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The Judge in Wiretapping Case

Damon Jerome Keith

By AGIS SALPUKAS

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DETROIT, June 19— When Federal Judge Damon J. Keith was a law student at Howard University from 1946 to 1949, Thurgood Marshall and other men would say to him, "It's there. It may take time. It may take struggle. But the remedies are there." The men,

Man prominent black lawyers who often gathered at the university to rehearse cases before arguing them

in the Supreme Court, were referring to the Constitution and the Federal court system, through which they believed blacks would eventually win their freedom and equality.

Judge Keith recalled in an interview today how he, then in his mid-twenties, would sit and listen as lawyers from the National Association for the Advancement of Colored People spent whole weekends arguing the cases.

A panel of nine men such as Mr. Marshall, Spottswood Robinson, a teacher at the university who helped to draft the 1954 school desegregation case, and William Hastie, the first black Federal judge, would sit in a mock Supreme Court and listen. They would ask tough questions, often the same ones that were asked later by the Supreme Court Justices.

Looks at Constitution

"That was my formative period," Judge Keith recalled. "I began to look at the Constitution, read and interpret it, know its limitations. I've never stopped studying it.

"I feel very protective



Associated Press

"I feel very protective about the Constitution."

about the Constitution. I don't want it chilled, tampered with, dissected."

And in his two rulings that have been unanimously upheld by the Supreme Court—his ruling to desegregate the Pontiac school system and his ruling that the Attorney General does not have the right to tap wires in domestic cases without a court warrant—Judge Keith said that he saw himself as the protector of the Constitution.

He keeps a copy of it on his desk in his chambers in United States District Court and keeps it near him when he retires to his guest room at his spacious ranch home in Detroit to write his opinions.

The judge is straightforward in his manner. Dressed today in a peppermint striped

sport jacket, maroon slacks and white shoes he gave people a pat on the back as they congratulated him. He repeated proudly, "It was unanimous. How about that?"

Damon Jerome Keith was born July 4, 1922, in Detroit, the youngest of four children. His father, Perry, and mother, Annie, migrated north from Georgia, and his father got a job at a Ford Assembly plant at \$5 a day.

The family had to struggle and for a while was on welfare during the depression. The father helped Damon to go to West Virginia State College, where he waited on tables, and cleaned the chapel and the college president's house to work his way through.

After getting his law degree from Howard University in 1949, he set up a law practice in Detroit. He accepted many clients who could not pay.

Wife Is Physician

In 1953, he married Rachel Boone, who went through Boston University Medical School while rearing their three daughters, Cecile, now 16 years old; Debbie, 14; and Gilda, 12. His wife is now an internist at Detroit Memorial Hospital.

Judge Keith was appointed to the Federal bench of the Eastern District of Michigan by President Johnson in 1967. Senator Philip A. Hart, a close friend, submitted his name for the nomination.

Judge Keith's main sport is jogging up to six miles a day. He enjoys the limelight and is popular among all segments of Detroit's black community.