely elected official often finds himself constrained, where he believes that the ... interests of the majority and minority clash, to ignore" the minority interests.

HE DID NOTE, however, that the black vote in cities "is today causing (municipal) officialdom to regauge" its stand toward programs to better the ghetto and its residents.

Russell also told the local lawmen that administration of justice should be designed to be speeded up in riot times, to give the accused speedy trials and other rights under the law.

He concluded: "I have proposed no resolutions, but I have proposed a basis for reasoning. If you conclude that it is wrong, reject it. But if you reject it, do so with a willingness to replace it. The time for floundering is past."

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5.8-2

Court Frees Man Accused In Charges Related To Riot

Louis Price, 29, was freed yesterday of riot-related charges when the state's attorney's office said it had found inaccuracies in the testimony of a former police officer, who was the lone eyewitness.

Price had been convicted by Judge J. Gilbert Prendergast October 28 of riot, conspiracy and solicitation to commit arson and disorderly conduct charges growing out of the fire-bombing of a Greenmount avenue cleaning establishment on April 6.

30-Day Term

When the cases came before Judge Prendergast yesterday on motions for new trials filed by Lee Sachs, defense attorney, George J. Helinski, deputy state's attorney, announced that the accusations would be dropped.

Judge Prendergast declined to grant a new-trial motion on the disorderly-conduct charge because Price had admitted being in a riotous crowd, and imposed a 30-day term dating from April 6. Price, who had been in jail since April 6, already has served that time.

Mr. Helinski stated that after reviewing the transcript of the evidence and conducting a further investigation, he had found "gaps" in the testimony of former Patrolman Gregory Ferrell, who resigned and now works at the Harbor Tunnel.

The prosecutor noted that the

(Continued, Page B 6, Col. 4)

Accused Freed In Riot Charge

(Continued from Page B 20)

alleged eyewitness, while a member of the police force, had been "in conflict with his own superior officers and his own sworn duty" on four occasions.

The ex-policeman's testimony was uncorroborated, and in the tense and confused situation existing at that time it is possible that the former patrolman could be inaccurate in his recollections of what he observed over a period of about ten hours, Mr. Helinski stated.

Hundreds of persons were in the 2200 block Greenmount avenue and nearby locations on that day, and because of this the policemen could not take time to prepare and file the usual police reports for use in prosecuting the charges he went on.

In view of the "one-against-one" state of the evidence and the other factors cited, Mr. Helinski said he was compelled in the interest of justice to drop the serious charges against Mr. Price, of the 300 block East Twenty-third street.

Told Of Incident

Former Patrolman Ferrell told of seeing the defendant come out of the East North avenue office of the Student Non-violent Coordinating Committee and thereafter encourage a crowd of people to burn and loot and warn merchants to close their shops or be burned out.

Mr. Price further was identified by the witness as the person who directed nearby individuals to break windows in the cleaning establishment, into which a fire-bomb eventually was thrown.

The accused denied exhorting the crowd to commit acts of violence.

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5.8-2

~~5 YEARS GIVEN~~ IN RIOT BREAK-IN

Bartender Shot Defendant;
Second Man Died In Fire

By GEORGE J. HILTNER

A 20-year-old man, whose companion was fatally shot during a break-in at a spaghetti house in the rioting last April, was imprisoned yesterday for five years.

Judge Albert L. Sklar imposed the term on Joe Cyrus Lee, of the 2400 block East Preston street, who was shot in the shoulder when he and the companion entered Gabriel's Spaghetti House through a window which had been broken by bricks.

The same restaurant a few minutes later was fire-bombed and a man who had run upstairs for safety was fatally burned.

Lee denied entering the restaurant in the 2000 block East Federal street last April 6 and contended he was going to the aid of the fatal shooting victim, William McClain Harrison, 18, when he was shot in the shoulder.

Both men were shot by Clay
(Continued, Page B 6, Col. 7)

~~5 YEARS GIVEN~~ IN RIOT BREAK-IN

Bartender Shot Defendant;
Second Man Died In Fire

By GEORGE J. HILTNER

(Continued from Page B 20)

ence J. Baker, bartender, who said young Harrison was about 15 feet inside the building and Lee was about 5 feet behind him.

Mrs. Mamie Gabriel, owner of the restaurant, testified that a raucous and loud crowd of about 75 to 100 persons milled outside the restaurant and someone shouted, "we're coming in to kill you."

According to I. Elliott Goldberg, prosecutor, two fire-bombs later thrown into the restaurant destroyed the interior and caused the death of Louis Henry Albrecht, 56, of the 100 block North Broadway. Three men are charged with arson-murder of Mr. Albrecht.

Supports "Right To Shoot"

Judge Sklar asserted that Mr. Baker, of the 4300 block Arizona avenue, had a "perfect right" to shoot at the two men who came in through the smashed window.

"One was killed and therefore has paid the extreme penalty for his unlawful act," the judge added.

The court refused the request of defense counsel to forget the tension and terror of the time in considering a verdict, asserting that "the circumstances have to be considered."

Judge Sklar said if Lee had had a record of prior law infractions, he would have imposed the maximum term of ten years.

The court asked for a post-sentence probation report on the young defendant, as requested by defense counsel.

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11-23-68

P B-20

5.8-2

33 Charged In Riots Still Await Trial

By George Hanst

Thirty-three persons charged with crimes committed during the city's April riots are still waiting to be tried, records in the State's attorney's office disclosed today.

The figure represents about 25 per cent of the individuals charged with serious offenses in the wake of the week-long rioting.

The grand jury returned 136 indictments against 130 persons accused of arson, murder, inciting to riot, robbery, burglary, assaulting police, possession of deadly weapons, and other crimes deemed too serious to be tried in the lower courts.

4 Await Sentencing

About 5,000 persons were tried at the Municipal Court level for curfew violations, many of which included evidence of looting.

In the indictments brought to Criminal Court, 74 persons have been sentenced while 4 others have been convicted and are awaiting sentencing. Prison terms were suspended in 11 cases.

Judges gave four other defendants probation before verdict but imposed fines in two of those cases.

Nine persons were acquitted by the court, while eight other defendants won not guilty verdicts on some indictments but were convicted on other charges.

Evidence Questioned

Prosecutors dropped charges against 14 persons, but 8 of those defendants were convicted in companion cases, according to the records.

One man, Louis Price, was cleared of arson and inciting-to-riot charges after he had already been convicted.

The prosecution suspected that unreliable evidence had been used against him and dropped the charges. Price's conviction for disturbing the peace was upheld, however.

The most serious case yet to be tried involves three men charged with arson and murder.

Stalling Tactics Charged

Willie Price, Isaac Lynch, and Robert Bradby are accused of firebombing a restaurant in the 2000 block Federal street and

causing the death of a 56-year-old man who was trapped upstairs by the flames.

Trial of the defendants was scheduled for October, but two of the accused filed last-minute insanity pleas, causing Charles E. Moylan, Jr., State's attorney, to complain of stalling tactics by the defense.

In another case involving the same restaurant, two men broke in shortly before the firebombing incident and encountered the bartender, who fatally shot one of the intruders and wounded the other.

The wounded burglar, Joe Cyrus Lee, was sentenced to five years.

Trial is still pending for Frank
[Continued, Page C 6, Col. 1]

33 Charged In Riots Still Await Trial

[Continued From Page C36]

Samuels and Arthur White, who are accused of firebombing a Baltimore street furniture store. A co-defendant, Daniel Long, was tried in July and received a 10-year sentence, the longest term imposed in a riot-connected case.

Other Lengthy Terms

Others receiving lengthy terms were Eugene West, sentenced to six years for shooting at two policemen, and Eulis Chambers and Leo Wearthly, sentenced to five years each for igniting a firebomb in the doorway of a school at Biddle and Caroline streets.

Three-year terms were im-

posed on two men, both former city employes, who were convicted of inciting riots.

Charles H. Muller, formerly employed in the Community Action Agency, directed a crowd to break windows at a liquor store in the 200 block McMechen street.

Leonard Carter, a laborer for the Department of Education, exhorted a mob of 50 persons to "take" a bakery in the 800 block West Saratoga street.

George Izabell, 17, was sentenced to 18 months for leading a group of youths on a window-breaking spree in the vicinity of Baltimore and Mount streets.

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Riot Police Bill Killed In County

By Gerald A. Fitzgerald

[Towson Bureau of The Sun]

A bill to make 248 special policemen available for riot duty in Baltimore county was withdrawn yesterday, reportedly because the county police chief was not happy with it.

The bill's principal backer was William E. Fornoff, the county administrative officer, who suggested after the April riots in Baltimore that the special policemen could furnish valuable assistance should a riot extend into the county.

Before the measure's withdrawal yesterday, it was scheduled to be taken up Monday by the County Council.

Neither Mr. Fornoff nor Eliason W. Ensor, the police chief, was available to explain the reason for killing the bill, but the chief apparently did not share Mr. Fornoff's enthusiasm for the scheme.

Didn't Meet Needs

Deputy Chief Karl Zakahan said that he could not speak for Mr. Ensor, who was away on a hunting trip, but said he thought the plan "didn't meet the chief's needs."

The privately financed police auxiliaries, a common sight at most metropolitan drive-in restaurants, theaters and shopping centers, presently enjoy no legal status and have little power in the county.

The bill would have made them an official arm of the county police bureau, with many of the powers of regular policemen, and would have made them available for riot duty if the police chief needed their assistance.

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11-30-68

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5.8-2

City Weighing Riot-Related Laws Series

By Thomas B. Edsall

The D'Alesandro administration is considering a package of riot-related laws including repeal of the article under which the city is being sued for over \$10 million.

Numerous merchants and property owners are suing the city for losses in the April riot under a State law making the city liable if its law enforcement policies were negligent.

Acting Mayor William Donald Schaefer today revealed the considered legislation, but refused to discuss it because of the pending lawsuits.

In Pretrial Stage

George Russell, city solicitor, said the suits are still in the pretrial stage before the Supreme Bench.

He also refused to discuss the legislation because no official decision has been made on it.

The property owners and merchants contend that the city failed to effectively enforce the law during the Easter week riot and, through the failure, permitted extensive fires and looting.

On Task Force Agenda

Mr. Schaefer said Mayor D'Alesandro's task force to the General Assembly will discuss this and other legislation at a meeting later today. No decision has been made about repeal, he added.

Among the other riot-related laws under consideration are:

1. The creation of a specific law prohibiting scavenging.

George J. Helinski, deputy state's attorney, said the problem that faced law enforcement personnel during the riot was that it was often impossible to prove that people in possession of apparently stolen goods had actually stolen them.

They normally would be charged with larceny, he said, but this proved impossible in many cases because it was diffi-

[Continued, Page C 2, Col. 81]

Riot-Related Laws Eyed

[Continued From Page C 26]

cult to prove who actually owned the goods. Most often these people were charged as curfew violators.

2. Changing the assault laws to make it a felony, instead of a misdemeanor, to assault a fireman.

In Policemen's Category

Mr. Helinski said the law would probably put firemen in the same category as policemen, making it a more serious offense to do such things as throw rocks and debris at them during a riot.

Mr. Schaefer said that he personally supports increasing the penalties for scavenging and for assaulting firemen.

Mayor D'Alesandro has already announced his specific concern with tax and other major pieces of legislation before the General Assembly. The riot-related legislation and 32 other laws are being considered by his task force, which will make recommendations to him later.

Trying To Fill Vacuum

Mr. Schaefer said the city has often been criticized for failing to present a complete package to the General Assembly and this is a vacuum the task force will try to fill.

The task force is composed of Mr. Russell; Mr. Schaefer; Charles Benton, finance director; Mrs. Janet L. Hoffman, City Council fiscal adviser; Kalman Hettleman, a Mayor's aide; James Crook, of the city solicitor's office, and former Councilman Maurice Soypher.

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SCHOOLS TIED TO RIOT USE

Warden Proposes Housing Minor Offenders In Them

The warden of the City Jail said yesterday he has recommended the use of city schools with gymnasiums and cafeterias for holding curfew violators and other minor offenders during any future civil disorder.

Hiram L. Schoonfield, the warden, said the jail should be used for only those arrested for major crimes during disorders such as occurred in Baltimore last April.

Mr. Schoonfield made public his recommendation during the monthly meeting of the Jail Board. He also announced a 1969-1970 budget request of \$3,501,572, about 22 per cent more than the present year's budget for the jail of \$2,875,589.

Salary increases and the hiring of additional personnel account for the major part of the increase.

New Director

A director for a new social work department, 27 more correction officers and 8 more matrons would be hired if the budget is approved by the city.

Each day of the past year, the jail held an average of 1,511 men and women serving short sentences or awaiting trial, Warden Schoonfield said. The new budget assumes the average from July 1, 1969 to June 30, 1970, will be 1,500 a day, he said.

"It's a real austerity budget," Nazzareno F. Villegia, vice president of the board, said.

In reply to a question by a board member, Mr. Schoonfield made it clear that jail authorities should not have the responsibility for the care and processing of the minor riot offenders who would be held in the schools under his plan.

He said the City Jail does not have the manpower for the job but that police and National Guard forces would have.

Given To Task Force

He submitted his plan ~~Wednesday~~ day to the Governor's Task Force to Study the Administration of Justice under Emergency Conditions. Former Governor Agnew appointed the task force in August, and it has been collecting recommendations from police and governmental officials, the warden said.

"During the April riots the people were held here and often released during the curfew. I thought that was a mistake. They should be held at the schools overnight," Mr. Schoonfield said in briefly elaborating on his proposal.

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1-17-69

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~~Warden Urges School~~
Use During Riots

Gymnasiums and cafeterias of city schools should be used to hold minor offenders during any future rioting, Hiram L. Schoonfield, warden of the City Jail, says.

The National Guard and police should have charge of such prisoners, he said in a report to the Governor's Task Force to Study the Administration of Justice under Emergency Conditions, leaving the jail and jail personnel free to handle those arrested for major crimes.

Even. Sun 5S*

1-17-69

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5.8-2

Labor Opposes Bill Aimed At Riot-Order Violators

[Annapolis Bureau of The Sun]

Annapolis, Jan. 22—One of organized labor's top objectives for the 1969 General Assembly session is to kill off a Legislative Council bill calling for the firing of state employees convicted of violating riot-emergency orders.

Charles A. Della, president of the Maryland-District of Columbia AFL-CIO, said the measure seeks to regulate the "private lives of all employees of the state."

The measure was drawn by the Legislative Council—between - sessions investigative committee of General Assembly leaders—as a direct result of

last April's riots in Baltimore.

Legislators contend that some public employees were thoroughly mixed up in the disturbances.

The bill, as drawn, apparently applies to everyone holding a position in state government—from the governor on down.

Details Given

It specifies that any state employee arrested and convicted of violating the Riot-Emergency Control Act (ignoring curfews, disobeying officers, etc.) shall be fired the day that conviction becomes final.

Every labor lobbyist in Annapolis, so far as it can be determined, has taken dead aim on the measure, which is pending in the Senate Judicial Proceedings Committee.

The so-called Riot Control Act gives the governor the power to proclaim an emergency exists if he has good reason to believe a riot or other serious public disturbance is imminent.

He can—as former Governor Spiro T. Agnew did last year—set curfews, stop the sale of alcoholic beverages, order out the National Guard, ask for federal troops, take any step he deems necessary to maintain law and order.

Sen F

1-23-69

p Q-10

5.8-2

SCAVENGER LAW SET BY NEW BILL

Would Apply To Any Who
Rifle Stores In Riots

By CHARLES WHITEFORD

[Annapolis Bureau of The Sun]

Annapolis, Feb. 3—A bill backed by the Baltimore city administration which would bring to book "scavengers" like those who cleaned out many city stores after last year's riots was introduced in the General Assembly tonight.

It calls for a penalty of as much as six months' imprisonment and a \$500 fine for those found in mercantile establishments during a riot emergency.

Mayor D'Alesandro said the measure is designed to fill a "vacuum in the law."

During last April's rioting, he explained, "scavengers" followed up the arsonists and those who broke into stores, then cleaned out the unguarded establishments.

The mayor said they could not be called burglars—that there was actually no law on the books that would pinpoint their crime exactly.

Under the bill, which was submitted through Senator Joseph A. Bertorelli (D., 1st Baltimore), chairman of the city senators, those caught in mercantile establishments during the period of a riot emergency designated by the governor, would be presumed to be there with intent to steal.

See F

2-4-69

P C-26

5.8-2

ARSON TERM OVERTURNED

Youth Got 4 Years For Fire At Grocery During Riots

By C. MASON WHITE
[Annapolis Bureau of The Sun]

Annapolis, March 20—The Maryland Court of Special Appeals has overturned the conviction and four-year sentence of a Baltimore youth accused of setting fire to a grocery building during the Baltimore riots last April.

In sending the case back for a new trial, the court ruled that the state could not establish an arson charge against the youth because it could not prove "Beyond a reasonable doubt" that the fire was deliberately or maliciously set.

The youth, William A. Hughes, 18, of the 400 block North Edgewood street, was arrested April 10, minutes after firemen extinguished a small blaze in a grocery at 601 North Edgewood street. A woman and her 3-year-old child lived in an apartment above the store, but they were not harmed.

Reported By Neighbor

The arrest came after a neighbor told police that the Hughes youth was seen emerging from the store a few minutes before the fire was discovered. The stock in the store had been completely looted sometime earlier, and the front door was open.

The Hughes youth denied setting the fire or entering the building. He said he only reached inside the front door to pick up a piece of table leg. He said he had gone to the store to buy a soft drink and picked up the table leg after discovering that the store was not open for business.

The appeals court judges said that under Maryland law the burden of proof is on the state in an arson prosecution to show that the burning was the result of criminal design. Where nothing but burning itself is evident, they said, the law presumes the burning to be accidental or from natural causes.

"The mere presence of the accused at the exact scene of the fire, coupled with only a denial that he was present, does not measure up to proof beyond a reasonable doubt that the fire was willfully and maliciously set," the judges said in their opinion.

No Expert Testimony

They said this ruling particularly applied in the Hughes case because the building had been extensively vandalized, the door was open, and numerous persons had entered the building on the day of the fire and had scattered a large amount of debris.

In its opinion the court also noted that there was no expert testimony offered in the Circuit Court of Baltimore that the fire originated from other than spontaneous combustion or other natural causes.

Judge Anselm Sodaro, the presiding judge in the original trial, said that the youth's age and his previous record of good behavior saved him from a longer sentence.

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21-69 PC-12

Happy To Be Out Of Grocery Business

By Gerald Parshall

Jaime Flaks is out of the grocery business, glad to be out of the grocery business and content to remain out of the grocery business.

The 45-year-old ex-Argentinian, former operator of a "mom-and-pop" type establishment in the 1400 block East Madison street, was among the scores of small merchants who lost their businesses in last April's rioting.

But Mr. Flaks has made no attempt to re-establish his business, preferring the security of regular wages and the comparative luxury of shorter hours as a supervisor in a spice company.

"I was scared another riot would come or something else would happen," he says. "I make a little less money now, but I don't have to work so hard," adding he has more time to spend with his wife Olga and their three boys, aged 7 and 3 years and 9 months.

"This Is A Food Market?"

The business was called Flaks Food Market but the name sometimes raised false expectations, he says. When his father came from Argentina two years ago for a visit, he couldn't believe he was looking at the food market his son had written to him about.

"This is a food market?" the old man asked incredulously as he stood in the doorway. The store encompassed fewer than 250 square feet and was crowded with counter and display cases.

In an average week, Mr. Flaks says, his business produced an income of \$200.

But it demanded of "me and my wife and two dogs" a six-day week of 12 to 14 hour days.

When the April disorders began, he says, one of his customers assured him there would be no trouble at his store because "you're a nice man, you're our soul brother."

"They got me anyway," he says. On Sunday morning, April 8, when he was alone in the store, looters entered and began emptying the shelves. Mr. Flaks, a slightly built black-haired man, fled out the back door.

Thoroughly Looted, Firebombed

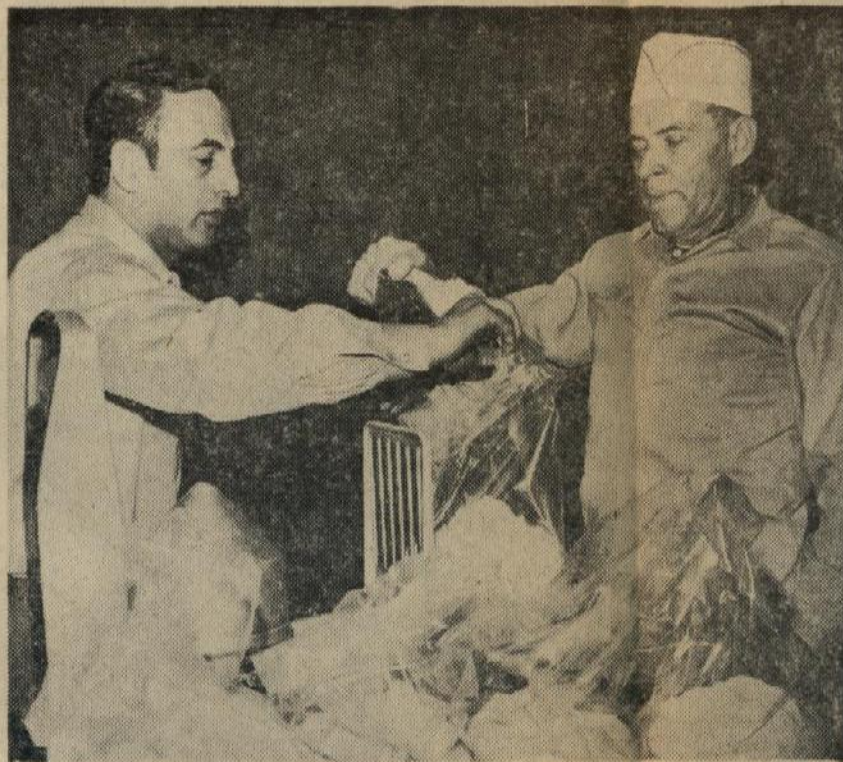
When he returned the next morning, he found his store had been thoroughly looted and firebombed. The total damage was estimated at between \$8,000 and \$9,000, about half of which was recovered in insurance claims.

Three days later, he took a job at the Baltimore Spice Company in Owings Mills as a packer. He says he has no regrets about the change.

Mr. Flaks brought his family to United States in 1963 from Argentina, where he had operated a luggage store in Buenos Aires, in search of a "land of opportunity."

Despite his troubles last April, he says he still sees this country in the same light.

He is planning to take his citizenship oath and expects soon to welcome his sister and her husband to the United States as new immigrants from Argentina.



Sunpapers photo—DiPaola

SPICE BUSINESS—Jaime Flaks, left, helps Gaspar Aristo wrap and weigh spices at the Baltimore Spice Company plant in Owings Mills. Mr. Flaks went to Baltimore county after he lost his grocery store in the 1968 riot.

Three months after going to work at the spice company, Mr. Flaks was promoted to supervisor in a section of the packing department.

He oversees 12 workers—all immigrants—speaking to them in his native Spanish and in the Portugese and Italian jargon he has picked up on the job.

5.8-2

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5.8-2

Police Appear Satisfied With Way Of Handling Recent Disturbances

By William Mock

The Baltimore city Police Department appears satisfied with its handling of the "disturbances" last week, the first real test of the department's new anti-riot strategy since the full-blown riots a year ago.

Police officials reacted to the disturbances as they said they would in an *Evening Sun* report earlier last week, quickly meeting the demonstrators with mass numbers of men who made some 150 arrests between Thursday night and Saturday morning.

It appeared today that mass deployment of policemen for group arrests would follow any similar situations in the future here.

"Either Way"

As one Negro detective said, speaking informally Friday, "it could have gone either way... they intended to start something, but we nipped it in the bud."

He compared last week's situation with the beginning of the rioting last April, saying both started in an unorganized way and involved youngsters between the ages of 12 and 18 years.

"Some of them started out

Analysis

with the idea to burn and loot, but we got to them early enough to stop any major destruction," said the Negro detective, a member of the Community Relations Division.

Disorders last year started on North Gay street and rapidly became rioting there and in other city areas, after the assassination of Dr. Martin Luther

King, Jr. Six deaths and \$14 million in property damage resulted before Federal troops, four days later, said the rioting was under control.

Demonstrators last year were, at first, treated softly by police, but during last week's disturbances police acted swiftly, with new officers and new deployment procedures.

Mass arrests were ordered to get people off the streets and no National Guard or federal troops

[Continued, Page C 2, Col. 1]

Police Appear Satisfied With Way Of Handling Recent Disturbances

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were needed to keep the demonstrators isolated.

"We responded in force and, even though restraint was used, we ordered mass arrests to clear the streets," said William R. Morrissey, a police spokesman.

Even though many were later freed by judges because of insufficient evidence, police say they accomplished their duties of getting people off the streets and keeping property damage at a minimum.

"As the commissioner (Donald D. Pomerleau) has often said, the department's purpose is not to prevent rioting," Mr. Morrissey said. "Our purpose is to keep any outbreaks from spreading."

A large number of persons, arrested on charges of disorderly conduct or refusing to obey a police order, was later freed by judges when police were unable to connect the persons with a specific complaint.

Referring to these cases, the police spokesman said, "When we ordered mass arrests, we anticipated difficulties with connecting specific names with specific acts, but we accomplished our purpose of getting people off the streets and restoring order to the community."

Three stores were fire-bombed, one cleaners establishment was looted, and hundreds of windows were broken and hundreds of false reports flooded the department Thursday night. But no major damage was reported to police.

There was another fire-bombing attempt of a pharmacy Friday night, but business went uninterrupted for the most part in all sections of the city. The Monday Mall closed early Friday after youths raced through it breaking windows, but reopened Saturday with no problems reported.

Police eased their patrol

strength back to normal yesterday and the 600 National Guardsmen called into Baltimore metropolitan area armories Thursday for "weekend training sessions," were sent home. No guardsmen were used.

Comment By Pressman

City Comptroller Hyman A. Pressman said today that the contrast between last week and the riot of a year earlier "proves that strict law enforcement results in respect for the law."

"Las law enforcement and permissiveness can only lead to anarchy," Mr. Pressman said.

"The best way to deal with rioting and looting is to nip it in the bud. When law enforcement officers stand round and do nothing while looting goes on within their view, it encourages more and more looting. When arrests are made, and jail sentences handed out, looting ends and law enforcement prevails."

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12 ARE RELEASED IN DISTURBANCES

April Disorder Charges Fail On Identification

(Continued from Page C 22)

time, he added, only 29 convictions had been secured.

"It would be a help," he said, "when dealing with large groups, to have some means of identification at the time. Police . . . breaking up fights can't remember individuals. . . . Each individual can say that he was getting a pack of cigarettes or was going to visit his mother."

The disorderly conduct charges were dropped against:

EDWARD C. WHITFIELD, 16, of the 1500 block Ensor street.

WILLIAM K. POWELL, 28, of the 700 block North Durham street.

JAMES HOLMES, 18, of the 900 block North Chester street.

ARTHUR MOON, JR., 20, of the 1800 block North Washington street.

ISAAC J. SHAVERS, 18, of the 1000 block McAleer court.

MELVIN C. ARCHER, 18, of the 1300 block North Central avenue.

FOSTER TUCK, JR., 18, of the 2600 block Cecil avenue.

HAROLD L. TUCK, 17, also of the 2600 block Cecil avenue.

PAUL WILLIAMS, 22, of the 2600 block Garrett avenue.

LEVANDER R. EDWARDS, 18, of the 2500 block Kirk avenue.

TYRONE A. JOHNSON, 19, of the 2300 block Harford road.

GLENN L. MATTHEWS, 18, of the 1500 block Montpelier street.

Judge Gerstung suggested yesterday that police photographs might provide the answer to securing more convictions in the wake of mass arrests.

"I'm not allowed to recommend what police should do," he prefaced his remarks, adding that "Polaroid shots would help identification. There is a deterrent effect to photography."

Cameras Available

He said that the police need someone "almost tantamount to a combat photographer," but added that "if you are going to have effective control, you are going to have to have effective conviction."

One sergeant at Eastern District station, when told of the Judge's suggestions, asked resignedly, "What the hell; we have to carry a gun, a night stick, a radio, Mace, and now we have to carry a camera, too?"

12 ARE RELEASED IN DISTURBANCES

April Disorder Charges Fail On Identification

Municipal Court Judge Robert J. Gerstung dismissed disorderly conduct charges yesterday against 12 persons arrested on the night of April 4 during minor disturbances marking the anniversary of the assassination of Martin Luther King, Jr.

The 12 dismissals were all recommended by police in Municipal Court who told Judge Gerstung that they had been confronted with an enormous problem of identification in making the charges stand up in court.

Judge Gerstung said that yesterday's dismissal of charges raised to 63 the number of persons against whom charges had been dropped in Eastern Municipal Court since the April 3-4 disturbances. During the same

(Continued, Page C 6, Col. 7)

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Re: local

6, 1968

LIFE TERM IMPOSED IN RIOT DEATH

Suspect Pleads Guilty; Man Was Trapped In Restaurant Fire

By GEORGE J. HILTNER

Judge Solomon Liss yesterday imposed a term of life-imprisonment on a 22-year-old man he described as one of "literally hundreds who suffered the tragic consequences of the madness that hit this city on April 6, 1968."

The life term was given Robert L. Bradby, of the 2000 block North Washington street, who admitted causing the death of a 56-year-old man who was trapped in a spaghetti-house fire started by a molotov cocktail and gasoline during the mass rioting in Baltimore last year.

Bradby pleaded guilty in the death of Louis Albrecht, of the 2400 block East Madison street. Howard L. Cardin, the prosecutor, said Mr. Albrecht had gone to the restaurant premises for refuge and was trapped there when flames engulfed the building.

In view of the plea, the prosecutor dropped arson and conspiracy charges against Bradby.

A 24-year-old man, Isaac J. Lynch, already has been given a life term, plus 10 years, for murdering Mr. Albrecht and setting fire to Gabriel's Spaghetti House, and a second, Willie D. Price, 24, is awaiting sentencing on those charges.

"Let me say one thing, and I think this is something that everybody in this court ought to be aware of here," Judge Liss said after imposing sentence.

"This man is only one of maybe a half dozen that I have had, personally, and I know that there are literally hundreds of them who suffered the tragic consequences of the madness that hit this city on April 6.

"The unfortunate part about it, the pitiful part about it, is that it is people like Bradby and others like them who let themselves be used by people who do things that they never would have done under normal circumstances.

"They now fine themselves sent away for life or sentenced for long periods of time."

*Sun 6-6-69
PC-26*

5.8-2

CITY WILL GET \$450,000 FOR RIOT REPAIRS

Embry Says U.S. Aid Will Be Used In East Baltimore

By NAOMI S. ROVNER

[Washington Bureau of The Sun]

Washington, July 10—Baltimore will receive \$450,000 from a special fund earmarked by President Nixon last April for riot repair. The money was awarded today by the federal Department of Housing and Urban Development.

The grant was announced by Senator Charles McC. Mathias, Jr. (R., Md.) and Representative George H. Fallon (D., 4th.).

Baltimore received exactly one-twentieth of the \$9 million set aside for 20 cities plagued with the racial disturbances touched off by the 1968 assassination of Dr. Martin Luther King, Jr.

East Baltimore Projects

Robert Embry, the city housing commissioner, said today the funds would be used for a series of riot-related projects in East Baltimore.

He said that regional officials from the federal housing agency had toured the areas in which there had been disturbances "for about half a day about two months ago."

The \$9 million is scheduled to be augmented nationally with a long-term \$200 million program in the cities, according to the earlier White House announcement.

Baltimore's share of the money will be concentrated in Gay street and Greenmount avenue areas, and will be used to establish a one-year "clean-up" program, to resurface lots left vacant by the removal of riot-destroyed buildings and transform them into basketball courts and playgrounds, and to improve parks and existing playgrounds, with, for example, portable swimming pools.

According to the terms of the grant, the city will match one-third of the federal share.

Sanitation Emphasized

The year-long program will emphasize the sanitation aspects in the area, Mr. Embry said, and will include teams "going into alleys and backways" to clean the area of rubble, some of which is left over from the 1968 disturbances.

At the time of the White House announcement last spring, it was anticipated that approval of urban renewal and Model Cities programs would be accelerated in cities where riots had occurred.

Late last month, just before uncommitted funds were scheduled to be returned to the Treasury, the housing depart-

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5.8-2

"COURT TO TRY 'TEST' CASES"

Results will decide liability of City for Riot Damage

Judge Charles D. Harris issued a ruling yesterday clearing for trial next fall four "Test cases" which would determine the city's liability for property damage caused by the Easter Week riots in 1968.

According to the judge's ruling in Baltimore City Superior Court, approximately 150 merchants and property owners who have sued the city for more than \$5 million will be bound by the results of the four test cases.

In his ruling, ~~Judge~~^{Judge} Harris dismissed Mayor D'Alesandro as a defendant, but ordered the city to go to trial.

Trial Ground Rules

Under the ground rules that will apply at the trial, the judge said the four plaintiffs will have to show by a "fair preponderance" of evidence that:

1. The city had good reason to believe that a riot of "tumultuous assemblage" was about to take place or, a riot having taken place, the city had notice in time to prevent injury or destruction.
2. Having notice of a riot, the city "had the ability, of themselves or with their own citizens." to prevent the damage.

"All Reasonable Diligence"

No liability can accrue to the city, the judge added, if it used "all reasonable diligence and all the powers entrusted to it" to suppress the riot.

The city had previously been overruled when it attempted to assert a defense based on its lack of legal control over the Baltimore Police Department.

Similarly, Judge Harris's ruling yesterday held that the declaration by then - Gov. Spiro T. Agnew of a state of emergency and the intervention by federal and National Guard troops was not a valid defense in the suits.

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8-13-70 P.C-5

5.8-2

1,500 RIOT CASES DUE

Statute Of Limitations Will Expire In Three Weeks

The Superior Court expects within the next three weeks to be deluged with an estimated 1,500 new cases arising from property damage and loss inflicted on Baltimore commercial establishments during the 1968 riot.

The unusually heavy load of cases is expected now because the statute of limitations expires in three weeks.

Edward Janos, deputy clerk of the court, said a special "Civil Disturbance Docket" has been set aside for the avalanche of cases. Manila folders and a special stamp already have been prepared for the expected litigation.

A number of the cases, it was said, are expected from insurance companies which paid off claims to policy holders who suffered losses during the widespread looting and burning.

Many Already Filed

A total of 163 cases asking more than \$5 million damages already have been instituted against the city, and Mr. Janos said he recently received 58 more that have not yet been placed on the docket.

Mr. Janos said the 1,500 cases, if all are filed, will require the equivalent of about three months of work for the clerical staff.

Suits already filed ask damages ranging from \$15,000 to \$350,000.

The riot resulted in physical injuries and death, as well as property damage. More than 5,000 persons were arrested and tried on charges ranging from curfew violations to murder.

Court decisions on preliminary motions already have subjected the city to suit, and four test cases are expected to be tried. However, motions still being filed by the city are delaying the trials.

The litigants contend that the city failed to use diligence and the powers entrusted to it to prevent or suppress the uprising.

Sum F
3-18-71 PC7

City held liable in riot suits

Appeals court rules claims may be heard

By C. MASON WHITE
Annapolis Bureau of The Sun

Annapolis—The Maryland Court of Appeals cleared the way yesterday for the trial of damage suits totaling more than \$20 million filed against Baltimore city as a result of the April, 1968, riots which followed the assassination of Martin Luther King, Jr.

In a test case, the state's highest court upheld a ruling by Judge Charles D. Harris, of the Baltimore Superior Court, which had rejected the city's argument that it was not liable for riot destruction. The city had argued that it legally had no control over the Police Department because the department is a state agency.

Ambrose T. Hartman, deputy city solicitor, said yesterday that his office will "study the feasibility" of appealing yesterday's decision to the United States Supreme Court.

Some 2,000 Superior Court suits claiming more than \$20 million in damages were affected by the Court of Appeals decision, Mr. Hartman said. The legal deadline for filing damage suits was April 8, 1971, three years after the riots, he added.

The test case, initiated by the city, named John E. Silver, one of the many property owners claiming damages. Mr. Silver asked \$15,000 for damage to his

See SUITS, C7, Col. 7

Appeals court upholds '68 riot-damage suits

SUITS, from C20

restaurant and carry-out shop in the 1700 block Harford road.

The city asked the courts to decide whether it could, under certain circumstances, be held liable for the riot destruction.

The ruling by the Court of Appeals simply enabled the property owners to have their damage suits heard and decided in Superior Court.

In order to actually collect damages from the city, the property owners still must prove in court that the city had reason to believe that a riot would occur, that it had notice in time to prevent destruction, and that it had the ability—by itself and with its citizens—to prevent damage to property.

The city, in disclaiming liability, asserted that it is legally incapable of controlling its Police Department because the department is an agency of the state.

But Judge Thomas B. Finan said, for the Court of Appeals, that lack of control over a police force does not necessarily excuse a municipal government from trying to prevent or contain riots by using other reasonable means available.

Although the city has no authority over the Police Department, he said, the Mayor could have consulted with the police commissioner about the riot conditions and requested specific kinds of police action.

The city argued that its charter prohibits city officials from interfering with the powers of the police commissioner.

However, Judge Finan said that prohibition was not intended to do away with any liaison between the Mayor and the commissioner.

"The city is the agency responsible for appropriating money for the operation of the Police Department..." the appellate judge wrote in his opinion.

"Certainly, although this in itself could not be construed as a method of indirect control over the Police Department by the city; none the less, one would be overly naive not to think that such a situation would provide the occasion for the flow and exchange of communications, accommodations, and co-operative action between the city and the police commissioner."

However, the appeals judge said, any questions about the practical effect of such liaison between the Mayor and the commissioner would have to be answered at the hearings on the 2,000 damage suits.

The appellate judge pointed out that the city charter specifically designates the Mayor as a conservator of the peace. "Forming of a citizens posse is one of the powers of a conservator of the peace, and Judge Finan

an said that it might possibly have been feasible for the Mayor to call out a posse to suppress the riots.

Whether or not a posse was needed, the appeals judge added, is another question that should be resolved at the hearings on the damage suits.

The city argued that the Mayor's powers as a conservator of the peace were obsolete and inadequate to deal with civil disorders, such as the 1968 riots.

Judge Harris had turned back that argument in Superior Court, saying that it was "hardly consistent" with statements attributed to Mayor D'Alesandro in a newspaper story published in May, 1970.

In the story, the Mayor was quoted as saying that demonstrators would no longer be permitted to block the streets and that terrorism would be ended in the schools.

Jan P.
11-16-71
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5-8-7

Man Acquitted In Fire Death, Once Pleaded Guilty

By George Hanst

A man who once pleaded guilty to committing a murder during the April riots in Baltimore four years ago has been found innocent after he won a new trial on legal grounds.

The defendant, Robert L. Bradby, Jr., 25, of the 200 block North Washington street, was convicted by a Criminal Court jury on arson and arson-conspiracy charges in connection with the same incident, however.

Took Refuge, But Died

The jury acquitted Bradby of murdering a man who was trapped in Gabriel's Spaghetti House in the 200 block Federal street when the establishment was firebombed about 11 P.M. April 6, 1968, the first night of the rioting.

The victim, Louis M. Albrecht, 56, of the 2400 block East Madison street, took refuge in a second-floor apartment but died of smoke inhalation.

Thomas R. Kane, assistant state's attorney, presented signed statements by Bradby in which he admitted participating in the firebombing.

Regretted Act

Bradby testified that somebody shot at him from the restaurant and that Isaac J. Lynch urged him to retaliate.

Bradby said he provided a paper wick for a soda bottle Lynch was carrying, and he defendant tossed the bottle into

the restaurant after Lynch ignited the paper.

Bradby testified he regretted the act immediately but stood back to watch as the flames from the smashed bottle almost died out.

Then Willie Price threw a bucket of liquid into the restaurant and the place exploded in flames, Bradby told the jury.

Lynch and Price were convicted in 1969 for the murder and were sentenced to life in prison.

Bradby pleaded guilty and was given a life sentence in June, 1969. The arson and conspiracy charges were dropped.

The hearing occurred three days after the Supreme Court ruled that certain rights had to be announced to defendants who plead guilty.

Granted New Trial

Because those elements were neglected in Bradby's case, he was granted a new trial in June on the murder charge. Prosecutors then had Bradby reindicted for arson and conspiracy.

Sentencing on the latter charges, which could total 40 years was postponed by Judge David Ross to allow Bradby to file a new-trial motion by tomorrow.

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Firebomb thrower's term cut to 10 years after appeal

A 25-year-old man, who won a new trial on arson-murder charges after he had been sentenced to life imprisonment, was sentenced to 10 years in prison following a retrial yesterday.

Robert Lee Bradby, Jr., of the 200 block of North Washington street, pleaded guilty in 1969 to causing the death of a 56-year-old man during the 1968 riots in Baltimore, which followed the slaying of Martin Luther King, but the Maryland Court of Appeals later reversed the conviction on legal grounds.

A Criminal Court jury under Judge David Ross recently acquitted Bradby of the murder charge, but convicted him of arson and arson-conspiracy charges in the same incident, which involved the throwing of a firebomb into Gabriel's Spaghetti House on the first day of the rioting in April, 1968.

Two co-defendants convicted of the murder charge are serving life terms. They are Isaac J. Lynch, 27, of the 1100 block of North Bond street, and Willie D. Price, 24, of the 1500 block of North Bethel street.

The murder victim was Louis M. Albrecht, of the 2400 block of East Madison street, who died of smoke inhalation after he fled to the second floor of the spaghetti house on East Federal street when the improvised bomb was thrown into the restaurant.

At his second trial, Bradby admitted participating in the firebombing, but said he did so after someone fired a shot at him from inside the restaurant.

He testified that Lynch urged him to retaliate. He said he provided a paper wick for a

soda bottle Lynch was carrying and that he threw the bottle into the restaurant after Lynch ignited it.

Bradby told the jury that he regretted his actions immediately thereafter, but stood back to watch as the flames from the smashed bottle almost died out.

He testified that Price then threw a bucket of inflammable liquid into the restaurant and the place exploded in flames.

Bradby's murder conviction was reversed because, the Maryland Court of Appeals ruled, his rights have not been explained to him when he pleaded guilty.

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