

# NEW ORLEANS STATES-ITEM

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## Accept Charges In Flag Incident

District Attorney Jim Garrison today accepted charges of flag desecration against five persons involved in an April 9 incident at Southern University in New Orleans in which the American flag was lowered and a "black liberation" banner hoisted.

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

Gov. John 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.

NOT ALL OF THOSE arrested on the campus were students.

Garrison said only those who actually handled the flag itself or the halyards were charged.

In accepting the charges, Garrison said, "The American flag is the symbol representing this country wherever it is flown.

"It not only represents our country, it represents the consideration for the rights of individuals out of which the United States was born.

"WE ARE NOT FREE to

forget the many instances in the past when this flag has flown in the cause of liberty—at Anzio, Normandy and Iwo Jima, to name but a few familiar battles—in which many Americans now living have participated."

Garrison said the flag represents, among other things, the right of dissent against government and "it is all the more ironic that it should have been hauled down in connection with the exercise of that right."

The DA said state law prohibits desecration of the flag and "this office is not free to disregard the law."

ON THE OTHER hand, he said, there has been no "scatter-gun charging of everyone in sight." He observed that the demonstration essentially was peaceful and did not escalate into vandalism and violence.

"There is no intent to limit free speech . . . but dissent must be accomplished without violence or desecration of the flag; at this point, the rights of others are interfered with," Garrison said.

THE DA'S chief aide, Charles Ray Ward, was on the scene when the 27 persons were arrested. Police Supt. Joseph I. Giarrusso also was present.

Prosecution of the five was turned over to Assistant DA James L. Alcock.

The SUNO campus has been peaceful since Gov. McKeithen's April 21 appearance and

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students are back in classes.

The names of those persons against whom charges were accepted were not immediately known.

The penalty for conviction of flag desecration is not more than a \$100 fine, or 90 days in jail, or both.