

SEP 6 1971

# Mitchell Denial of Arrest Role

SFChronicle

Washington

U.S. Attorney General John N. Mitchell and his deputy, Richard G. Kleindienst, have formally denied any responsibility for the mass arrests of 12,000 people during last spring's May Day anti-war demonstrations in Washington, saying the decisions were made by District of Columbia Police Chief Jerry V. Wilson.

In sworn affidavits filed in U.S. District Court here, both Mitchell and Kleindienst contradicted long-standing reports that the Justice Department had set the guidelines for the police response to Mayday.

## SUIT

Answering a lawsuit filed by 15 persons who contend they were illegally arrested on Monday, May 3, Mitchell and Kleindienst denied the allegation that there had been "a predetermined conspiracy (by the government) to disregard and deny the legal and constitutional rights of citizens" during the arrests and detention.

In fact, said Kleindienst in his affidavit, "there were "was that Chief Wilson had never any discussions, agreements of understandings between myself, the chief of police, the attorney general . . . or anyone else concerning the specific circumstances under which any arrests would be made or the methods or procedures to be utilized in arresting persons who were violating this law during (the) May Day dem-

onstrations."

"The only consensus which might be said to have been reached "before the demonstrations, Kleindienst added, "was that Chief Wilson had full command of police activities and that violators of the law would be arrested wherever possible."

## LAW

The complaint of the 15 plaintiffs in the suit, demanding \$900,000 in damages, is that they were not violating the law at all, but were innocent bystanders when they were swept up by the police during the mass arrests.

Controversy has continued ever since the May Day demonstrations — during which protesters made an attempt to block traffic in the streets of Washington — over Wilson's decision to suspend the use of a standard field arrest form prior to most of the 7,000 arrests on Monday, May 3.

*Washington Post Service*