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Making the Worst of a Bad Case

It's usual enough for ball players to claim they were robbed when an umpire's decision goes against them. But for U.S. attorneys it is something else. On Thursday, the U.S. attorney's office here dismissed charges against more than 800 demonstrators arrested at the Capitol during the Mayday antiwar demonstration. It should have dismissed these charges a month ago when eight defendants were tried in Superior Court and acquitted—all eight of them. Those prosecutions were brought as a test, and the government failed to bring it would accept the outcome as determinative for all the others.

Acting U.S. Attorney Harold S. Williams has never to do it not only hastily but as graciously as possible. Although the government believes that there is ample evidence to show that the defendants conducted themselves in an unlawful manner, it is convinced from our present experience that the government should not prosecute these defendants.

Eight of the defendants were tried to from the fact that the defendants were tried to the Capitol on May 1, 1968, and the government was satisfied by the result of the trial.

The government has not yet announced the prosecution of the remaining defendants. But juries should remember that listening to speeches, some of them by members of the U.S. Congress, from the steps of the Capitol constituted disorderly conduct. It would have contributed a great deal more to the dignity and respect of American justice if that fact had been candidly recognized and acknowledged.