

COUNTS ON FIVE ACCEPTED BY DA

P. P. 4/21/69
Flag Abuse Case Stems
from SUNO Incident

Charges of flag desecration against five persons involved in the April 9 disturbance at Southern University in New Orleans were accepted by the Orleans Parish district attorney's office Friday.

District Attorney Jim Garrison said charges will be brought against Ronald Fernandez, Vallery Ferdinand III, Norman Lee Williams, Lawrence Joseph Terrel and Spencer Williams.

The charges grew out of the lowering and removal of the American flag and the hoisting of a so-called black flag of liberation in its place at the university.

Charges against 22 other persons arrested at the scene at the same time either have been dropped or moved to Municipal Court, Garrison said.

AMNESTY ASKED

A study of the facts indicated that criminal prosecution at the state level was not justified, he said.

Gov. John J. McKeithen said April 21 when he appeared at SUNO to settle a student boycott of classes he would ask Garrison for amnesty for students arrested in the melee that erupted during the April 9 incident.

In accepting charges against

the five, Garrison said there is a Louisiana law which specifically forbids desecration of the flag and makes it an offense to participate in it.

"This office is not free to disregard this law," he said, "and consequently the charges of flag desecration have been taken."

Only those who actually handled the balyards or the flag itself were charged.

"These charges are not taken in an effort to punish those connected with the SUNO incident," said Garrison. "The proper function of the law in a case like this is not to punish or accomplish retribution, but to prevent desecration of the American flag in the future."

RIGHTS GUARANTEED

Garrison said he had no intention of limiting the rights of free speech and assembly, which are guaranteed in the Constitution, in accepting the charges.

The right of dissent is a basic concept of liberty, he pointed out. However, this expression should be accomplished "without resort to violence or the unauthorized lowering of the American flag," he said. "At that point the dissent begins to interfere with the rights of other Americans."