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Kent State Defendant Admits He Hampered Firemen

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RAVENNA, Ohio, Nov. 26—The first of 25 persons indicted in connection with the disorders at Kent State University admitted today that he had interfered with firemen in their vain attempt to save the campus Reserve Officer Training Corps building from destruction by a mob on May 2, 1970.

But the defendant, Jerry Rupe, denied from the witness stand that he had assaulted a fireman. He also said he had not been among those who tossed gasoline-soaked rags through the shattered windows of the building to set it ablaze.

The incident led to the calling of the Ohio National Guard. A further disturbance two days later resulted in the fatal shooting of four students by guardsmen.

All Mr. Rupe said he had done was throw rocks "and possibly other small objects" at the building, East Hall, and join others in capturing those from the Kent volunteer firemen.

He admitted carrying a hunting knife. But he denied using it to sever the hose. Others cut the hose, he said.

He also denied that he had been among the group that attacked and kicked a photographer.

Mr. Rupe, a 23-year-old sandal maker who shared a flat with two other men and a woman on the fringe of the campus, has never been a student at Kent. He said he had been convicted recently on three counts of possession of hallucinogenic drugs and three counts of possession for sale of those drugs: marijuana, hashish and LSD.

Testifying at his trial in a tired monotone, Mr. Rupe denied the testimony of a prosecution witness, David R. Helming, a fireman who had identified Mr. Rupe as a "bushy haired" demonstrator who flipped flaming rags into the building with a stick and then beat the firemen with the same stick when Mr. Helming tried to put out the blaze.

"I never saw David Helming in my life," Mr. Rupe said.

With his testimony, the defense rested. His lawyers had called only one other witness,

a graduate student and a "peace marshal" who had tried to calm the war protesters on the night of the fire.

This witness, Louis Szari, said he had observed two men dip rags into the gasoline tank of a motorcycle and then throw the rags into the R.O.T.C. building. Asked if one of the men had been Mr. Rupe, Mr. Szari hesitated and then said, quite forcibly, "I don't think

Common Pleas Judge Edwin W. Jones said he would send the case to the jury on Monday. Depleted of students by the Thanksgiving recess, the Kent campus, which lies six miles west of the courthouse, showed scant excitement.

Only one student, Paul Keane of New Haven, demonstrated near the courthouse today. He carried a sign telling Ohioans that "\$137,000 of your tax money [the amount appropriated by the state for the cost of the trials] is being wasted." Mr. Rupe said that he had

gone to the campus to attend a peaceful demonstration against the Vietnam war and against President Nixon's decision to send troops into Cambodia.

The special prosecutor, John Hayward of Toledo, and Assistant Attorney General James Primm Jr. urged the jury to put from their mind the moral issues raised by the killing of four students by the National Guard.

The case before them is solely concerned, they said, with whether Mr. Rupe is guilty of four charges of abetting arson, assaulting a fireman, obstructing a fireman and rioting.