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Yippies march on Kent administration building with demands after hearing grand jury report on killings.

Kent Jury Justifies Gunfire, Indicts 25

By Abe Zaidan

Special to The Washington Post

KENT, Ohio, Oct. 16—A special state grand jury today indicted 25 persons, none of them Ohio National Guardsmen, in connection with last May's disturbances at Kent State University in which four students were killed.

In a strongly worded 18-page report that contradicted earlier federal findings, the grand jury found that the shooting of Kent State students by Guardsmen was justified. Additionally, the jury

excoriated the university administration for fostering "an attitude of laxity, overindulgence and permissiveness."

The names of those indicted and the nature of the charges were not made known. Authorities said the names would be released Monday after arrests this weekend.

The jury report, released after more than three weeks of testimony, apparently reflected the strong anti-student attitude that has mounted in the

rural area around Kent State. It exonerated Guardsmen, contending that they had fired "in the honest and sincere belief . . . they would suffer bodily injury had they not done so."

In contrast, the Federal Bureau of Investigation and the Scranton Commission on Campus Unrest had found the shootings to be unnecessary and unjustified.

The Scranton commission had placed blame for the tragedy on both the students and the National Guard, declaring that the students had "wreaked havoc" on both the town of Kent and the university. But the commission found that the shootings were "indiscriminate . . . unnecessary, unwarranted and inexcusable."

The Justice Department had indicated at the time of the FBI report that several Guardsmen might be indicted and that a federal grand jury investigation was possible.

See KENT, A3, Col. 1

25 Indicted in Killings at Kent

KENT, From A1

Tonight, Attorney General John N. Mitchell, in Indiana for campaign speeches, said the Justice Department is continuing its investigation of the Kent State incident. He said Justice would review the special grand jury's findings.

The force of the jury report today was directed at students, faculty and campus administration. It did declare that the Guard's use of M-1 rifles on the campus were "not the type of weapons suited to such missions," and accused National Guard commanders of ordering their men into an "untenable and dangerous position."

But its strongest words were reserved for the Kent State administration.

"We find that the major responsibility for the incidents occurring on the Kent State

University campus on May 2, 3 and 4 rests clearly with those persons who are charged with administration of the university," the jury said. It went on:

"The administration has fostered an attitude of laxity, overindulgence and permissiveness with its students and faculty to the extent that it can no longer regulate the activities of either and is particularly vulnerable to any pressure applied from radical elements within the student body or faculty."

The jury came down hard on student dissent, declaring: "A second example of where the university has obviously contributed to the crisis it now faces is the overemphasis it has placed and allowed to be placed on the right to dissent.

"We cannot agree that the role of a university should be

to continually foster a climate in which dissent becomes the order of the day to the exclusion of all normal behavior and expression."

The jury deplored the actions of the students at the Monday rally that was climaxed by the shootings, declaring: "Those who acted as participants and agitators are guilty of deliberate criminal conduct.

"Those who were present as cheerleaders and onlookers while not liable for criminal acts, must morally assume part of the responsibility for what occurred."

The jury further charged that the "evidence (is that) Kent State University was in such a state of disrepair that it was totally incapable of reacting to the situation in an effective manner," and said it was shocked by the inability of campus police to protect the

Kent city firemen when the ROTC buildings were set afire May 2.

The jury's condemnation of the Kent State administration was a severe blow to President Robert White, who has been working to defuse emotions and bring stability to the campus since last May.

It is also considered significant that Ohio Board of Regents Chancellor John D. Millett appeared to endorse the report by saying it "is a strong report that expresses well the community's concern about the way the university has operated."

Some interpreted this as an open attack on White, who along with other university presidents have long resisted the regents' political hegemony over the state campuses. White was under court order, as were all jury witnesses, not to comment on the case.

The report was met with mixed emotions on the campus and most students appeared resigned to the tone of the jury. A peaceful rally was staged on the campus this afternoon as some 600 students gathered to hear Yippie leader Jerry Persky present a new list of demands to the university. Among these demands were ones calling for the end of ROTC, the expulsion of "undercover police" from the campus and the abolition of "war research" there.

Persky, however, spoke out for campus peace, declaring, "We didn't riot. They (National Guard) were the outside agitators . . . Let's make Kent State University into a school of peace." The rally broke up at midafternoon without incident.

Unqualified Students Held Cause of Unrest

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Suggesting that many students on university campuses have no business being there, Sen. Robert C. Byrd (D-W.Va.) told President Nixon yesterday a partial solution to campus unrest may be creation of more vocational schools and junior colleges.

In a letter and 16-page report to the President which was highly critical of the Scranton commission report on unrest, Byrd attacked the so-called racial quota system of many colleges.

"The great flaw of such a system is that young men and women who cannot do college-level work are admitted — even recruited — with inevitably disruptive results," he said, guilty of helping to create the said.

"Perhaps many of us are myth that every person should have a college education," Byrd wrote. "The truth of the matter is that many people on campus today have absolutely no business being there."

He told Nixon the report rightfully criticized the "bigness" of many of the universities, but said the Scranton commission "fails to recom-

mend that at least a partial solution to this bigness would be the establishment of more vocational schools and junior colleges."

Byrd said the report "is in itself inflammatory," adding that it contained "glaring loopholes and flaws."

The West Virginia Democrat, third-ranking member of the party's Senate leadership, also disputed the Scranton commission's contentions that President Nixon's role was an issue in the unrest, and that the war and race issues had fed the fires of student protest.

He said the report's "effort to blame the President for a situation which existed long prior to his election may have violated the commission's own admonition that no one play irresponsible politics with the issue of campus unrest."

"The college revolutionaries are eminently capable of manufacturing the issues," he said. "For example, if there had been no Vietnam war, the revolutionaries would have created another issue in an effort to justify their acts of violence."

HEW, College Officials Arrange Consultations

By Eric Wentworth

Washington Post Staff Writer

Nixon administration policy-makers and a delegation from the higher education community agreed yesterday to launch regular, high-level consultations on federal aid and other controversial issues.

Yesterday's unusual meeting followed a challenge last week by White House counselor Daniel P. Moynihan. Addressing the American Council on Education at its annual meeting in St. Louis, Moynihan called on the academic community for national leadership to improve its relations with the federal government.

Arthur S. Fleming, president of Macalester College and outgoing chairman of the council, promptly took up the challenge. Fleming asked the administration to name a time and place, and said higher education leaders would be ready to meet as early as this week.

Both Moynihan and Fleming attended the meeting yesterday. Secretary Elliot L. Richardson of Health, Education and Welfare was the host.

Participants talked mostly about the mechanics for regular future consultations, possibly on a monthly basis, and agreed to meet again Nov. 6.

They also decided that staff subordinates on both sides would prepare supporting documents for these sessions.

Moynihan called it "a very successful meeting" and added, "Potentially, this could be a very important development."

Fleming, a onetime HEW Secretary, said he was "very encouraged" by the meeting. "I believe this will lead to a constructive result," he added.

Logan Wilson, president of the Council who also attended, said he too was "much encouraged" and "very hopeful" that the experiment would succeed.

Aside from issues arising from campus unrest, the prime items in future sessions will doubtless be the shape and size of federal aid to higher education.

Major existing aid programs expire next June. The Nixon administration sent new proposals to Congress last March, but they met a cool response from higher education spokesmen who contend financially strapped colleges and universities need greater federal support. The lawmakers have failed to reach accord among themselves, and legislation thus has languished all year.

SDS Leader Disclaims Bombings

A spokesman for one faction of the Students for a Democratic Society has publicly disclaimed connection with the recent wave of bombings and bomb scares across the country.

At a news conference Thursday in Detroit, Allen Spector, 24, who described himself as SDS national secretary, said his group opposed the recent bombings "because they are going to bring repression, not revolution."

Spector emphasized that his group had no connection with the Weatherman, a violence-oriented underground organization which split off from the Weatherman, a violence-oriented underground organization which split off from the SDS in June, 1969, and which has lately claimed credit for many of the recent bombings.

Meanwhile, a bomb blew out a door at a police community relations center in a Kansas

City, Mo., black neighborhood, Thursday night, injuring two policemen. Three youthful suspects were arrested. Police saw no link between the explosion and any national radical groups such as the Weatherman which has boasted of bombings in California, Washington State, New York and Massachusetts.

Bomb scares emptied three industrial plants, and a 1,400-student high school at High Point, N.C., where police found what appeared to be a home-made bomb. At Durham, N.H., a bomb threat temporarily closed the chemistry building at the State University.

Meanwhile, a Braniff International Airlines jetliner made an emergency landing at St. Louis because of a report that a bomb was aboard the aircraft. Police found nothing.

In Indianapolis, police evacuated more than 9,000 persons from the coliseum during halftime of the Indiana-Kentucky American Basketball Association game after getting a report that a bomb was in the building. No explosives were found and the game was resumed.

A downtown department store was evacuated in Pittsburgh after a security guard found a "ticking shoe box" in the men's wear section. Police said the store earlier received two telephone warnings from an anonymous caller that a bomb would explode. The bomb was taken to an open field for disposal.