

Wilson Gives Policies on Mass Arrests

By Jim Mann

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D.C. Police Chief Jerry V. Wilson says that his department will abandon field-arrest procedures when necessary during future demonstrations, as it did in arresting 7,000 persons during the Mayday demonstrations here on May 3, 1971.

In a deposition filed in U.S. District Court in response to a lawsuit by persons arrested during the Mayday protests, Wilson says his department has reviewed its policies and has decided that it may need to abandon the field-arrest forms again in making mass arrests. But it will do so on a unit-by-unit basis rather than for the entire police department at once, Wilson says.

"We experimented in several ways in trying to develop a more rapid mass-arrest process without any great deal of success," Wilson says.

The field-arrest forms, filled out by a policeman on the scene of a demonstration or civil disorder, include a brief description of the circumstances of an arrest and a Polaroid picture of the policeman with the person arrested.

Police abandoned the use of the forms during Mayday because they felt the filling out of the forms wasted time. The result was that there was usually little evidence with which to prosecute demonstrators after the arrests.

Although the total of 7,000 arrests on May 3, 1971, was the largest for any single event in

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the nation's history, only a small handful (the exact number has never been determined) were ever convicted of a crime. Most of the cases were later dropped or thrown out of court.

In the deposition, which constitutes Wilson's first formal testimony concerning the Mayday demonstrations, the police chief also:

- Said that the Justice Department, in effect, has had control over all major demonstrations in the District of Columbia since 1963. But he maintained that during Mayday he, not the Justice Department, decided to suspend the field-arrest procedures.

- Acknowledged freely that law enforcement authorities grossly underestimated the number of persons who would be arrested during Mayday and therefore were caught without adequate detention facilities for the 7,000 arrested demonstrators.

Wilson said that if he had known how many people would be involved in the demonstrations, "quite obviously we would have provided better detention facilities than we did." He said that authori-

ties had made plans to detain no more than 1,800 arrested demonstrators.

- A one point in the deposition, attacked Superior Court Judge Charles Halleck for censuring police actions during Mayday. "Judge Halleck is always making some goofy statement," Wilson said.

Wilson's answers were provided in response to a lawsuit brought by Mayday demonstrators, who allege that the Justice Department and the police conspired in advance to deprive them of their civil rights.

Wilson traced the origin of the field-arrest forms back to a demonstration by the Women's Strike for Peace in 1966, "in which we made numerous arrests and had difficulty in terms of identifying arresting officers with arrestees." The current field-arrest forms were drawn up after the civil disorders here in April, 1968.

When asked by attorney Joseph L. Raugh Jr. (whose firm is representing the arrested demonstrators) whether he and his staff had understood in advance the difficulty in prosecuting cases after abandoning the field-arrest forms, Wilson answered:

"I think we all understood the issue pretty clearly, I certainly did."

Wilson said repeatedly that he did not talk about abandoning the field-arrest forms with then-Attorney General John N. Mitchell or others in the Justice Department before deciding to do so himself.

"I don't think even if I did (that) he (Mitchell) would have understood the implications of it, not being that familiar with the processes," the police chief said.

However, Wilson acknowledged that in a general sense the Justice Department was in charge.

"The chain of command perhaps overstates it, but there is no question but that the Justice Department, nonetheless, issues instructions with regard to demonstrations and always has, and as a practical matter I think one could interpret that as chain of command."

"There was no question during the (1968) Poor People's Campaign that when we met with (then-Attorney General) Ramsay Clark and he spoke that we were supposed to do what he said without going and asking the mayor if he agreed."

Wilson said that the legal chain of command is through the mayor. . . . Wilson said that he first began to think for the military demonstrations with these deput. Attorney General Richard Kleindienst and then Assistant Attorney General Robert Mardian in a meeting at the Justice Department in January or February of 1971.

"Whose idea was the meeting," Kline asked in the deposition.

"I would assume Kleindienst. I don't know," he called, Mrs. L. Adams. Wilson responded.

"On their own, the bodies filed in the park, early this year. Mitchell and Kleindienst were at the first meeting. . . . The Department was in the park. . . . Wilson said that the meeting with Wilson in January or February is mentioned.

"I think the idea of the (January or February) meeting was that it was something to begin to think about but not to worry about until some further information had been developed to see whether or not it was likely to come off," Wilson said.

Regarding detention facilities, Wilson acknowledged that during eight planning sessions in which the Justice Department participated before and during the demonstrations, there was almost no discussion of what would happen after demonstrators were arrested.

"If you include the meetings on May 3 there, the detention facilities were discussed. Of course, this was after the arrests were made, and there were considerable discussions then . . . but not preceding May 3 other than perhaps a generalized reporting of the available facilities." Wilson said the police estimated that they could detain 1,800 demonstrators in police cellblocks and the D.C. Jail. "We did not anticipate that we would have to arrest substantially more than 1,800 persons," he said.

Oddly enough, Wilson said that there was extensive planning by authorities for a detention day before.

after 6 a.m., the Interior Department revoked a permit and D.C. police moved an estimated 50,000 persons (Wilson's figure) from an encampment and all-night rock concert at West Potomac Park.

Almost all of the demonstrators left voluntarily, and quickly, but Wilson disclosed for the first time that authorities did not think it would go so well. He said it was felt possible that thousands of demonstrators would simply refuse to obey a police order to leave the park area.

In that event, Wilson said, authorities had planned to turn West Potomac Park itself into a detention facility, keep-

ing the restaurant campers there under arrest and processing them directly from the park to the court.

Ordinarily, the park permit was revoked on grounds that the rock concert was in violation of park regulations. But at that point, Kline asked, will there be no purpose in that case in following the regulations?

Wilson said there were no other alternatives. He said that the police were in the park for about an hour and that the demonstrators were being processed to the court.

Wilson said that many different federal agencies were involved in the planning sessions. He said that the agencies were unnecessarily involved.

"Everybody has to be compelled to say something just to make sure that everyone knows they're there," he said. "Another thing is that the police were sweeping 14th Street, Constitution Avenue to Independence.

getting into the street and moving people out of the street. It could mean going into the street and arresting everyone who is in the street in violation of the law. (The officer) may have been calling for sanitation," Wilson said.