

*passed out  
Circled 9/23/70 45 present*

## THE MEANING BEHIND THE MAY 19th ARREST

When four white students were murdered at Kent State last May 4th, millions of Americans were shocked and enraged. Hundreds of thousands of students registered their outrage over the murders and the Cambodian invasion by striking their schools. When, however, less than two weeks later 6 blacks were killed in Augusta, Ga. and 2 black students were killed at Jackson State, very little was heard from anyone. A group of about 400 people met Monday night, May 18, in the union to discuss racism in America and in the university and to plan the workshops for the next day. As the discussion proceeded many came to understand more clearly the nature of this racist society. We began to examine its economic and psychological aspects and the ways in which the mass media and the education system itself perpetuate it. We saw that a small group of people materially profit from racism, the same group who are on Boards of Directors and own large blocks of stock in massive corporations. The very men who are running this university, and the courts, and in fact the whole country. We began to understand that these people find it profitable to maintain a group of people who are consistently unemployed, who can serve as scab labor during times of labor disputes. In fact, \$22 billion a year is pocketed by the rulers as a result of racist pay differentials. By spreading lies and myths about third world people, and thus by dividing workers on the basis of color, countless billions can be pocketed from a disunited working class—unable to rise up and protect itself. When it became obvious that because of the interest and the intensity of the discussions the meeting would continue past the usual 11:00 p.m. closing time, a representative of the group requested of Union Assistant Manager, Jack Ostrander an extension of the closing hour. Our representative was informed that the decision was no longer in his hands, that "higher-ups" were making the decision, but that Ostrander would keep us informed of the decision. The next we heard of that decision was at 1:30 a.m. May 19th when about 300 riot-equipped State, East Lansing, Ingham County and Campus police surrounded the Union, pushed their way inside and began arresting the approximately 140 people still inside. We decided that our best defense would be to delay the trials until the beginning of school, and rely on mobilizing student support. We realized that the court system is not our weapon and that it must be exposed as such.

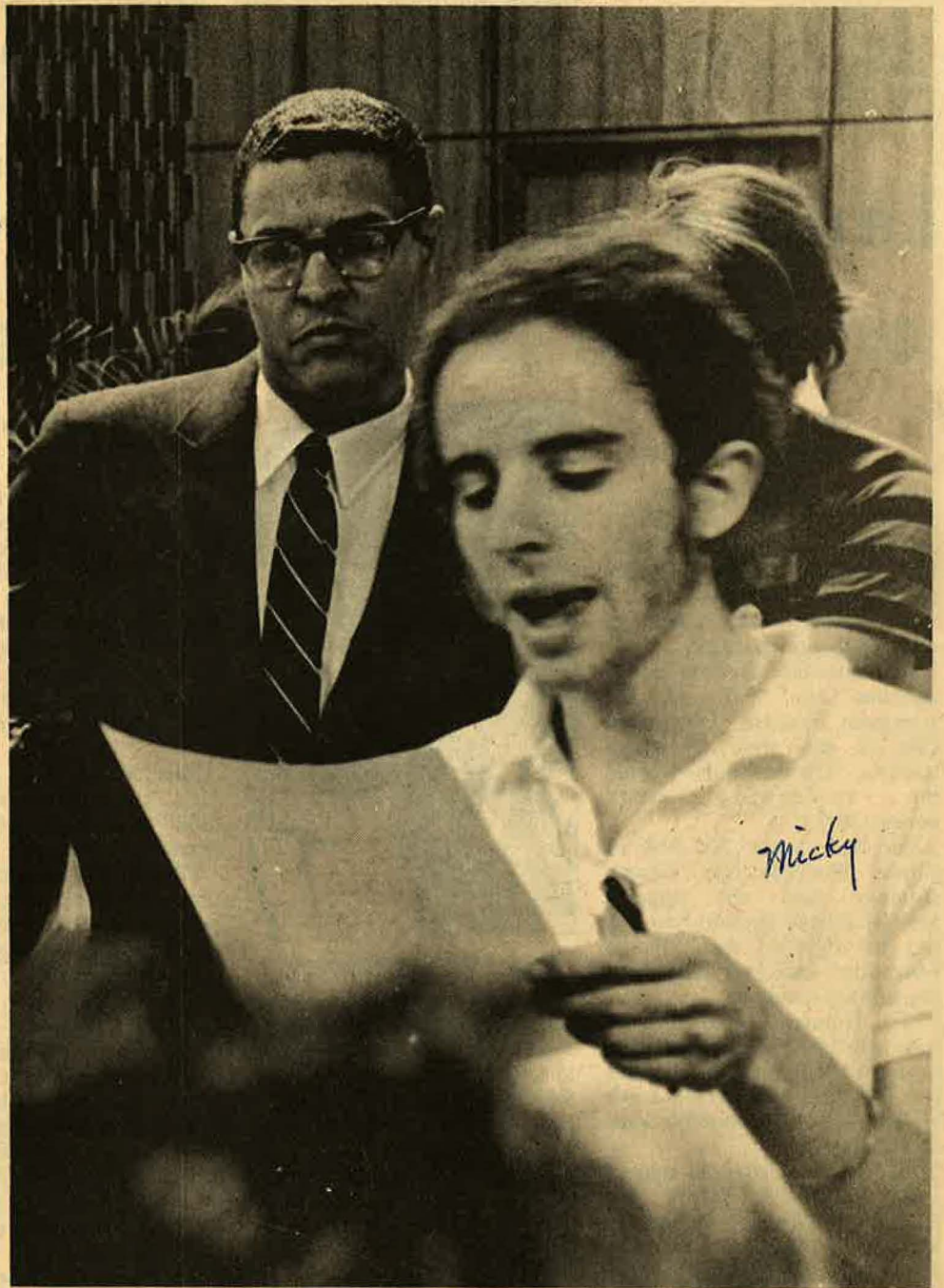
It is clear that the real reason for the arrests stems from the political discussion that was occurring that night. When people begin to throw off their racism and act in a unified way, it shakes the rulers of this country to the core. The university, with its police administration school which trains cops to smash third world rebellions, and its ROTC department which produces officers for a racist war in Vietnam, has no interest in fighting racism. In fact its very function is to perpetuate a society whose foundations are built on racism. The threat of a unified movement to smash racism was the true catalyst for the arrest. It is a threat which is great enough to force those who benefit from racism to abandon their cloak of liberalism and come down with the stick— as they will always do when threatened. In fact it is a threat which will continue to grow and gain strength as the need to smash racism is felt and understood.

FOR BUSTEES- THERE WILL BE A MEETING THURS. AT 10:00 PM room 35 IN THE UNION.

....by Rick Shields and Leslie Sjogren  
SDS, BOARD OF BUSTEES

*755 present*

TRIALS START MONDAY SEPT. 28 AT 9:30 AM.



## *Demanding*

A representative of the Action Group Against Racism demands closing of the University during a Monday afternoon meeting with President Wharton. Following the meeting, the group planned another meeting in the Union that night, at which approximately 130 people were arrested.

State News photo by Terry Luke

*Charges not dropped - will be pressed thru civil court*

MICHIGAN  
**STATE NEWS**  
UNIVERSITY



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Six-time recipient of the Pacemaker award  
for outstanding journalism.

## EDITORIALS

# *Dropping the charges: eliminating a tinderbox*

Early Tuesday morning, more arrests were made on campus than have ever been made at MSU for as long as anyone can remember. The unfortunate occurrences could have been avoided had the administration not risen to the provocation.

President Wharton's rationalizations for the arrests involve implicating those people involved in the "trashing" as a part of the Union group. While some people who broke windows may have returned to the Union after "Trashing," arresting all those in the Union is little more than guilt by association.

True, those inside the Union were breaking an ordinance, and true, they were warned, but ordinances have been broken for quite some time on this campus, and while everyone has a responsibility to know the law and obey it, one also has a right to know the rules of the game.

And a game has been played on campus when building times and police power have confronted

been frustrated in its attempts to identify many elements involved in vandalism. Wharton apparently reasoned that since some of the vandals returned to the Union after "trashing," their actions could be stopped by an arrest on a lesser charge.

But in the meantime, the administration has made martyrs out of approximately 130 people and created a crisis situation which is far from necessary. Had the University ignored those students in the Union, allowed them to stay until they were through with their meeting, the confrontation could have been avoided. Even images could better have been protected by this alternative course. The sit-in would not have made the headlines the arrests did. The arrests also helped to radicalize a significant portion of the student population and create an unnecessary explosive situation.

We suggest that in the future, the administration more carefully consider the full implications before taking a hard line. The vandalism has

students. The game has come to be known as the "two - and - one - half - hour rule". Last Friday night is a good example. Students were told to leave, but nothing was done when they refused. Two and a half hours later the police rolled in, and everyone left. There was no reason to believe the administration would react any differently Tuesday morning.

Instead, however, the police, acting on a decision from Wharton, moved in and arrested some 130 people, including some outside the building. The change in response from Wharton involves at least two factors:

First, the University's image has been tainted in the eyes of law - and - order advocates because of its previous lack of enforcement of ordinances. To continue vacillating on rules would further that image, and very possibly hurt University appropriations, now up for consideration in the legislature.

Secondly, the administration has

not been stopped by the arrests, and unfortunately may increase. The University's image in the greater community has not improved - citizens still see selective enforcement of regulations. The administration's actions are being perceived on campus as ill - timed, unnecessary and repressive, creating a tinder - box atmosphere which must be alleviated.

One immediate method to alleviate tensions would be for Wharton to recommend that the prosecuting attorney drop charges. Nothing will be gained by prosecuting those students, and instead the University will once again be the loser. Now is the time to cool heads, not create martyrs and causes for irrational actions. The administration cannot erase the mistake it made, but it can eliminate further backlash from irate students by dropping charges now and implementing a policy of priorities based on the issues involved, rather than building closing times.

## *Ignore protestors, but ...*

When a representative in the Michigan House of Representatives moves for a 15 - minute recess, the speaker pro tem usually does not even take a vote because there is rarely any resistance to such a motion.

Last Wednesday afternoon, around 3 p.m., when a group of marching students asked to speak with their representatives, Rep. E. P. O'Brien moved for a 15 - minute recess. However, Rep. Marvin Stempien demanded the "yeas and nays." Consequently, the motion was voted down by a vote of 82-15. The representatives from Ingham County, Rep. Jim Brown and Rep. Phil Pittenger, both voted against the recess.

This is really nothing to howl about. If the representatives do not have time to take a break and are heavily immersed in more important business, they cannot be condemned for such a vote.

However, this was not the case. At 4 p.m. that same afternoon, the same Rep. Stempien moved the House take a 15 - minute recess for cookies. It passed without vote.

It is well - known that the legislature does not condone student violence and indeed passes bills designed to prevent it. Yet when those students with legitimate concerns go through channels in asking to see their representatives, it is bound to create much frustration and anger in those students if they are denied.

Perhaps the legislature reasons students should be given no special treatment. If students want to see their representatives, they should make appointments "like anyone else."

However, if the legislators are sincere in their desire to soothe these concerns of the youth, they should be willing to take slightly unusual measures for a very unusual situation. Unfortunately, the fact still remains: there was an opportunity for communication of some sort and the legislators did not take it. Communication is the key. If the legislators huddle in their chambers and pass repressive laws to quell their fears, there can be no communication.



### Summoned

Students arrested in the Union spring term served President Wharton with a summons Thursday ordering him to appear in court July 21. At a news conference, the group announced they have filed a civil law suit against several University and Ingham County officials.

State News photo by Dick Warren

## 132 arrested in Union file suit against officials

By ROBERTA SMITH  
State News Staff Writer

A small group representing 132 persons arrested in the Union May 19 returned to the site of their alleged crime and held a news conference Thursday to formally announce a civil law suit against several University and Ingham County officials.

The action, filed in the U.S. District Court in Grand Rapids, is based on the allegations that the constitutional rights of the students, faculty and employees who were arrested and who attended similar racism and political meetings were violated.

District Court Judge Noel P. Fox will

hear the case July 21, and until he has made a decision, trials of those arrested, including one scheduled for July 9, will be postponed.

The action specifically questions the constitutionality of the University trespass ordinance on the grounds of vagueness and its misapplication to the Union scene. It also questions alleged intimidation techniques University officials used to appease the legislature during its decision on higher education appropriations.

Three subgroups, representing all the people involved, have filed the suit to eliminate confusion. The first group, consisting of four persons, represents those

persons at the meeting who were arrested. The second group is comprised of those who left before the police came, but who say they were intimidated for going to meetings of the same type. Five people were chosen to speak for this group.

The third group consists of members of the Action Group to Combat Racism who, like the second group, charge that their constitutional rights were violated when they were intimidated for going to the meetings.

The group is being represented by three Detroit law firms. Robert Zagorin, a spokesman at the news conference, said the firms are experts in this type of proceeding. They also were chosen for their political views and because they are the most qualified for the case, he said.

Private contributions and the MSU Legal Defense Fund are financing the group's defense.

Judge Fox gave some of the members the authority to serve defendants with copies of the complaint, summons, brief and motions. This was done to save time and money, according to Zagorin.

Defendants in the case are: the MSU Board of Trustees; Clifton R. Wharton Jr., MSU president; Raymond L. Scodeller, Ingham County prosecuting attorney; Charles F. Pegg, East Lansing chief of police; Richard O. Bernitt, MSU director of public safety; Kenneth Preadmore, Ingham County sheriff; Derold Husby, Lansing chief of police; Glen Perry, officer in charge of the East Lansing station of the Michigan State Police and Jack W. Ostrander, asst. manager of the Union.

All defendants are being sued individually and in their official capacities.

Another suit filed by those arrested against East Lansing Municipal Court Judge William K. Harmon, who arraigned the 132, was settled out of court. The group had charged that Judge Harmon ordered

# No Warning By Police

Editor, The State Journal:

I feel it necessary to explain the facts and answer the charges leveled against the students arrested at Michigan State University, Monday night. Having participated in this meeting and having spoken to those arrested, I feel it my duty to correct the flow of misinformation.

The students arrested were attempting to organize educational activities. They were not staging a demonstration or sit-in. Had police allowed students to leave the building, they would have vacated the premises immediately. But the police did not give repeated warnings. Instead they blocked off all entrances entered and proceeded to arrest those inside. The police, also, pushed students standing outside the building inside, so they could arrest them.

None of the students arrested had thrown any rocks, as the rock throwers had left the meeting earlier (when students at the meeting refused to join them in violence) and never returned. This raid on peaceful students, while those who threw rocks were allowed to go free, is a travesty of justice. When people who try non-violent means of expressing themselves are arrested for petty and vague offenses — such as trespassing and loitering — justice, liberty and freedom become blank words used to justify oppression.

STEVE BENSKO  
Legal Aid Department  
Associated Students  
Michigan State University

# Union raid senseless

To The Editor:

There are many expressions of outrage over the arrest of 130+ people in the Union Monday night. We will merely add another, as staff members of the Dean of Students Office.

As we understand the meeting at the Union (we were not there, but we would rather believe friends who were than President Wharton who was not), those people who think breaking windows is a suitable tactic to bring about a better society left the meeting rather early. One presumes, since windows were broken, that those people who left had more to do with it than those people who stayed in the Union. Those who stayed rejected destruction of property as a viable action. They stayed on to plan a teach-in (a rather educational and academic activity) on racism. They stayed past the Union closing hour. That, if proved in court, constitutes violation of the ordinance against trespassing. There were indeed legal grounds for arrest.

But one wonders a little. Consider: 1) those who broke windows weren't arrested, yet those who declined to do so were; 2) those who sat in the Demonstration Hall, past its closing hour, ostensibly to protest by means of violating the trespassing ordinance weren't arrested, yet those who used the Union past its closing hour to plan a nonviolent, hopefully educational teach-in were.

The University seems to be saying to students — if you destroy property we'll condemn you publicly, if you sit in a building we'll threaten to arrest you, but if you use a building to plan what we publicly say is a more responsible form of

protest, we'll arrest you. In terms of the University's stated position, its enforcement policy seems backwards. In terms of the University's implicit goal to break the strike, its enforcement policy is suicidal. The University's message is loud and clear: why bother to stay up all night in a University building planning a nonviolent protest activity? They'll only bust you for it.

We have never suffered from the delusion that the University has a large degree of integrity and consistency. But we did think they had a common sense knowledge of political and cooptation tactics. These arrests prove that they do not. And that, locally, may turn out to be as big a boon to the movement as Nixon's Cambodia speech.

Dolores Bender  
assistant director  
dean of students  
Lenny Brenner  
research assistant  
Randall K. Buschman  
research consultant  
Sue Hughes  
research assistant

## PEANUTS



FOR HIS  
TO GET  
BOOK A

# 8 Acquitted at MSU

By BEVERLY HALL  
State Journal Staff Writer

A three-day trespass trial in East Lansing Municipal Court ended late Friday afternoon with acquittal of the eight defendants.

Judge William K. Harmon said the jury of three women and one man deliberated less than half an hour before returning their "not guilty" verdict about 5:30 p.m.

"This just proves that the system so many of these people despise accords them more respect than they accord it," commented Thomas Rasmusson, assistant Ingham County Prosecuting Attorney.

## FIRST OF 132

The eight young people were the first to be tried of a group of 132 persons arrested in the Michigan State University Union Building during the early morning May 19, after they remained in the building more than two hours past its 11 p.m. closing time.

Rasmusson said that Ingham County Prosecuting Attorney Raymond L. Scodeller would probably decide Monday whether to prosecute the remaining 124 persons. He said that another group is scheduled to go on trial next week in the same court, on the same charge.

The defendants were grouped for prosecution according to the police officer who arrested them, one of the defendants said.

Rasmusson objected several times during the trial to latitude allowed in questioning and once called it the "most unusual trial I have ever seen."

## 'FAIR TRIAL'

Today, he said that although he was unhappy with some of Harmon's rulings on the law, he thought the trial had been fair.

Rasmusson said he could have called "a couple of hundred police officers" as witnesses, but used testimony from only four policemen, an MSU assistant director for student affairs and Jack Ostrander, assistant manager of the Union Building, who was on duty the night of the arrests.

Defense attorneys called few witnesses, although several persons had been subpoenaed to testify, including MSU President Dr. Clifton R. Wharton and MSU Vice President for Student Affairs Dr. Milton B. Dickerson.

Jeffrey Dean, one of the eight defendants, testified that he had been pushed from an outside porch into the Union Building, where he was subsequently arrested.

Other defense witnesses were Gary Sommers and Beth Sha-

piro, who were among the 132 arrested that night and could be tried on the same trespass charge if Scodeller decides to prosecute.

During questioning of prosecution and defense witnesses, the three defense attorneys

elicited testimony that:

—Sommers had asked Ostrander's permission for the Union Building to remain open so the group could continue discussing current events such as the Kent State University shootings, and that Sommers had been told the group would have to wait for a decision, since Ostrander had no personal authority to grant such permission. The group, however, had not gone through the established routine of requesting permission in advance through written application with the building secretary.

## DIDN'T HAVE TIME

—That the 132 persons did not have time to vacate the building between Ostrander's announcement about 1:25 a.m. that the building was closed and the arrival of police about 1:30 a.m.

—that no damage was done to the Union Building or property in it during the evening.

The defendants, represented by three young attorneys from the Detroit Lawyers Guild, were listed in court files as Elaine F. Depner, Arlene B. Chalmakjian, Regina L. McKewin, Chris W. Erickson, Michael D. Sickels, Ronald E. Coffman, Melvin A. Aronoff and Jeffrey M. Dean.

## Look Into Past . . . History in Newspapers

The events leading up to Michigan statehood . . . Michigan's part in the Civil War . . . the cholera epidemic of 1849 . . .

The joy of Nov. 11, 1918 Armistice . . . Flint strikers against General Motors facing State Militia in 1937 . . . the Tiger series year of 1935 . . .

The entire history of Michigan is told in the newspapers of the state.

The State Department of Education, marking National Newspaper Week Oct. 4-10 calls attention to the State Library collection of Michigan newspapers on microfilm, some 30,000 reels of film dating back to 1817.

The films are available for viewing in the State Library at Lansing or through loans to local public and private libraries.

The films are a major source of historical information of the state, reports Francis Scannell, state librarian.

"Much of Michigan's past is recorded only in the newspaper of the times," he said.

A tyrannic man . . .

. . . cannot be a sultan / As a  
wolf cannot be a shepherd.

— Sa'di

**MICHIGAN  
STATE  
UNIVERSITY**



# Wednesday STATE NEWS

Warm . . .

. . . and sunny with a high in  
the '70s. Partly cloudy  
Thursday.

Vol. 62 Number 190

East Lansing, Michigan

Wednesday, May 20, 1970

10c

## Wharton denies arrests set precedent for protest control

By DAVE SHORT  
and  
JOHN BORGER  
State News Staff Writers

President Wharton said Tuesday that the mass arrests in the Union early Tuesday morning wouldn't necessarily set a precedent for handling future student demonstrations.

"Each situation has its own special circumstances," Wharton emphasized. "I'm not seeking punitive actions. I'm trying to avoid continuation of an adversary set of positions which results from deliberate provocation of certain groups."

Wharton's statements came in the wake of growing reaction to the mass arrests.

Approximately 130 people were arrested by a combined area police force at an "Action Group Against Racism" meeting that day for violating state trespassing and University loitering laws in the Union.

The arrests came two and one-half hours after the people failed to leave the Union at its 11 p.m. closing time. All persons in the building were participating in a group discussion on racism at the time of their apprehension.

Students and administrators differed Tuesday over whether the people in the Union had been properly forewarned before their arrests. Wharton said in a prepared statement that "repeated warnings were given prior to the arrests."

A Union official announced four times between 10:55 and 11:20 p.m. that the building was officially closed and asked, "Would everyone please leave?" The same official again warned the people there to leave just as the police enclosed the

Wharton indicated the police action was not unusual.

"The police handle these situations in different ways," he said. "Past procedures have been more varied than most students realize."

Wharton indicated that "provocation" seemed the only point of the "sit-in" in the Union.

Members of the meeting continuously emphasized that they wanted no confrontation with the police, however. They indicated that they would leave the building nonviolently if police told them to disperse.

Wharton linked the Action Group Against Racism meeting with scattered window-breaking on the campus Monday

night. He said that "those involved in the destruction were part of a larger group which had occupied portions of the Union building earlier in the evening."

About nine windows in the Administration Bldg., six in the Eppley Center, and one plate glass door in the International Center were broken Monday night. Approximately 35 windows also were destroyed, resulting in \$4,000 in damage.

None of the vandals were arrested. Police said they did not have enough officers on hand at the scenes of vandalism to obtain arrests.

Wharton said the cost of insurance of the University has nearly doubled since the

vandalism began this year and amounts to an increase of \$150,000.

A group of about 40 people did leave the meeting in the Union in favor of marching around the Administration Bldg. But 150 of the original 350 people there remained to non-violently discuss the racism issue and group plans for shutting down the University on Tuesday.

The group of 40 left after the majority at the Union decided to break into discussion groups rather than go to the Administration Bldg.

Wharton said some of the window-breakers returned to the Union after the damage was done. He said both the

(please turn to page 19)



## Nixon requests on gasoline

WASHINGTON (AP) -- President Nixon announced Tuesday that his administration's budget surpluses have turned into deficits for the fiscal year and next.

He called for a \$1.6 billion tax on the lead additive to erase part of the government's deficit.



**LAZY, HAZY DAY**—College students know how to enjoy a warm, early summer day—whether paddling a canoe on the Red Cedar River . . . or just sitting on the bank

listening to the splashes. (State Journal Photo by Dave Webb)

## All Protesters Released

By **PAT MURPHY**  
State Journal Staff Writer

All of the persons arrested early Tuesday for occupying the Student Union at Michigan State University were out of jail this morning.

All had been arraigned and bonded-out or released on interim bond pending their appearance in East Lansing Municipal Court. Seventy-two were arraigned Tuesday with the others scheduled to appear today or next Monday.

They were charged with loitering and trespassing, both misdemeanors with a maximum penalty of \$100 fine, 90 days in jail or both on each count. They were arrested for occupying the building beyond the 11 p.m. closing.

One of those arraigned Tuesday, John F. Mertz, 21, a sophomore from Lansing, said:

### MAKING PLANS

"Sure we violated a university regulation by not leaving the building at 11 p.m., but we were discussing racism and making plans for a teach-in."

Mertz and others said they felt the closing time should have been adjusted.

"After all, the union is for use by students," Mertz said.

Twenty-three of the 124 persons arrested were identified as nonstudents by the MSU Department of Public Information.

One of those nonstudents, Colleen M. McNamara, 20, of

102 Albert, was enrolled at MSU earlier in the year, and said she had dropped out temporarily to earn enough money to return.

### "TRIED TO LEAVE"

"We tried to leave," she said, "but the police forced us back into the building and arrested us."

When asked about Miss McNamara's claim, Ingham County Prosecutor Raymond L. Scodeller acknowledged it was basically true.

However, it did not exonerate those arrested, Scodeller said, because they had been warned earlier in the evening.

Scodeller said students were warned to leave the union at 10:55, 11:15 and 11:30 p.m. However, there were no additional warnings until the one that was given just before the police arrived at 1:30 a.m.

"We wanted to announce that if the students didn't leave within two minutes that they would be arrested," Scodeller said. "But there was a mechanical failure in the public

address system and they didn't get the time warning."

Scodeller emphasized that this did not excuse the students, but he acknowledged there would probably have been fewer arrests had a few minutes lapsed between the last warning and the arrival of the police.

Ninety-two of the 124 arrested were identified Tuesday by the Ingham County Sheriff's department. Those not listed then were:

Michael A. Gelder, 20, of 123 Louis, East Lansing; Melvin A. Aronoff, 22, Jackson (not a student); John P. Shaw, 23, of 2900 E. Grand River; Gregory E. Koert, 21, of 404 Cyprus; Steven J. Pyle, 19, Fee Hall; Gary M. Sommer, 27, of 1641 Coolidge Dr. (not a student); Andrew J. Neuwirth, 20, Shaw Hall; James J. Rieben, 22, of 731 Burcham Dr.; Chris W. Erickson, 19, Shaw Hall; Richard S. Dunham, 21, of 215 Evergreen; Timothy E. Walters, 20, of 656 Forrest; John R. Wandrasitz, 21, of 656 Forrest (not a student); Dennis A. Dono-

# Aim: Avert Violence

## Administrators Seek Lines of Communication

By **EDWARD S. LECHTZIN**  
United Press International

In the wake of disruptive demonstrations on many of Michigan's college campuses, university administrators are trying to open new lines of communication with their students to "cool" potentially explosive situations.

The current national wave of student unrest spawned by the invasion of Cambodia, shooting at Kent State University and the special problems of black students has left many administrators trying to figure out new methods of handling demonstrations. But their biggest concern is heading off developing problems.

"Violence only deflects attention from the real issues and provides a ready excuse for some who seek to polarize the people, rather than engage in rational debate on the underlying problems which affect the entire nation deeply," said Michigan State University President Clifton R. Wharton Jr., earlier this month.

MSU probably has been hit hardest by unrest with an estimated \$60,000 in damage to university property since May 1. An estimated 2,000 to 6,000 students have been on strike at the East Lansing campus since the deaths of four students at Kent State.

Despite his understanding of the "frustration and apprehension" of the students, Wharton has determined to use a "fair, but firm approach" to student demonstrations, an attitude shared by most university administrators in Michigan.

### EMU UNREST

Eastern Michigan University at Ypsilanti has seen a flareup of demonstrations in recent months over student demands for a greater voice in the administration of the university.

EMU talks with student leaders were called off last week during the memorial observance for the students killed at Kent State and have not been resumed. Property damage, mass arrests and a curfew followed.

"We're trying to involve the students in decision making," said a spokesman for Central Michigan University, "because many young people are taken with the idea of participatory democracy."

The campus at Mt. Pleas-

House Speaker William A. Ryan said Monday a coalition between legislative leaders might be needed to head off punitive cuts.

University of Michigan President Robben W. Fleming, whose school has experienced demands by black students for greater enrollment and other disruption, feels campus turbulence is directly related to national policies.

In commencement exercises earlier this month, Fleming said the delicate balance between the university, the taxpayer and donor and the Legislature "is not only imperiled, it is on the verge of destruction." "The public is increasingly skeptical of the ability of the university to govern itself, and the members of the internal university community are increasingly fearful that they will be controlled from the outside," Fleming says.

The problem of minority students is one that has seen a positive approach—increased

recruiting of black students.

Here's how some of Michigan's major universities are dealing with that problem:

—University of Michigan, Ann Arbor: Following a strike by the Black Action Movement, university officials pledged to actively recruit black students in order to reach a 10 percent level.

—Northern Michigan University, Marquette: With about 140 blacks out of a total enrollment of 7,500, this Upper Peninsula school has been trying to resolve the "misunderstandings" between the two groups. "It's a problem of misunderstanding," said a school spokesman last week, 14 black high school seniors were brought to the campus in an attempt to recruit them. School officials admit they don't know how many might decide to enroll at NMU.

### EXPRESS CONCERN

—Oakland University, Rochester: May 21 has been set

aside as a day of memoriam "to express concern" over the incidents at Jackson State College in Mississippi. Oakland currently is seeking a 15 percent black enrollment figure and has obtained it for the fall semester.

—Western Michigan University, Kalamazoo: A Martin Luther King Jr. program was instituted to help black students financially, in tutoring and counselling. A black American study program and several courses in black history have been instituted and the past two presidents of the student body have been black.

—Ferris State College, Big Rapids: Following a series of incidents involving black students—about 325 of a student body of 8,400—in 1969, a human relations committee was set up and a series of meetings between student groups and faculty, based on a "let's keep our problems on an individual basis and treat them as such" philosophy, were held with the student body taking the initiative.

—Wayne State University, Detroit: Wayne, in the heart of Detroit, has the largest black enrollment in the state. Besides attempting to aid black students president William R. Keast last week established a new office of neighborhood relations "to work with the immediate community to develop programs of mutual benefit and assistance."

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NEWS

Wed., May 20, 1970

Lansing—East Lansing, Michigan

A-3

## Campus Police Explain

# Task Difficult

By **HELEN CLEGG**  
State Journal Staff Writer

When students sit in a building beyond official closing hours, the university has at least two alternatives in handling the situation, according to Richard O. Bernitt, director of public safety at Michigan State University and chief of the campus police:

—Students can be left to sit in a building for a long as they like when they are peaceful and nonviolent. This course has been chosen at times by

night when students and nonstudents sat in the Union Building two and a half hours beyond closing time.

As far as arrests in the breaking of windows on campus is concerned, Bernitt has been asked many times why more culprits aren't arrested.

He answers that when five or six persons in a crowd of 200 or so are throwing rocks, they are concealed by the numbers—and no one in the crowd is going to identify them.

Then, too, a new technique

school students and juveniles and nonstudents from outside the local area."

The chief problems to his men during recent disturbances was loss of sleep—especially for those on day shift and top administrators, Zutaut said.

## Health Board

# Of War Protesters

By The Associated Press

Some antiwar students are focusing on commencement exercises as a vehicle for protest as the academic year draws to a close on the nation's campuses.

The commencement activities were part of a trend toward subdued campus protests after two weeks of sometimes violent demonstrations.

A student strike information center at Brandeis University, Waltham, Mass., reported student strikes at about 265 colleges and universities.

## COMMEMORATION

A Bible reading from the Book of Lamentations served Tuesday night as a commemoration for six recent campus deaths at the 134th commencement at the Union Theological Seminary in New York.

Graduates had requested the ceremonies be used to commemorate the deaths of six students killed in recent weeks when police and National Guardsmen used gunfire to quell demonstrations at Kent State University in Ohio and Jackson State College in Jackson, Miss.

Several colleges and universities have cancelled social events connected with commencement. The Peace Commencement Fund, a movement to have graduates contribute to congressional peace candidates the money ordinarily spent on renting graduation caps and gowns, said the plan had spread to more than 150 campuses.

## BIG SUPPORT

At Yale University, where the movement began, sponsors said it has the support of between 50 and 70 per cent of Yale's graduating class. Sponsors said they hoped to raise \$1 million.

The senior class at Worcester Academy, a prep school in Worcester, Mass., voted to forgo a class prom and use the \$500 to set up a "Scholarship for Peace." A school announcement described the decision as "a show of concern and in opposition to expansion of the war in Southeast Asia."

The nationwide student protests began 19 days ago in the wake of President Nixon's decision to send American combat troops into Cambodia.

The protests were fueled by the shooting deaths at Kent State and Jackson State and the killing of six blacks in Augusta, Ga. All was quiet at Kent State, except for students picking up belongings at the indefinitely closed school.

The president of Jackson State, Dr. John A. Peoples, was one of 15 heads of black universities and colleges invited to meet with Nixon today

to discuss problems at their schools.

The White House said the request for the meeting was filed before the trouble at Jackson, but after six black youths were killed in Augusta, Ga., when police used gunfire to quell rioting. The disorder developed when it was learned that a

16-year-old black youth had been beaten to death in a local jail.

A federal judge was expected to decide today whether state investigators may remove portions of a college dormitory where two Negro youths died in a police gunfire fusillade.

# Activity Aids Heart, Doctor Says

By MILLICENT LANE  
State Journal Staff Writer

Physically active persons have half the rate of heart disease of healthy persons leading sedentary lives, an Illinois physician said Tuesday night.

But, Dr. John Naughton of the University of Illinois said, a person doesn't have to exercise violently to remain alive.

Dr. Naughton said an exercise program seems to be a fulcrum around which people also change other aspects of

their lives which would be risk factors in heart disease. He mentioned smoking, alcohol, diet, rest and general life style.

Speaking before the Ingham County Medical Society, Dr. Naughton advocated an exercise program geared to a patient's capacity.

He said that the average American male between the ages of 20 and 29 has 50 per cent of the capacity for exercise of the average European of the same ages.

"The healthy sedentary male

American man has a capacity for exercise which really is very minimal, if you're talking about more than walking around the block," Dr. Naughton said.

Most American males reach a peak performance level of exercise early in life and unless something occurs to change the physical fitness pattern, they retain that level, Dr. Naughton continued.

A person doesn't have to stay this way if he's healthy, he said.

Regularly supervised exercise "seems to be the prudent thing to do," he said and mentioned rope skipping, games, and calisthenics.

A person shouldn't become an exercise "fanatic," he cautioned.

Recommendations in an exercise program, he said, "really seem to be common sense things but things not worked out well in the medical community."

Dr. Naughton, an associate professor of medicine and di-

rector of the rehabilitation center at Illinois, was one in a series of speakers presenting scientific talks to the society this year.

Prior to his talk, the society presented \$50 savings bonds to four winners in the 1970 Youth Talent Exhibit and Science Fair. They were James L. Logan Jr., 4425 Maumee, Okemos; Marilyn M. Stoltzfus, Charlotte; Alfred E. Gunther, Carson City, and Harold L. Gallick, 220 E. Randolph.

"These include local high

school students, and running in all directions.

Using the cover of darkness—such acts are almost always at night—the vandals hide by ones, twos and threes behind shrubbery and between buildings.

To arrest them would take an almost one-to-one relationship between law enforcement officials and the violators, says Bernitt.

NONE INJURED

During recent troubles on the Michigan State campus, including the Friday night demonstration in Demonstration Hall, no policeman has been injured by thrown rocks—although it has been tried, says Capt. A. J. Zutaut, commanding officer of the campus police.

A new weapon being used by vandals, Zutaut adds, are large fence staples twisted together into something resembling a jumping jack. These can be thrown or left in the streets.

Zutaut said campus police lost two tires on a police vehicle last week but otherwise there has been no damage to property.

"A group of 150 to 200 are the chief troublemakers, who from some reason or another don't want to abide by the rules of society," says Zutaut.

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## 'No' Recommended in Williamstown Township

# Planners Oppose Mobile Home Parks

By STAN MORGAN  
State Journal Staff Writer

WILLIAMSTON — Proposals for two mobile home parks were turned down by the Williamstown Township Planning Commission Tuesday night.

The action by the commission now goes to the township board for final action.

Recommended for denial were these two proposed developments:

—A 330-unit mobile home park on 80 acres of land at Shoeman and Gulick roads, proposed by General Enterprise Co.

—A combination shopping center, 512-unit apartment complex and 297-unit mobile home park on 127 acres on the north side of M-43, just west of Thatcher, proposed by the Equitable Development Co.

General Enterprise had been seeking a special use permit and Equitable had been seeking

ing a combination rezoning and special use permit, which would allow the projects.

In recommending denial, the planning commission said both projects were of too high a density for the rural areas they are proposed for, and develop-

ment of them would not be in accord with the surrounding land use.

On the General Enterprise proposal, the commission also indicated there could be possible problems with the water supply for the project and the

# Bank Buys Meridian Bonds

The sale of a \$145,000 water bond issue to Michigan National Bank was approved by the Meridian Township Board of Trustees Tuesday night.

The bank had submitted a low bid on the interest rate for the 10-year bond issue of 5.5 per cent.

Funds from the sale will finance construction of water mains for 158 lots in Tacoma Hills subdivision from Tacoma Boulevard westward.

Last month, Parker and Ferrara, Inc., was awarded the construction contract for the project, pending sale of the

bonds. Township Engineer Walter K. Kyes said the company is expected to begin construction by Monday.

The board directed its attorney

## MERIDIAN

to draw up an amendment to the township's sewer treatment contract with East Lansing which would allow a sewer line to be extended to the station on I-96, east of Okemos Road.

Supr. John J. Roetman said the State Highway Department

is requesting the sewer hookup and would pay all the costs of extending the sewer line to the site.

In other actions, the board adopted a resolution placing a proposal on the August primary ballot, asking township voters to withdraw permission for the township to sell the \$1,575,000 in unsold bonds originally approved as part of a \$3,175,000 bond issue in November, 1968.

Last month, the board announced its intent to adopt the resolution, because the money,

township and might also be undesirable from a public health standpoint.

Commissioner Raymond Powell said officials of the Ingham County Health Department have indicated another sewage treatment plant along the Red Cedar River between

which would have been used to finance construction of a water treatment plant for the township, is no longer needed.

The board also approved rezoning for a parcel of land on the northeast corner of Park Lake Road and M-43, which will allow the site to be used as an auto service center.

The board also tabled action on a recommendation from the planning commission to deny rezoning of land on the southwest corner of Okemos Road and Mt. Hope, which would allow the development of professional offices.

Williamston and East Lansing is not desirable.

In recommending denial of the Equitable project, Commissioner Dwight Kampe also said a portion of the land for the project is located in the Red Cedar floodplain and therefore should not be developed.

Kampe also cited problems of providing adequate police and fire protection and in providing public sewer and water facilities for the two sites, as reasons for denying the projects.

## FIRM APPROVED

The commission also adopted a resolution recommending that the township board hire the planning consultant firm of Vilcan-Leman and Associates of Southfield to prepare a sketch stage development plan for the township and to revise the township's zoning ordinance.

Prior to the action, the commission held a discussion with representatives from Wheatfield Township and the City of Williamston, and indicated to them the township would be willing to expand the program and embark on an area development study.

stop using federal allocations as local support to obtain mental health money from the State of Michigan.

The instruction came from the State Mental Health Department in what was called a "program audit" of the board's activities between July 1, 1965, and July 1, 1969. The board has been asked to comment by May 28.

Another comment in the audit raised the question of whether three full-time mental health employees were not too many for 32 persons. This comment was in reference to board financial support at Camp Highfields, the youth opportunity camp.

## EVALUATE PROGRAM

Dr. Vernon A. Stehman, department deputy director, explained that the legislature authorized the department to conduct program audits to "evaluate program effectiveness in relation to the purpose for which money is appropriated."

The department allocates three state dollars for each local dollar in programs approved by the department. The allocation for the tri-county area was \$680,000 for the 1969-70 fiscal year. The budget total was \$955,723 which included \$45,856 in federal funds.

For the fiscal year starting July 1, the board is preparing a budget request expected to total \$2,327,459. A special budget meeting is scheduled for Monday.

When asked about the program audit, Stehman stressed that he did not think the use of federal funds as local money was intentional. The board, he said, was running some sizable programs.

## 'MAKING PROFIT'

The audit said the procedure resulted in the board "making a profit" on the programs.

As an example, Stehman pointed out that if a board was running a \$1 million program and taking in half a million in fees, the board would only have to put up a quarter of a million to qualify for the 75 per cent state support. Thus, the board in effect would be making a quarter of a million profit.

Stehman also emphasized that the program audit comments were not a criticism of the Camp Highfields program. Rather, he said, it was a question of better utilization of professional help to meet demands for mental health services.

Oscar Wade, board chairman, said he thought the audit "was generally not a condemnation but constructive" and could be an "appropriate guide."

The board has been under some pressure from the state which asked the board last fall to resolve some long-standing internal differences or else its state funds for the year starting July 1 would be threatened.

# Court Says Arrests at MSU Legal

By PAT MURPHY  
State Journal Staff Writer

A U.S. District Court decision has upheld the state trespassing statute under which 132 persons were arrested at Michigan State University on May 19.

District Judge Noel P. Fox ruled late Wednesday that police agencies making the arrests acted "in good faith" and there was no evidence that MSU was trying to suppress the political action of those arrested.

The ruling enables the Ingham County prosecutor to continue the prosecution of those who were arrested during the demonstration at the Student Union.

In that demonstration, 132 persons were arrested after they occupied the Student Union almost two hours beyond the normal 11 p.m. closing time.

However, the prosecution was interrupted July 1, when the suit was filed in District Court in Grand Rapids.

Some of the defendants were scheduled for appearances in East Lansing Municipal Court when the suit was initiated. Those appearances were postponed, pending the outcome of the suit. Ingham County Prosecutor Raymond L. Scodeller now plans to reschedule the defendants in court and the prosecution will continue.

The legal action claimed that the university ordinance on loitering and trespassing was unconstitutional and the prosecution was in bad faith. It also charged that the arrests were "politically motivated" and aimed at suppressing the civil rights of free speech and assembly of those arrested.

## POLITICS RULED OUT

An injunction that would bar their prosecution was sought.

They were charged with violating the MSU ordinance and the state statute.

James R. Ramsey, chief appellate lawyer for the Ingham County prosecutor's office, explained that Judge Fox' ruling did not concern the MSU loitering ordinance, but concerned itself with the state statute and the good faith of the prosecution.

"The real issue in the case is the good faith prosecution under the state trespassing statute," Ramsey said.

Judge Fox said in reviewing the evidence and testimony he concluded that there were no political motives behind the arrests.

"The court finds in this case that there was no harassment, intimidation or oppression of these complainants in their efforts to exercise their constitutional rights," but they were arrested and are being prosecuted in good faith for their violation of a valid trespassing statute," Judge Fox said in his decision.

Scodeller said the ruling bears out the contention that the arrests were made to "protect property and lives." He added that none of the police agencies considered any political motives in making the arrests.

"We just wanted to enforce the law," he said. "Students and other young people are subject to the same laws and regulations as everyone else."

## WARNINGS IGNORED

Students and nonstudents were among those arrested. They were warned early in the demonstration that they might be arrested, but, police said, those warnings were ignored.

About 1:30 a.m., police rushed the building, the mass arrests ensuing.

During arraignments, those arrested claimed they were merely occupying the building to discuss current events such as the shootings at Kent State University and racial killings in Mississippi.