

GROUPS ATTACK FLAG DECISION

9/27/69
Say Charges Against 5
Should Be Dropped

The decision of District Attorney Jim Garrison to prosecute five students who lowered the American flag during recent demonstrations at Southern University in New Orleans has met with attacks from two fronts.

Lynn French, co-chairman of the school's Afro-American Society, said that "if all charges are not dropped, escalation will continue" at SUNO.

French blamed Garrison's decision to prosecute the five on "pressure from white racist politicians." Earlier, Gov. John McKeithen had told the student body he would talk to Garrison and attempt to persuade him to grant amnesty to those arrested.

McKeithen's promise to talk to Garrison on behalf of the 27 students who were arrested during the two weeks of student demonstrations was one of the reasons the students decided to return to class.

Charges against 22 other demonstrators have either been dropped or moved to municipal court, but the five whom Garrison will prosecute are accused of actually taking down the American flag. Two of the five are Vietnam veterans, according to the American Civil Liber-

ties Union of Louisiana.

Garrison said the five will be brought to trial because his office is not permitted to overlook the Louisiana law which specifically forbids desecration of the American flag.

French said, "Nothing has been done, no demands have been met, so I see no other way but for us to escalate our activities," but he did not say what form the "escalation" would take.

The ACLU, meanwhile, has urged Garrison to drop the charges. The ACLU says that the students observed "all formality" in lowering the flag and did not abuse it or desecrate it.

In addition, says the ACLU, "since the removal (of the flag) was peaceful and symbolic it is protected conduct under the First Amendment to the United States Constitution."

The ACLU attacked Police Superintendent Joseph I. Giarrusso for seeking "to prevent . . . the protests themselves" rather than the handling of the flag. His attempt to apply the flag desecration statute to the five students is a "sham," according to the ACLU.

Giarrusso, charged the ACLU, has made "an unconstitutional attempt to stifle free speech and protest in New Orleans."

The five students who will be brought to trial are Ronald L. Fernandez, 1434 Touro; Vallery Ferdinand III, 2517 St. Maurice; Norman Lee Williams, 2218½ Baronne; Lawrence Joseph Terrel, 4103 Holly Grove, and Spencer Williams, 3715 Gen. Pershing.