

Civil Rights Protector

John Stanley Pottinger

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CLEVELAND, March 29— Shortly after John Stanley Pottinger was appointed an assistant attorney general in charge of the Civil Rights Division a year ago he began

to get letters from people asking him to reopen the Kent State investigation.



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Kept thinking of more key questions.

“They were the usual letters: ‘We’ve appealed to the others and now you’re in and we appeal to you,’ he recalled in a recent interview. “At that time Kent State to me was just an event I remembered.”

He asked his staff at Justice to brief him, he said, so that he could “talk about it intelligently.”

The more he learned, however, the more questions were raised in his mind. He held numerous briefings and read the summaries of each section of an 8,000-page report from the Federal Bureau of Investigation compiled shortly after the shooting on May 4, 1970.

He became convinced that many key questions had never been fully investigated: Were the lives of the National Guardsmen really in danger? Was there a conspiracy among the Guardsmen to shoot? Why had no Federal grand jury been called to answer these questions?

Throughout his law career Mr. Pottinger had followed a maxim regarding his cases: “Until you exhaust your ability to ask questions have you really done the job?”

Meeting With Richardson

He decided to ask his friend and boss, Elliot M. Richardson, the Attorney General, to reopen the case. In August, he and his staff, including Robert A. Murphy, head of the Criminal Section of the Civil Rights Division, made an extensive presentation before Mr. Richardson.

slowly, and from the right, which objected to giving favored treatment to special groups.

But he enjoys being out in the field and is convinced that most officials in Washington are out of touch with what is going on in the country—a key reason, he believes, for the failure of many Federal programs.

An Early Job

One of his first Government jobs was to evaluate an H.E.W. special program to educate children of migrant workers.

Then living in California, he packed his wife, Gloria, and three children, Paul, now 6, Kati, 4, and Matthew, 1, into an old station wagon and visited the migrant camps.

He still remembers a group of migrant children playing soft ball with a ball made out of wrapped rags and a bat fashioned from an automobile tailpipe, in the yard of a camp that had been used for the internment of Japanese Americans during World War II.

He is amused by the fairytale quality of the way he made his way from Dayton, Ohio, where he grew up and went to high school, to Harvard, where he graduated cum laude in 1962, and then received a law degree from the Harvard Law School.

His first job in Washington came through an influential friend, Robert H. Finch, the former Secretary of H.E.W. and Lieutenant Governor of California. Mr. Finch asked him in 1968 to head the Civil Rights Division. Mr. Pottinger and a friend wanted to find out about politics and they had volunteered to help Mr. Finch in his race for Lieutenant Governor in 1966.

Mr. Pottinger, who lives in Bethesda, Md., still tries to get out into the field. He is in the midst of negotiating a program to hire more minority workers in the steel industry and he is thinking about getting himself a job as a steel worker for a couple of weeks to get an understanding of the industry.

“I had big charts outlining the pros and cons,” he recalled. “It’s best that you’re well prepared when you go in before a man like Richardson.” They both decided that the case should be reopened, which led to the convening of the present grand jury last Dec. 18.

Mr. Pottinger, who is 34 years old—he was born on Feb. 13, 1930—has never avoided controversial cases throughout his career.

Before going to Justice he spent three years as director of the Civil Rights Division, at the Department of Health, Education and Welfare. Most of the time he traveled with his staff throughout the South negotiating with school boards to come up with desegregation plans.

He was also in charge of enforcing equal employment for minorities and women and was constantly under attack from the left, which accused him of moving too