

A New U.S. Probe Into Killings at Kent State

AUG 4 1973

Washington

The Justice Department reopened its investigation of the 1970 killing of four

Kent State University students yesterday and suggested the case may go to a federal grand jury.

Attorney General Elliot L. Richardson said he revived the case "to make sure the department knows as much as can possibly be learned as to whether there were violations of federal law in this matter."

Four students were killed and nine others wounded by Ohio National Guardsmen who fired a 13-second burst of gunfire into a group of students demonstrating on May 4, 1970, against the dispatch of U.S. troops in Cambodia.

GRAND

A state grand jury exonerated the National Guard, and former Attorney General John N. Mitchell dropped the case in August 1971, saying there was no evidence to justify calling a federal grand jury.

Richardson said that while he has no reason to believe Mitchell's decision was wrong, "there are some areas where an additional inquiry is desirable."

He did not elaborate and neither did Assistant Attorney General J. Stanley Pottinger, who heads the Civil Rights Division conducting the new investigation. Pottinger said he sought permission to reopen the case because he was dissatisfied with some aspects of the original probe.

FILE

"I believe the original file reflects a decision of integrity and probity," he told newsmen. "I also believe that at the time that decision was made, there was a very full investigation."

However, he said, "one has to recognize that this is a case of extraordinary import. In that situation, it is not inappropriate for the Justice Department . . . to make doubly sure through an abundance of caution that the file does reflect every complete avenue of inquiry."

Richardson and Pottinger said the renewed investigation does not necessarily mean the Justice Department will seek indictments against any of those involved in the May 1970 con-



AP Wirephoto

J. S. POTTINGER Dissatisfied

frontation.

SWIFT

The announcement brought a swift response from Arthur S. Krause, whose daughter Allison was killed in the confrontation.

"I don't think justice was very even-handed under Mr. Mitchell or his successor, Richard G. Kleindienst," Krause said. "I think Mr. Richardson is trying to make justice even-handed again."

The foreman of the grand jury that handled the state investigation, Robert Hastings, said, however, the investigation "was pretty well exhausted when we did it. I don't think they have any new facts."

FIND

Sylvester Del Corso, adjutant general commanding the National Guard at the time, said: "We didn't find anything new that would really justify it (a new study). I assume it's been brought about by the Watergate investigation."

Numerous investigations took place following the Kent State slaying at a time of widespread campus protest against the Indochina war.

The state grand jury exonerated the National Guard and indicted 25 others involved in the disorder. The charges against 21 of them were dropped for lack of evidence; two pleaded guilty, one was convicted and another one acquitted.

Associated Press