

**DA, GIARRUSSO CRITICIZED****ACLU Hits Flag Charges**

The American Civil Liberties Union of Louisiana has attacked the decision by Dist. Atty. Jim Garrison to prosecute five students of Southern University in New Orleans

who lowered the U.S. flag April 9 in order to run up a "black flag of liberation."

The ACLU, calling the DA's decision "unfortunate," said the charges "are without merit or substance" and are of a kind of prosecution often quashed in U.S. courts.

An ACLU statement listed three reasons the group feels the DA should drop the charges.

—The ACLU maintains the charges are based on a technicality rather than evidence. It says police have admitted SUNO students involved followed all procedures associated with proper flag-lowering and did not abuse the flag itself.

—The removal was a symbolic act, intended to voice frustration over inadequacies on the campus that were later admitted by Gov. John McKeithen.

—Since the removal of the flag was peaceful and symbolic, it is protected conduct under the First Amendment of the U.S. Constitution.

The ACLU statement also attacked the conduct of Police Supt. Joseph I. Giarrusso.

"The attempt by Giarrusso to apply the flag desecration statute to the conduct of the SUNO students is a sham," the ACLU charged. "It is not the handling of the flag he seeks to prevent but the protests themselves."

The ACLU held the arrests the prosecutions "represent an unconstitutional attempt by the superintendent to stifle free speech and protest in New Orleans."

**M'Keithen 'Asked No Flag Case Amnesty'**

BATON ROUGE (AP) — Fresh from a vacation trip to Mexico, Gov. John McKeithen told newsmen today he specifically had refused to request amnesty for Negro students at Southern University in New Orleans who had been arrested during demonstrations.

"I said I'd be glad to talk to Dist. Atty. Jim Garrison about (the charges) but I made no kind of deal," McKeithen said.

The governor said he talked with Garrison this morning by telephone and learned the district attorney had 27 charges and "plans to go with six."

McKeithen recently made an impromptu visit to the New Orleans campus last week and his trip ended a boycott of classes staged by Negro students. The governor told the students he thought some of their demands were justified.

The arrest stemmed from lowering of an American flag and raising of a "black liberation" flag at the predominantly Negro campus.

McKeithen left for a vacation trip to Acapulco after his visit to the New Orleans campus and returned to Baton Rouge last weekend. He made the remarks on the amnesty to newsmen who questioned him about other matters this morning.