

Halleck Refuses to Sentence

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D.C. Superior Court Judge Charles W. Halleck, his voice choked with emotion, refused yesterday to impose sentence on six women who pleaded no contest to illegally entering White House grounds to pray for an end to the Cambodia bombing.

"I may not be able to keep the executive branch from prosecuting," Halleck said, "but it is a judicial function to impose or not to impose sentence. As a judge and as a human being, there is no way in the world I would have any of these people spend one hour in jail."

Halleck noted that yesterday was the anniversary of the dropping of the A-bomb on Hiroshima and also was marked by disclosure that American planes had mistakenly bombed civilians in Cambodia, killing more than 100.

"I guess if you'd been POWs," Halleck told the defendants, "it probably would have been all right for you to pray. They'd have probably put up a big tent for you."

Last Friday, in the first such case to come to court, a Superior Court jury convicted three other White House prayer protesters. Sentencing in that case is set for Sept. 17. Since early July, more than 60 protesters, all members of a Catholic antiwar group, have been arrested for conducting White House pray-ins.

Those who pleaded yesterday were arrested on July 13 and July 19 for stopping to recite the Magnificat, a short prayer exulting God attributed to the mother of Christ on the tourist line between the White House gates and the executive mansion itself.

Halleck read the prayer out loud in court and said in disbelief, "and that's all; they knelt and read, and for that you were arrested . . . to read no more than a prayer from the Bible, no more than 15 lines, could take no more than two or three minutes; to be singled out and arrested for that . . ."

Halleck said he had no choice but to accept the plea, then refused to impose sentence. Philip J. Hirshkop, attorney for the six women, then called Halleck "one judge with a conscience."

Halleck, whose term expires in 1975, replied, "one judge with conscience may not last very long." There was applause in the courtroom.