

Judge Restrains D.C. Police From Firing Political Activist

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The Washington police department was temporarily restrained yesterday from firing Christopher G. Wren, a rookie policeman who has served as a McGovern-for-President volunteer throughout his eight months on the force.

The restraining order was issued yesterday afternoon by the U.S. Court of Appeals after the original judge in the case, U.S. District Judge June L. Green, denied the policeman's motion for the order yesterday morning.

In the order, Judges J. Skelly Wright and Carl McGowan said they were acting "solely to maintain the status quo and to afford the court a more meaningful opportunity to consider" the case. A final decision is expected later this month.

Wren, a member of the force since Nov. 1, 1971, is assigned to the special operations division.

According to court papers, Wren had joined the staff of McGovern-for-President head-

quarters here the month before he joined the police force.

Since then, he said in an affidavit, he has worked steadily as a clerk and envelope stuffer. He has also written drafts of position papers for McGovern, Wren said, and has contributed \$95 of his own funds to McGovern's campaign.

None of the work was done on police department time, however, Wren said in court papers, and he never identified himself as or tried to make use of the fact that he was a policeman.

Wren sued Mayor Walter E. Washington and Police Chief Jerry V. Wilson in late June, after the police department informed him that he was about to be fired because he refused to resign from the McGovern campaign. Wren claimed his First Amendment rights were being violated, and asked the court to protect his police position.

Government lawyers argued before Judge Green that Wren's activities were a violation of two sections of the police regulations. The sections

specify that officers may neither "take an active part in behalf of any candidate for political office" nor contribute funds to him.

"I consider that there is no personal, professional, economic, moral or valid legal conflict between my job . . . and my voluntary service with the McGovern campaign," Wren wrote his superiors two weeks ago. He added in the same letter that he is "happy" as a Washington policeman and plans to continue as one.

Wren was joined as a defendant earlier this week by a second Washington policeman, Jerry Cummings, who is also in his first year on the department. Although Cummings said he has not worked for or contributed funds to a candidate since he joined the force, he said in court papers that he wants to retain the right to do so.

Neither Judge Green nor the Court Appeals judges commented on the case or their rulings yesterday. The Court of Appeals gave Wren and Cummings a week to file further arguments, and gave the District government two weeks to reply.