

Decision Angers Families, Friends

KENT, Ohio (AP) — Families and friends of four Kent State University students killed on campus last year reacted with anger to the Justice Department's decision not to have a federal grand jury probe the shootings.

State and school officials said the decision was consistent with evidence gathered in extensive investigations conducted since students and Ohio National Guardsmen clashed May 4, 1970.

"If murder was committed by anyone else, they would certainly be committed, or tried or something like that," said Mrs. Martin Sheuer of Boardman, Ohio, whose daughter, Sandra, 20, was one of the students killed.

"IT JUST ISN'T right," she said. "It should be looked into further."

Kent State President Robert I. White said the school "must and does accept" the decision.

White, who is resigning Sept. 15 to return to teaching duties, said the Justice Department was "the only agency with complete knowledge of all the testimony and evidence gathered by the local, state and national fact-gathering departments."

Robert Balyeat, a Lima, Ohio, attorney who served as a special state prosecutor to an Ohio grand jury that investigated the shootings, said the Justice Department decision "substantiates what I knew to be the case as far as the evidence is concerned."

THE GRAND JURY, summoned by then Gov. James A. Rhodes last fall, indicted 24 youths and one Kent professor on riot charges in connection with disorders which preceded the shootings and placed major responsibility for the violence which preceded the shootings on the university administration for laxity.

None has been brought to trial.

Craig Morton, Kent State student body president at the time of the shootings, and one of those indicted, said he was "morally abhorred" by the Justice Department decision,

but added it was "sort of what I expected."

"I'M NOT SO naive as to believe the Nixon administration would take a position to be interpreted as pro student," said Morgan.

The American Civil Liberties Union of Ohio said in a statement issued by Executive Director Benson A. Wolman, that it would "redouble its efforts" in civil courts to hold guardsmen accountable for their actions at Kent State.

Peter Davies, a New York insurance executive who conducted a 14-month private study of the Kent State shootings, said the Justice Department should have let a grand jury decide whether there was sufficient evidence for indictments.

DAVIES SAID in his report that he believed guardsmen opened fire on a prearranged signal after agreeing demonstrators should be punished.

"It is for a jury to decide on the evidence whether or not there is a prosecutable case. There was a mountain of evidence that warranted a grand jury investigation. It seems to me the Justice Department has taken the jury's function on itself," Davies said.

The current student body president at Kent State, Bill Slocum, accused Mitchell of refusing to protect the rights of students.

"So far as Mitchell is concerned, law and order will be applied against blacks and against students and certainly not for blacks and for students," he said.

Car Leaves Road, Woman Is Killed

LAFAYETTE (AP)—A car ran off a gravel road and hit a culvert near here yesterday, killing Mrs. Sidney Hollier, 63, of Duson.

Deputies said Mrs. Hollier's husband was driving and suffered a heart attack, but it was undetermined if he was stricken before or after the crash.

Hollier was hospitalized at Lafayette.

'Not Warranted'

U.S. Investigation At Kent Halted

WASHINGTON (AP)—Atty. Gen. John N. Mitchell has announced the end of a federal investigation of the 1970 slayings of four Kent State University students saying the Justice Department plans no further action.

Mitchell said no federal grand jury would be convened. He said such an investigation could not be expected to produce new evidence for possible action in the case.

The four students were killed in May of last year in a shooting incident involving Ohio National Guardsmen on the Kent State campus.

IN A STATEMENT yesterday, Mitchell said he agreed with a presidential commission's words, "unnecessary, unwarranted and inexcusable."

But he added: "Our review persuades me that there is no credible evidence of a conspiracy between National Guardsmen to shoot students on the campus and that there is no likelihood of successful prosecutions of individual guardsmen."

"It is my judgment that further action by the Department of Justice would not be warranted."

THE SHOCK of learning of the decision . . . is nearly as great as the shock that came when our children were killed," responded the parents of the slain students in a

statement.

The parents as well as congressional and civil rights spokesmen had urged a federal grand jury investigation of the shootings.

So has former Pennsylvania Gov. William W. Scranton, chairman of the President's commission on Campus Unrest, whose conclusion was cited by Mitchell.

"WE HAD FAITH in the action that would ultimately be taken by the Department of Justice, and we had faith in the system of justice for which it is responsible," the parents' statement said.

"Now we know that the Department of Justice will not act," the statement continued. "It is inconceivable to us that this is so, particularly because its own investigative reports indicate that such action would have been fully appropriate."

A spokesman for Rep. William S. Moorhead, D-Pa., said the congressman will ask the House Judiciary Committee to investigate the Justice Department's handling of the case.

A Portage County, Ohio, special grand jury indicted 24 youths and a Kent State professor on riot charges and placed major responsibility for the violence that led to the shootings on the university administration for laxity.

No charges were filed against the guardsmen.