

# May Day in Washington: Police Chief's Explanation

## Wilson Tells Phila. Bar Of Policy

The controversial police chief of Washington, D. C., Jerry V. Wilson, spoke yesterday at the quarterly meeting of the Philadelphia Bar Association, in the Bellevue Stratford Hotel.

His talk, on "Common Sense in Properly Dealing With Mass Protest," dealt with the May Day antiwar protests in Washington.

Excerpts from Chief Wilson's speech follow:

...Broadly stated, the joint governmental policy in the District of Columbia is to provide a forum for those citizens who seek peaceably to assemble and petition their government, while, at the same time controlling, with all the legal tools at our disposal, those persons whose activities go beyond peaceable assembly and become violations of the laws.

This policy, necessarily, works a hardship on the community, for it clearly opens the city to major assemblies of thousands of people who peaceably demonstrate for whatever objective they seek. And, unfortunately, despite perhaps the best intentions of demonstration organizers, major assemblies sometimes attract fringe groups which seek to engage themselves and any others they can persuade in unlawful and destructive tactics which generate clear danger and damage to the community.

THIS LEADS TO the practical question of "What is the best way to handle a typical demonstration?"

...If there is any one thing

I have learned from five years of dealing with demonstrations of all magnitudes and intensities, it is that there is no "best" way of dealing with one.

If a demonstration is small and peaceable, you do not worry about it beyond having the patrolman on the beat give it special attention; if a demonstration is large and peaceable, you make available sufficient policemen to detour traffic as necessary and provide adequate sanitation and emergency health services; if the demonstrators are engaging in unlawful or destructive actions you either arrest them or disperse them, depending on which action is more likely to achieve the objective of restoring order and reducing to an acceptable level the disruption of normal activity.

IT IS A VERY SIMPLE matter to decide how a demonstration should be handled — after the event has occurred.

It is a much more difficult decision to make — before the event — when predictions of crowd size and crowd disruption potential are far less certain, when much of the planning must be based on often inflated crowd predictions and occasionally deceptive assurances of peaceful intent by the demonstration leadership which, even if candid and well-intentioned, may have a very nebulous control over the size and mood of the crowd it purports to represent.

During the day on April 24 there occurred an exemplification of a peaceable assembly to petition the government. Some 175,000 persons marched from the Ellipse behind the White House, down Pennsylvania avenue, to the Capitol grounds for an antiwar rally. The only adverse incidents were a few arrests precipitated by a small group

of counter-demonstrators.

Unfortunately, the high quality of the demonstration during the day was offset by the destructive antics of persons attending a rock concert during the night at the Washington Monument grounds, an illustration that even intended peaceful assemblies often attract to a city and give cohesion to irresponsible fringe elements which are beyond control of the demonstration leadership and who engage in activities destructive of property on the one hand and of the repetition of the demonstration on the other.

DURING THE WEEK following April 24, there occurred several examples of traditional peaceable assembly, with large groups petitioning the government at the Department of Justice and the Internal Revenue Service, and also several examples of traditional nonviolent civil disobedience, with groups purposefully blocking entrances at the Department of Justice and at the United States Selective Service Headquarters until they were arrested. These activities included participants apparently drawn from both the "Mayday" group and the S.C.L.C. group,

The Philadelphia Bar Association granted a request from the Greater Philadelphia branch of the American Civil Liberties Union to distribute at the luncheon its statement on the May Day action of the Washington, D. C., police department entitled "The Other Side of the Coin."

The statement cited, in addition to individual abuses of authority by police, "a calculated policy of abuse and manipulation emanating from the highest levels of federal government and involving police chief Jerry Wilson as well."

It said this policy was manifested in four areas:

—**MASS ARRESTS**, charging and detaining under physical hardship of innocent bystanders.

—**EXCESSIVE FORCE** and beatings by police against demonstrators and innocent bystanders.

—**PREVENTIVE DETENTION** of protestors accomplished by Chief Wilson's suspension of the \$10 bail or collateral normally set for minor offenses coupled with a new court policy of setting bail at \$250.

—**DELIBERATE FAILURE TO KEEP ACCURATE ARRESTS RECORDS** by police.

which also was sponsoring demonstrations in Washington during that week and the next.

While these activities were going on, an additional problem was developing in West Potomac Park, where the government had issued a permit for use of the park land as an assembly area for the "Mayday" group. The permit, in accordance with existing Park regulations, prohibited camping activities such as erection of tents and other structures, sleeping, and similar activities. Open violations of these prohibitions occurred despite repeated warnings by the Park Service. Because of these continuing violations of the terms of the permit, the widespread use of drugs throughout the encampment during the entire preceding week, the fact that over 1,000 arrests for demonstration-related activities had taken place during the week, and the repeated public pronouncements that the group present would disrupt the city and close the government the following Monday, a decision

was arrived at on Saturday, May 1, to revoke the permit and order the persons assembled there to disperse.

**THIS DECISION WAS** executed Sunday, May 2, and the some 40,000 to 50,000 persons assembled at West Potomac Park were dispersed upon warning by the police that they must leave or face arrest. Only a few hundred of that group decided to remain and submit to arrest; other than those peacefully submitting to arrest, except for a few isolated instances of arrests of disorderly individuals, the assembly was dispersed without incident.

On Monday, May 3, the critical stage of the event occurred. May 3 and May 4 were the days which the self-styled "Mayday Collective" had selected, in their own words, "to close down the Federal government sections of Washington, D.C. by blocking traffic arteries during the early morning rush hours."

Before the morning of May 3d broke, we estimated that the demonstrators might have

developed the capacity to produce upwards of 10,000 or more demonstrators, but we believed that no more than 1,000 or 2,000 would actually participate in blocking traffic. Given the lower figure, we established our details for that date prepared to use standard field arrest procedures, which require contemporaneous report writing and photographing, a process which consumes ideally about one minute for each individual arrest. However, by 6:30 that morning, it was obvious to me that if normal field arrest procedures were continued, all traffic in the downtown area could be stopped by the demonstrators, the government might be prevented from opening, and the city would be exposed to the great potential hazards which are presented by any traffic blockage preventing movement of fire, ambulance, and police emergency vehicles. Consequently, I ordered that normal field arrest processes be suspended so that the thousands of persons engaging in disorderly conduct and traffic stoppage could be rapidly arrested.

These are some common sense guidelines in handling demonstrations:

First, I think it is all important that the government, especially the police forces, keep mentally and psychologically aloof from the issues of the demonstration.

Secondly, I think that it is highly important that the government have well-developed and well-coordinated plans for dealing with probable contingencies of the demonstration.

Thirdly, I think it is important that the government, and especially the police, set as its objectives a reduction of intensity of disruption to an acceptable and appropriate level, and recognize that any event involving large numbers of persons is likely to create some disruption.

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**POLICE CHIEF** Jerry Wilson in action during May 4 demonstrations.