

Commission Hits Police on Jackson State

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10/2/70

The President's Commission on Campus Unrest said yesterday the police fusillade at Jackson State College early May 15 which killed two young blacks was "clearly unwarranted."

It said it was unable to determine if there had been sniper fire beforehand, but even if there had been, the police action was not justified.

The commission, in its special report on facts and causes of the confrontation that left two dead and twelve wounded, severely faulted both the Jackson city police and Mississippi Highway Patrol for poor planning, communications, training and discipline.

Other contributing factors, the nine-member panel said, were white policemen's "racial animosity" toward blacks and their "confidence . . . that if they fire weapons during a black campus disturbance they will face neither stern departmental discipline nor criminal prosecution or conviction."

It also found a "pattern of deceit" among certain city policemen who denied for months afterward that they fired their own weapons during the 28-second police barrage of more than 150 rounds.

At the same time, however, the commission sharply criticized students and other blacks for fueling tensions.

Some blacks heaped "vile verbal abuse" on the police, it said. Blacks spread an unfounded rumor that Charles Evers, civil rights hero and mayor of Fayette, Miss., had been assassinated.

Some students, the panel continued, wanted violence to bring the National Guard on campus and thus dramatize their concerns.

"Spreading false rumors, urging rock-throwing, burning, and other violence, and taking

violent action to focus attention on student concerns are deplorable and completely unjustified," the commission said.

The 86-page report's basic finding that the deadly police fusillade was "an unreasonable, unwarranted overreaction" confirmed earlier comments by individual panel members.

The commission admitted it was "unable to determine positively" whether indeed the police were responding to sniper fire.

"The most favorable reading of the evidence" in support of sniper reports, it said, "indicates that at most two shots were fired from one window."

In any event, the panel asserted, "A broad barrage of gunfire in response to reported and unconfirmed sniper fire is never warranted."

On other disputed facts, the commission rejected the highway patrol claim that students were surging toward them just before the shooting started.

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"No officer testified that he fired because the crowd was advancing," the panel reported. "Each officer who did fire stated that he did so in response to sniper fire from Alexander Hall (the student dormitory)."

The commission also belittled police statements that they endured a continuing hail of rocks, bottles, bricks and other missiles from the crowd (which it estimated at somewhere between 75 and 200).

'Small Number'

It found instead "that some members of the crowd did throw a small number of bottles, rocks and bricks at peace officers in front of Alexander Hall."

On the other hand, the panel said that some crowd members chanted "Pig! Pig! Pig!" and "screamed obscenities and racial and sexual epithets at the officers."

The commission insisted that deaths and injuries could have been avoided if the city and state lawmen had been following the recommenda-

tions it included in its general report on campus unrest, released last weekend.

The police, it said, lacked either a mobilization plan or a specific tactical plan which all units directly endorsed and understood.

Lack of Command

They lacked both a formal chain of command and a "Clear notion of who was in command," it continued. They had no common radio channel, and no central command post. Individual policemen were ignorant of their respective units' plans and destination.

Furthermore, the commission said, there was a lack of adequate consultation between lawmen and college officials.

"Most basically," the panel asserted, there was no evidence that the police units had proper training for disorder control and guidelines for using force in coping with crowds. Indeed, there were "crucial differences" in training and procedure between the units.

"There had been no order to fire and no warning given to students that shooting was being contemplated," the commission reported.

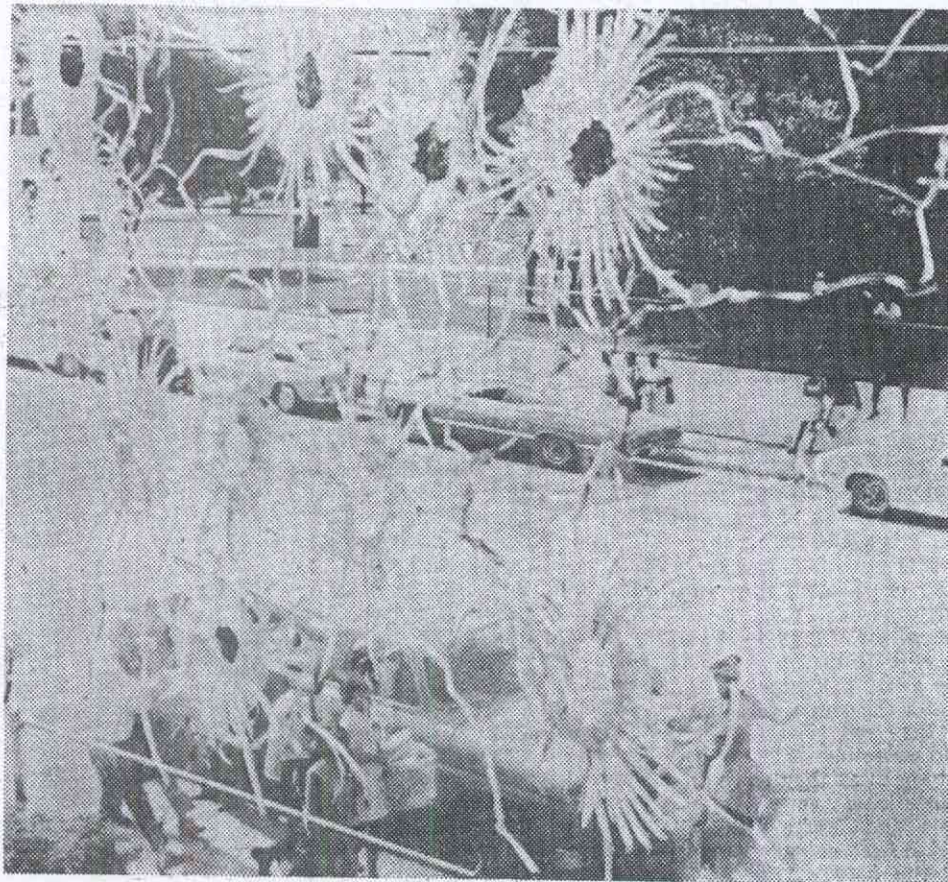
Nevertheless, "more than 20" highway patrolmen and "several" city policemen opened fire with shotguns, rifles, carbines and a submachine gun. Most rounds were fired into the air, but FBI investigation showed that "nearly 400" bullets or buckshot pellets struck Alexander Hall, the women's dormitory at the predominantly black college.

Response to Snipers

"Peace officers should respond to sniper fire by taking cover and holding their fire," the commission said. "The Jackson City sniper team on the scene should have been used to deal with reported sniper fire."

In fact, the panel found, the two-man city police team assigned to respond to sniper fire was armed with special rifles but never fired a round.

The Mississippi Highway Patrol policy allowing each



The view from a girls' dormitory window at Jackson State College was marred by bullet holes after a battle between police and students on the campus last May.

United Press International

patrolman to decide when to fire if he thought his or someone else's life was threatened, the commission said, violated an earlier warning against such individual action by the National Advisory Commission on Civil Disorders.

'Clear Violation'

City policemen who fired their shotguns during the fusillade, it continued, "were acting in clear violation" of their own department's rule requiring a commanding officer's order.

The commission also criticized the highway patrol's use of buckshot rather than less lethal birdshot.

As to the "pattern of deceit" within city police ranks, the commission charged that in questioning just after the incident and for months thereafter, individual policemen denied firing their weapons.

Only after FBI lab tests proved that buckshot shells retrieved at the scene had been fired from city shotguns did "at least three city policemen" admit shooting. Even then, they claimed they shot into the air, the commission said.

The panel reported that two of the 14 victims — including James Earl Green, who was killed—were shot with number one buckshot which city policemen were using. However, it left open the possibility that this shot could have come from highway patrol weapons instead.

Difficulty Cited

Indeed, implicit in the commission's report was the difficulty if not impossibility of ever assigning blame for the two deaths to individual lawmen.

The commission criticized local investigations of the fatal

episode. In particular, it claimed conclusions of the Hinds County grand jury which upheld the lawmen were "based on a number of inaccurate findings" and included a "patently inadequate description" of the extent of the police barrage.

The panel said it "categorically rejects" statements such as those in the grand jury report that those who engage in civil disorders must expect injury or death when lawmen have to restore order.

Such a position, it commented, "may reflect the views of many Americans today. It is a view which this commission urges Americans to reject."

Panel 'Heartened'

The panel said it was "heartened by the stated determination" of Jackson city officials and police to take steps against

another lethal confrontation. On the other hand, it said the response of the state highway patrol which planned no remedial steps "continues to be disturbing."

The commission, beyond the many recommendations in its general unrest report last weekend, offered some specific advice for those directly or indirectly concerned with Jackson State.

College administrators, it said, should develop plans for dealing with disorders and for making prompt decisions if they occur. They should establish formal communications links with law enforcement agencies, clarify the role of campus security guards and set up a campus rumor center when trouble erupts.

Advice to Students

Students, it said, must de-escalate their rhetoric, including both threats and obscenities. They must condemn force and violence, and eliminate the "aura of respectability" around violent protest even if its goals seem legitimate. Also to be condemned is students' possession or use of weapons on campus, the Commission said.

The commission offered several proposals to ease the deep racial frictions it saw as a fundamental factor in the Jackson State violence.

It call on state officials to upgrade Jackson State to full university status and to integrate it. It called anew for greater financial aid for this and other predominantly black campuses. It recommended that President Nixon name a special black-colleges advisor.

It recommended federal action to integrate the National Guard on more than a token basis. It raised the possibility of federal intervention in pending legal action to integrate the Mississippi Highway Patrol, and called for "any necessary" federal legislation to integrate other police agencies.

Furthermore, the commission asserted, "The Jackson City Police Department and the Mississippi State Highway Patrol should prohibit absolutely the use of the derogatory term 'nigger' and should prohibit the derogatory use of such terms as 'boy.'"