

10/2/71
**Court Voids
Most Cases
On Mayday**

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The U.S. Court of Appeals here acted last night to strike down virtually everything that the government has done to prosecute the more than 12,000 people arrested during the Mayday antiwar demonstrations last spring.

A three-judge panel of the court ruled that the police must refund collateral to the overwhelming majority of the people who forfeited it during the demonstrations and subsequent legal proceedings.

It also placed a total ban on dissemination of all Mayday arrest records, even to the FBI, except for the fewer than 200 persons convicted for illegal activities during protests between April 28 and May 5.

In a sweeping order filed in a case brought by the American Civil Liberties Union on behalf of arrested demonstrators, the Appellate Court also:

- Temporarily enjoined further prosecution of all the estimated 325 Mayday cases remaining to be processed, pending a thorough "screening" of them by the D.C. corporation counsel.

- Ruled that the city prosecutor must provide "adequate notice" to all people who are still expected to appear for trial in connection with Mayday after the screening.

- Directed the corporation counsel to track down any copies that may already have been made of Mayday arrest records and get them back into the metropolitan police department files.

- Told the prosecutor to report back to the court "within a reasonable time demonstrating compliance" with an earlier injunction entered in the case as well as the one entered yesterday.

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- Warned that unless the corporation counsel can demonstrate "legitimate governmental interests" in another course of action, it may order all May Day arrest records to be completely expunged except those of persons convicted after trial.

Retaining jurisdiction over the case, the panel—Chief Judge David L. Bazelon and Judges Harold Leventhal and Spottswood W. Robinson III—left open the option of taking further action later.

Sources at the ACLU hailed the Court of Appeals decision as an "almost total victory" for the critics of government action during the militant antiwar demonstrations intended to keep the capital city from functioning.

A spokesman for the corporation counsel's office suggested that parts of the court order may be virtually "impossible" to carry out.

The city prosecutor will be required, however, to produce detailed statistics on May Day that have been sought in vain by the courts, the press and private groups for the last five months.

Within 20 days, the court order said, the corporation counsel must spell out:

- The total number of persons arrested during the protests between April 28 and May 5. (Police estimates have been 12,000 to 13,000.)

- The disposition of all cases, including how many were dropped, the collateral forfeited, resulted in convictions or acquittals after trial, etc. (Since forfeitures and no contest pleas have been lumped with convictions in

court records, no one has ever been certain of the exact number convicted.)

- The number of dismissals and dropped cases due to the police lack of standard field arrest forms and photographs for the defendant or the inability of witnesses to identify the alleged offender with his offense.

- The number of people who have already sought expungement of their arrest records in D.C. Superior Court and the decisions in those cases.

During a Sept. 22 hearing that resulted in yesterday's ruling, the city representatives were unable to provide the court with any of that information.

Assistant Corporation Counsel David P. Sutton argued at that hearing that the ACLU's efforts to represent all of the arrested persons as a single class should be rejected, leaving each individual to initiate his own court action.

Informed of the court order by telephone last night, the city prosecutor's office was still unable to estimate how many people would be affected by each of its provisions.

A spokesman suggested that the part of the order requiring a refund of collateral could affect more than 3,000 persons. This would mean a refund of at least \$30,000 in fines.

Yesterday's court ruling, which reversed earlier decisions by U.S. District Court Judge Howard F. Corcoran, did not touch on the question of whether persons were illegally arrested and detained during the Mayday demonstrations.