

'Harlem Four' Are Freed After Manslaughter Pleas

NYTimes

By LACEY FOSBURGH

APR 5 1973

In the final chapter of a long and complicated murder case that began nine years ago, the young men known as the "Harlem Four" pleaded guilty to manslaughter yesterday in State Supreme Court here in return for suspended sentences.

Immediately afterward, at a crowded news conference outside the courtroom, they proclaimed their innocence. They had been accused of killing Mrs. Margit Sugar, attempting to kill her husband, Frank, and trying to rob their Harlem clothing store in April, 1964.

The four men explained that with their fourth murder trial scheduled to begin this week, they had made "a pragmatic decision" to enter the manslaughter plea—with the court's promise of freedom—rather than face the uncertain outcome of yet another trial.

William Craig, 28 years old, said: "This is the hardest day of our lives. We've said all along we are not guilty and what we feel the world should understand now is that we are still not guilty. We hope our friends, our mothers, our fathers, anybody who cares, will understand why we had to do this, why we had to make this decision."

One of the three trials resulted in a conviction that was later overturned and the two

others resulted in hung juries, the last ending in January, 1972, with the jury deadlocked 7 to 5 for acquittal.

One other defendant, Daniel Hamm, pleaded guilty to manslaughter, was sentenced to 15 to 35 years and now is eligible for parole. A sixth, Robert Rice, was convicted after a trial and sentenced to 40 years to life.

Just over a year ago the remaining defendants were released on \$5,000 bail each after spending eight years behind bars, and were greeted by a tumultuous crowd of about 400 people.

Yesterday, in telling the four defendants standing before him that they could "now go free," Supreme Court Justice Jacob Grumet said:

"In doing this I am taking into consideration that over a period of nine years this case had a rather rocky course. Now there's only one final word I wish to say to you. That is, I hope you'll make something of your lives, forget the past, and never appear again in a court of criminal justice as defendants.

"Since your release a year ago, you have been usefully employed and not involved in any difficulties. You were young

Continued on Page 55, Column 1

HARLEM 4 FREED ON A LESSER PLEA

Continued From Page 1, Col. 3

then [in 1964] and now you're older and a great deal wiser. I'm giving you every opportunity to rehabilitate yourselves and I hope you'll take it."

Then, in what was described yesterday by judicial aides as a highly unusual move, Justice Grumet granted a certificate of relief from disability for the four men.

Convicted felons automatically lose such privileges as the right to vote, hold public employment and get such things as a driver's license. Under the Grumet order, however, the Harlem Four will lose no such rights as a result of their guilty pleas.

"I want them to have every chance," the justice said in an interview afterwards.

Besides Craig, who is pursuing a singing career, the defendants were Walter Thomas and Ronald Felder, both 27, who have been employed for almost a year as legal and narcotics counsellors at the federally-financed Morrisania Youth and Community Center in the South Bronx; and Wallace Baker, 28, who is studying at the Urban League Street Academy on 125th Street.

Yesterday's developments in the courtroom came after several weeks of intensive plea bargaining between the Manhattan District Attorney's Office, defense lawyers and the defendants, and Justice Grumet.

During these negotiations, it soon became clear that nobody wanted to go through a long fourth trial, which promised another uncertain verdict.

In 1971, before the third trial, the prosecution took the position that no plea was acceptable unless the defendants received 15-to-35-year sentences.

Outcome Was An Issue

At issue during the recent sessions, however, was the question whether the judge would give the defendants suspended sentences, as the defendants wanted, or place them on probation for several years, as wanted by Assistant District Attorney Robert Lehner, who was in charge of the case. Under the manslaughter plea, the defendants theoretically



The New York Times/Meyer Liebowitz

Three of the "Harlem 4" in Manhattan Supreme Court yesterday. From left are William Craig, Wallace Baker, Walter Thomas. Ronald Felder, fourth member, also was present.

could have received 10-to-20-year sentences.

Lewis M. Steel, one of the defense lawyers, suggested that the prosecution was more amenable to a plea now because another trial might be politically embarrassing for District Attorney Frank S. Hogan, who is up for re-election this year.

William vanden Heuvel, former chairman of the Board of Correction and Mr. Hogan's opponent in the Democratic

primary, has long criticized him for his determination to continue prosecuting the Harlem Four.

Yesterday Mr. Hogan would not comment on whether any such political considerations had influenced his decision to accept the manslaughter pleas.

In a three-paragraph statement he reviewed the history of the case and said, in part: "In recommending to the court acceptance of the pleas we took into consideration the de-

fendants have served eight years. Our information, further, is that they are employed and have been in no further trouble with the law."

Conrad Lynn, another defense lawyer, said of the defendants: "They're all making very constructive lives now and the difficult decision they finally made was in recognition of the overwhelming power of the state and in recognition of the fact that life has another day—that they can have another day."

GARDENS