

Bremer Guilty,

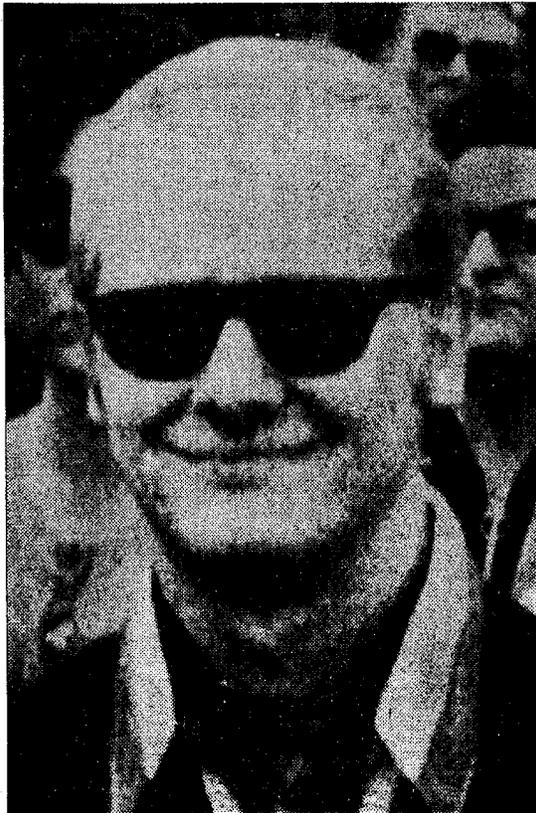
AUGUST 5, 1972

Phone 223-6000

Classified 223-6200
Circulation 223-6100

15c Beyond Washington,
Maryland and Virginia 10c

Gets 63 Years



"Well, Mr. Marshall mentioned that he'd like society to be protected from someone like me. Looking back on my life . . . I would have liked it if society had protected me from myself."

—Arthur Henry Bremer upon his conviction.

United Press International

Bremer at rally in Wheaton the day he shot Wallace.

Wallace Gunman Held Sane

Jury Convicts Assailant on All Charges

By Philip A. McCombs
Washington Post Staff Writer

Arthur Herman Bremer, the Milwaukee busboy who wanted to rise from tortured obscurity to worldwide fame by assassinating the President, was convicted yesterday of shooting Alabama Gov. George C. Wallace and sentenced to 63 years in prison.

A Prince George's County Circuit Court jury of six men and six women deliberated 95 minutes to reach the verdict that Bremer shot Wallace — his second assassination choice next to President Nixon—and was sane when he pulled the trigger May 15 at a Wallace campaign rally in Laurel.

The jury convicted Bremer of all charges in the shooting in which Wallace was paralyzed and three others were wounded.

The jurors rejected an insanity defense for Bremer, and some indicated later their decision was based heavily on Bremer's diary—in which he wrote of obsessive pursuit of Nixon and then Wallace in hopes of shooting either man with his .38 caliber pistol.

Judge Ralph W. Powers asked Bremer if he had anything to say before sentencing, and Bremer responded in a firm, high-pitched voice that floated out over the heavily guarded, utterly quiet courtroom:

"Well, Mr. Marshall (the prosecutor) mentioned that he'd like society to be protected from someone like me. Looking back on my life . . . I would have liked it if society had protected me from myself.

That's all I have to say."

A moment later, the judge asked again if Bremer had any remarks to make.

"Oh, I suppose I have a world of things to say," replied Bremer.

"Go ahead," urged his attorney, Benjamin Lipsitz, who was standing at his side.

"What I would have to say would take more time than the transcript of this trial," Bremer finished. "I won't say anything at this time."

"Very well," replied the judge and began intoning the sentence.

The judge sentenced Bremer to 15 years, the maximum allowed, for the assault on Wallace with intent to kill, and to an additional 10 years for each count of assault with intent to kill three other persons who were wounded with the governor at the May 15 shopping center rally: campaign worker Dora Thompson, Alabama State Trooper Edred C. Dothard, and U.S. Secret Service Agent Nicholas Zarnos. Each sentence will be counted consecutively, for a total of 45 years.

Bremer also was sentenced to 15 years for each of the four counts of illegally using a handgun to commit a felony, but these sentences will run concurrently, the judge or-

See BREMER, A10, Col. 1

BREMER, From A1

dered, for a total of 15 years, the three-year sentence was for carrying a gun illegally.

Under Maryland law, Bremer could be eligible for parole after serving one-quarter of the total sentence, or almost 16 years. That would be in early 1988.

In all, the judge could have sentenced Bremer to a total of 123 years. He gave no reason for his decision not to do so. The jury found Bremer guilty on all nine counts submitted to it. Fifteen other charges originally brought against Bremer were dropped for various reasons along the legal path to trial.

Bremer was hustled out of the courtroom immediately after the sentencing yesterday, taken from the courthouse in the county seat of

Upper Marlboro, and driven to the state penitentiary's reception center in Baltimore for more than a month of processing and evaluation prior to permanent assignment to a penal institution.

Bremer's father, William, stood alone at the rear of the courtroom during the sentencing. The father, a white-haired man who is blind in the right eye from a childhood accident, muttered in a low, ragged voice:

"Maryland justice really rolled today. There could be only one decision — the boy was sick. That's Maryland justice. Probably if he was black, he'd be free . . . or some Communist agitator. . ."

Then he put his hand to his face and his composure appeared to break.

Defense attorney Lipsitz indicated later he would seek to appeal the conviction.

In his final argument to the jury, Lipsitz sought to paint Bremer as a hopelessly psychotic person afflicted with schizophrenia, a split personality, who could not prevent himself from committing a crime if the occasion arose.

"What Arthur is really all about is his mother," declared Lipsitz. "This kid is a schizophrenic . . . and it all goes back to his old lady. This woman is a terrifying thing to contemplate."

In his attempt to draw Bremer as a demented person, Lipsitz, who had frequently laid his hand on Bremer's shoulder in a fatherly way way during the trial, yesterday stood across the room from the defendant and pointing dramatically at him, called him, "that creep over there."

He asked the jury to take note of how Bremer's usually grinning, bouncy manner had turned somber during the intense, revealing psychiatric testimony earlier in the trial.

"You saw Arthur doesn't like to hear that," said Lipsitz. "He gets very up tight. . . he gets yellow around the gills."

Prosecutor Arthur A. Marshall Jr., the Prince George's state's attorney, told the jury in his final argument that Bremer's own detailed account in his diary of his hunt for the President and Wallace showed the killing was "planned, premeditated, deliberate."

He also said that although Bremer may have been a shy, withdrawn person, he was far from being legally insane.

The dispute centered around

the legal definition of insanity in Maryland: could Bremer, at the time of the crime, "appreciate" the criminality of his acts or make his actions "conform" to the requirements of law.

Marshall, who had brought in state psychiatrists to testify that Bremer was not schizophrenic but suffered only from a mild "schizoid" personality disorder characterized by shyness, pointed out that these same psychiatrists would be responsible for releasing Bremer should he be found insane and committed to the state for care.

Thus, reasoned Marshall, Bremer could walk free at almost any time. Lipsitz had said he thought no one would ever release Bremer if he were found insane.

Marshall said the trial was Bremer's "moment of glory. . . . He'd have been happier if he killed Gov. Wallace, no doubt about that."

Then, turning and looking across the courtroom at Bre-

mer, who was watching him from the defense counsel table, Marshall shook his head in feigned sadness and said, "A second-rate assassin. Not even a first-rate assassin."

The trial opened Monday with the prosecution's case. Marshall put on what he called yesterday his strongest piece of evidence—a CBS television film of the actual shooting.

Laurens Pierce, the cameraman who took the film and said he even recognized Bremer before the shooting because he had seen him at Wallace rallies so many times before, testified.

He was followed by a string of eyewitnesses to the shooting, some of whom had been standing right next to Bremer when he took aim and fired and told dramatically of trying to grapple with the gunman in the confusion of a political rally.

The eyewitnesses were asked to walk into the spectators' section of the courtroom, where Bremer was seated temporarily, and pick him out.

Some could and others couldn't — but the net effect, Marshall said in his summation yesterday, was a powerful indicator of guilt since three of the witnesses had

walked right up to Bremer and touched him on the shoulder.

Then Marshall put on FBI and police witnesses to place Bremer on the scene May 15 and trace the weapon he used. Under questioning from Lipsitz, FBI experts conceded they could not prove bullets removed from Wallace and the others were actually fired from the Bremer gun — but they could have been, and that apparently was enough.

The state's case was completed after psychiatrists hired by the state to examine Bremer testified that he was a man with problems and a dreary past — but not suffering from a severe mental illness that would have made him legally insane when he shot Wallace.

Lipsitz limited himself to severe cross-examinations of Marshall's witnesses on the matter of the facts — whether Bremer was actually at the rally and shot Wallace.

He opened the defense with what legal observers described as one of the most impressive psychiatric witnesses ever to take the stand — Dr. Eugene Brody, who is chairman of the Department of Psychiatry at the University of Maryland Medical School and one of the world's foremost experts on schizophrenia.

Brody, in his first court testimony in 28 years as a doctor and psychiatrist, said Bremer was schizophrenic, clearly and not responsible, for his actions on May 15.

The testimony was followed by other psychiatric witnesses for the defense who had reached similar conclusions. Then came the dramatic reading of the diary Wednesday night and Thursday.

The defense rested its case after putting the defendant's father, William Bremer, on the stand for a few minutes—just, said Lipsitz, to let the jury see him.

After the trial was completed and Bremer taken away, the prosecution and defense held a press conference for the media representatives that had gathered from across the nation to cover the trial, the second trial in recent years involving the shooting of a major political figure.

The last trial was that of Sirhan B. Sirhan, who was found guilty by a California jury of assassinating of Sen. Robert F. Kennedy in 1968. Sirhan, whom Bremer said in his diary he wanted to pattern himself after, was sentenced to life imprisonment.

Marshall said at the press conference that Bremer is "obviously a sick man," but not legally insane.

He said he thinks Bremer is a "defective delinquent"—a reference to legally sane persons with criminal personalities who are kept in Maryland's unique Patuxent Institution in Jessup, Md.

If committed to the institution through a civil court proceeding, Bremer could be kept there until considered cured, possibly for his entire life.

Marshall said there were "some phone calls during the trial" threatening Bremer's life and that both he and Lipsitz had received threatening letters.

As banks of television cameras whirred, Marshall, sweating under the lights, said, "I'm completely satisfied Mr. Bremer acted alone . . ."

Traces of conspiracy theories of the assassination attempt sprung up after May 15, but were never confirmed.

Lipsitz refused comment at the press conference on whether he will appeal the case, but he indicated privately that he will appeal to the Maryland Court of Special Appeals. The next step after that is the Maryland Court of Appeals, the highest court in the state. Eventually the case could go to the U.S. Supreme Court if there were federal issues that Bremer wanted to take that high.

Lipsitz said he was "surprised" at the speed of the verdict.

Lipsitz is the court-appointed attorney for Bremer on federal charges stemming from the shooting of Wallace, but he is not being paid for his work in the state case.

At the end of the press conference, Prince George's County press officer Robert Martin announced that Judge Powers had authorized him to sell copies of the Bremer diary at \$5.10 each to the press. This, he said, was the cost of copying.

The diary became public information when read into the record at the trial, even though Bremer wrote in it that it was "copyrighted" and that "unauthorized use" would not be allowed.

After the verdict, Marshall sat in his office on the courthouse's third floor surrounded by admiring assistant attorneys and one newly appointed Circuit Court judge, Vincent Femia, who used to be Marshall's chief assistant. They

were drinking scotch on the rocks from plastic cups.

Joking about the lightning speed of the Bremer trial—which in some courts might have taken several weeks—Judge Femia said, "I don't understand what took (Fowers) so goddamned long to try this case." Laughter.

Then Femia was asked how the jury for such an important case was chosen so quickly—one hour and seven minutes on Monday.

"It's simple," he said, "the judge walks in and says, 'I'm not gonna tolerate any bull.'"

Femia said that when one prospective juror asked to go to the bathroom, she was simply excused from the jury entirely for the sake of time.

Marshall said Bremer spoke to him twice during the trial, once at the very beginning and once at the end.

"What do you think of my entourage?" he quoted Bremer as asking at the beginning—a reference to Sheriff Don Edward Ansell and his deputies who escorted Bremer in and out of the courtroom and watched him and the audience closely during the trial.

Then, at the end yesterday, as Bremer walked into the courtroom for his final sentencing, he suddenly stopped and put his arm around Marshall's neck, and whispered in his ear:

"Thank you."

Federal Trial for Bremer Awaits Decision of U.S. Attorney for Md.

By Lawrence Meyer
Washington Post Staff Writer

Arthur H. Bremer, convicted yesterday by a Maryland jury of shooting Alabama Gov. George C. Wallace and three other persons, still faces federal charges growing out of the same incidents. But federal prosecutors have not decided yet whether they will bring Bremer to trial.

"The question is if he were convicted on the federal charges, whether we would be adding anything or not," Assistant U.S. Attorney James Kramon said yesterday. George Beall, the U.S. attorney for Maryland and the chief federal prosecutor in the states, was out of town and not available for comment.

Kramon said that Beall was awaiting the outcome of Bremer's trial in the Prince George's County Circuit Court before deciding whether to proceed with the federal trial. After Bremer's conviction and sentencing to 63 years in prison in the state trial, Kramon said the matter would be discussed when Beall returns next week.

Bremer is charged with four federal crimes, each carrying a maximum penalty of 10 years, for a total maximum sentence of 40

years. If tried and convicted on all four counts, the federal judge sentencing Bremer could make his federal prison term run concurrently with the state sentence; or the judge could give Bremer a consecutive federal sentence to be served after the state sentence was completed.

The four federal crimes with which Bremer is charged are:

- Violating the civil rights of a presidential candidate by "intimidating, interfering with and causing bodily harm to" Wallace, who was then running in the Maryland Democratic primary. This charge is the first brought under the 1968 Civil Rights Act, passed after the Rev. Martin Luther King Jr. was assassinated in Memphis in April, 1968.

- "Forcibly assaulting" Secret Service Agent Nicholas J. Zarvos, who was assigned to protect Wallace and who was "engaged in his official shooting." Zarvos was wounded at the campaign rally with Wallace.

- Illegally transporting a firearm in interstate commerce.

- Using the firearm to shoot Wallace.

Before the state sentence was announced, Kramon

said that one consideration for the federal prosecutors would be whether there would be any point in prosecuting Bremer if his state sentence was so long that he either would never get out of prison or be an old man when finally released. Bremer could have received a maximum sentence of 123 years on the state's charges.

After the sentencing, Kramon said that the 63-year period "isn't very compelling one way or the other" as far as deciding whether to prosecute Bremer on federal charges.

Bremer's constitutional right under the Fifth Amendment guarantee against double jeopardy would not be infringed by a federal trial. The Supreme Court has ruled that where the same act is an offense against both state and federal law, its prosecution and punishment by both is not double jeopardy.

Kramon said that Beall will return Tuesday. "We'll have to sit down and discuss whether there are still any interests to be served by a federal prosecution," he said. Asked what those interests might be, Kramon said that that question would be one of the topics for discussion.



By Joe Hebertson—The Washington Post
Bremer's father is searched at the courthouse door.



The six men and six women of the jury listen intently as lawyers make their final arguments in the trial of Arthur Bremer.

Sketch by Betsy Wells

Bremer's Own Words Swayed Jury

By Herbert H. Denton
Washington Post Staff Writer

Members of the jury said yesterday that Arthur Herman Bremer's obsessive desire for fame—as recorded in his diary—was the crucial factor in convincing them that Bremer was guilty of shooting Alabama Gov. George C. Wallace and legally sane when he did it.

"The diary—Bremer's methodical way he went after President Nixon first, then Wallace," said one juror, Thomas W. Hutchinson, 24, of District Heights, was the reason for his decision.

The jury of six men and six women deliberated for about 95 minutes. Part of the time was spent leaning through Bremer's diary and psychiatric reports, and about 20 minutes was spent lunching on roast beef, gravy and mashed potatoes.

The jury had to settle the issue of guilt and whether Bremer, as his defense attorney argued, met the definition of legal insanity under Maryland law—whether he

was able to appreciate that he was committing a crime or conform his actions to the law.

In the first preliminary poll on the jurors' feelings, they were unanimous on a verdict on both issues.

"If (the shooting of Wallace and the others) was not a spur of the moment thing," said the jury foreman, Vincent M. Telli, 49, a Navy Yard worker who lives in Oxon Run.

"Hearing the diary read in court, it impressed me as being a person that was sane. Anybody that can follow these facts and state these things and plan ahead must be sane."

Another juror, Pelton N. Jones, 41, an electrical foreman from Adelphi, put it this way: "Bremer put forth a lot of good common sense. He knew full well what would happen if he was caught. It was worth it to him as an individual. He was determined in his own weird way that everyone re-

member Arthur Herman Bremer.

"To me, it's compared to a man being involved in trying to hold up a bank," Jones added. "That man does it for monetary gain but he knows there's a price to pay if he is caught."

The diary was introduced by Bremer's attorney as part of his insanity defense.

Testimony by defense psychiatrists that Bremer acted as he did because he had a love-hate relationship with his mother, as well as a schizophrenic personality and suicidal tendencies did not appear to have carried much weight with jurors.

"If he did have any suicidal tendencies — I don't think he did—he would have carried them out," said juror Jack Goldinher, 54, a painter and architect from Takoma Park.

There was no argument or debate over the psychiatric or criminal issues once in the jury room, according to the jurors interviewed.

For the first 15 or 20 minutes of the deliberation pe-

riod that began about 12:45 p.m., the jurors ate lunch. ("I think it was jail food," said Goldinher. "It was good.")

For another half hour after that the jurors looked at Bremer's diary, psychiatric reports and reports by the FBI, and did not discuss the case. Then about 45 minutes to an hour after they had left the courtroom, Telli conducted an informal, preliminary poll for a first reading of the jurors.

They were unanimous in the belief that Bremer was guilty and sane, according to all those interviewed.

The deliberations after that involved taking formal polls and answering procedural questions. "There was not too much discussion to be truthful — except small talk to one another. It seemed to be that the jury had made up their minds," Telli said.

While the diary's tale of Bremer's wanderings in Ottawa, Kalamazoo, Cadillac and other places attempting

to kill Nixon or Wallace was what jurors cited most often as shaping their decision, they all insisted that they took all of the evidence into consideration before finally making up their minds.

"I spent three nights without sleeping — just thinking about this stuff and sorting it out in my mind," Goldinher said. "I didn't want to be one to say 'guilty' and have doubts... I don't want ever again to sit in judgment on anybody. It's just too much of a strain. I was called to do it. I hope — I feel in my heart — that I did the right thing."

For the week that the 12 jurors sat in judgment, they were sequestered in a Holiday Inn off Rte. 301 in Bowie. During that time they were not allowed to read current newspapers or magazines, watch television, call their families or talk to one another about the details of Bremer's trial. Mostly, when not thinking about the trial, they said, they played cards.