

# Prosecutor's Move Displeases Judges

Although they decided not to take a united public stand, judges of the D.C. Superior Court are complaining privately about the city's chief prosecutor going to the Justice Department to accuse some judges of indiscriminately throwing out Mayday demonstration cases.

"I'm up for reappointment next year," said one judge, who did not want his name mentioned. "I'm doing, it could fall to recommend me."

Another judge called the action by D.C. Corporation Counsel C. Francis Murphy "judicial blackmail."

Murphy had made his complaint to Assistant Attorney General Will R. Wilson in a meeting May 14 arranged by Murphy and Police Chief Jerry V. Wilson.

Murphy reported that Justice officials expressed "concern" over judges who have thus far dismissed the vast majority of charges against hundreds of demonstrators arrested during the four days of civil disobedience here at the beginning of May.

Murphy said the judges were dismissing the "good" cases as well as those he admitted were marginal. He thought it was proper to go to the Justice Department with his complaint, he told a reporter, because the federal government itself had been threatened by the protesters.

The Superior Court judges held a closed meeting last Friday to decide how to react as a court to Murphy's charge.

"The board of judges considered Mr. Murphy's statement and decided not to take any action," Chief Judge Harold

H. Greene announced in his only public statement on the meeting.

Another judge said he had suggested that the court might issue an order requiring Murphy to show cause why he should not be held in contempt for the charge.

The subject came up in open court twice on Friday.

Judge Tim Murphy cited the disagreement with the corporation counsel's office in refusing to censure it, as requested by the Stern Community Law Firm, for not forcing landlord Sidney J. Brown to pay a \$5,000 fine sooner.

Murphy collected the money from Brown on Friday, 3½ years after he imposed the fine for housing code violations at the Clifton Terrace Apartments.

Murphy refused to take any action on the Stern lawyer's complaint against the corporation counsel's office, saying he did not "want to add any more fuel to an unfortunate fire."

Spectators in Judge Charles W. Halleck's courtroom said the judge voiced indignation from the bench that the corporation counsel "had dragged the chief of police with him to the Justice Department to complain about the way the judges are handling the (protest) cases." But the judge refused to comment on the incident later.

Of the first 2,000 Mayday protest cases to come through Superior Court, only one demonstrator was convicted after a trial while the majority of cases were dismissed for lack of evidence. This includes as convictions the cases of 584 persons who were freed after entering no contest pleas.