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# RIGHTS IN CONCORD

## THE RESPONSE TO THE COUNTER-INAUGURAL PROTEST ACTIVITIES IN WASHINGTON, D.C.

JANUARY 18-20, 1969

A SPECIAL STAFF STUDY SUBMITTED BY  
THE TASK FORCE ON LAW  
AND LAW ENFORCEMENT TO  
THE NATIONAL COMMISSION ON  
THE CAUSES AND PREVENTION OF VIOLENCE

A STAFF REPORT  
NOT A REPORT  
OF THE  
COMMISSION

EMORY COLLEGE

JUL 26

SARATOGA SPRING N. Y.



The White House

June 10, 1968

**EXECUTIVE ORDER #11412**

**ESTABLISHING A NATIONAL COMMISSION ON  
THE CAUSES AND PREVENTION OF VIOLENCE**

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of the Commission.* (a) There is hereby established a National Commission on the Causes and Prevention of Violence (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of:

Dr. Milton Eisenhower, *Chairman*  
Congressman Hale Boggs  
Archbishop Terence J. Cooke  
Ambassador Patricia Harris  
Senator Philip A. Hart  
Judge A. Leon Higginbotham  
Eric Hoffer

Senator Roman Hruska  
Albert E. Jenner, Jr.  
Congressman William M. McCulloch  
\*Dr. W. Walter Menninger  
\*Judge Ernest William McFarland  
\*Leon Jaworski

SECTION 2. *Functions of the Commission.* The Commission shall investigate and make recommendations with respect to:

- (a) The causes and prevention of lawless acts of violence in our society, including assassination, murder and assault;
- (b) The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups; and
- (c) Such other matters as the President may place before the Commission.

SECTION 4. *Staff of the Commission.*

SECTION 5. *Cooperation by Executive Departments and Agencies.*

(a) The Commission, acting through its Chairman, is authorized to request from any executive department or agency any information and assistance deemed necessary to carry out its functions under this Order. Each department or agency is directed, to the extent permitted by law and within the limits of available funds, to furnish information and assistance to the Commission.

SECTION 6. *Report and Termination.* The Commission shall present its report and recommendations as soon as practicable, but not later than one year from the date of this Order. The Commission shall terminate thirty days following the submission of its final report or one year from the date of this Order, whichever is earlier.

S/Lyndon B. Johnson

\*Added by an Executive Order June 21, 1968

The White House

May 23, 1969

**EXECUTIVE ORDER #11469**

**EXTENDING THE LIFE OF THE NATIONAL COMMISSION  
ON THE CAUSES AND PREVENTION OF VIOLENCE**

By virtue of the authority vested in me as President of the United States, Executive Order No. 11412 of June 10, 1968, entitled "Establishing a National Commission on the Causes and Prevention of Violence," is hereby amended by substituting for the last sentence thereof the following: "The Commission shall terminate thirty days following the submission of its final report or on December 10, 1969, whichever is earlier."

S/Richard Nixon

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## STATEMENT ON THE STAFF STUDIES

The Commission was directed to "go as far as man's knowledge takes" it in searching for the causes of violence and means of prevention. These studies are reports to the Commission by independent scholars and lawyers who have served as directors of our staff task forces and study teams; they are not reports by the Commission itself. Publication of any of the reports should not be taken to imply endorsement of their contents by the Commission, or by any member of the Commission's staff, including the Executive Director and other staff officers, not directly responsible for the preparation of the particular report. Both the credit and the responsibility for the reports lie in each case with the directors of the task forces and study teams. The Commission is making the reports available at this time as works of scholarship to be judged on their merits, so that the Commission as well as the public may have the benefit of both the reports and informed criticism and comment on their contents.

A handwritten signature in cursive script, reading "Milton S. Eisenhower". The signature is written in dark ink and is positioned above the printed name.

Dr. Milton S. Eisenhower

## **STAFF OFFICERS OF THE COMMISSION**

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**LLOYD N. CUTLER**  
EXECUTIVE DIRECTOR

**THOMAS D. BARR**  
DEPUTY DIRECTOR

**JAMES F. SHORT, JR.**  
**MARVIN E. WOLFGANG**  
CO-DIRECTORS OF RESEARCH

**JAMES S. CAMPBELL**  
GENERAL COUNSEL

**WILLIAM G. McDONALD**  
ADMINISTRATIVE OFFICER

**JOSEPH LAITIN**  
DIRECTOR OF INFORMATION

**RONALD A. WOLK**  
SPECIAL ASST. TO CHIARMAN

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## **NATIONAL COMMISSION ON THE CAUSES AND PREVENTION OF VIOLENCE**

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**DR. MILTON S. EISENHOWER**  
CHAIRMAN

## PREFACE

From the earliest days of organization, the Chairman, Commissioners, and Executive Director of the National Commission on the Causes and Prevention of Violence recognized the importance of research in accomplishing the task of analyzing the many facets of violence in America. As a result of this recognition, the Commission has enjoyed the receptivity, encouragement, and cooperation of a large part of the scientific community in this country. Because of the assistance given in varying degrees by scores of scholars here and abroad, these Task Force reports represent some of the most elaborate work ever done on the major topics they cover.

The Commission was formed on June 10, 1968. By the end of the month, the Executive Director had gathered together a small cadre of capable young lawyers from various Federal agencies and law firms around the country. That group was later augmented by partners borrowed from some of the Nation's major law firms who served without compensation. Such a professional group can be assembled more quickly than university faculty because the latter are not accustomed to quick institutional shifts after making firm commitments of teaching or research at a particular locus. Moreover, the legal profession has long had a major and traditional role in Federal agencies and commissions.

In early July a group of 50 persons from the academic disciplines of sociology, psychology, psychiatry, political science, history, law, and biology were called together on short notice to discuss for 2 days how best the Commission and its staff might proceed to analyze violence. The enthusiastic response of these scientists came at a moment when our Nation was still suffering from the tragedy of Senator Kennedy's assassination.

It was clear from that meeting that the scholars were prepared to join research analysis and action, interpretation, and policy. They were eager to present to the American people the best available data, to bring reason to bear where myth had prevailed. They cautioned against simplistic solutions, but urged application of what is known in the service of sane policies for the benefit of the entire society.

Shortly thereafter the position of Director of Research was created. We assumed the role as a joint undertaking, with common responsibilities. Our function was to enlist social and other scientists to join the staff, to write papers, act as advisers or consultants, and engage in new research. The decentralized structure of the staff, which at its peak numbered 100, required research coordination to reduce duplication and to fill in gaps among the

original seven separate Task Forces. In general, the plan was for each Task Force to have a pair of directors: one a social scientist, one a lawyer. In a number of instances, this formal structure bent before the necessities of available personnel but in almost every case the Task Force work program relied on both social scientists and lawyers for its successful completion. In addition to our work with the seven original Task Forces, we provided consultation for the work of the eighth "Investigative" Task Force, formed originally to investigate the disorders at the Democratic and Republican National Conventions and the civil strife in Cleveland during the summer of 1968 and eventually expanded to study campus disorders at several colleges and universities.

Throughout September and October and in December of 1968 the Commission held about 30 days of public hearings related expressly to each of the Task Force areas. About 100 witnesses testified, including many scholars, Government officials, corporate executives as well as militants and activists of various persuasions. In addition to the hearings, the Commission and the staff met privately with scores of persons, including college presidents, religious and youth leaders, and experts in such areas as the media, victim compensation, and firearms. The staff participated actively in structuring and conducting those hearings and conferences and in the questioning of witnesses.

As Research Directors, we participated in structuring the strategy of design for each Task Force, but we listened more than directed. We have known the delicate details of some of the statistical problems and computer runs. We have argued over philosophy and syntax; we have offered bibliographical and other resource materials, we have written portions of reports and copy edited others. In short, we know the enormous energy and devotion, the long hours and accelerated study that members of each Task Force have invested in their labors. In retrospect we are amazed at the high caliber and quantity of the material produced, much of which truly represents, the best in research and scholarship. About 150 separate papers and projects were involved in the work culminating in the Task Force reports. We feel less that we have orchestrated than that we have been members of the orchestra, and that together with the entire staff we have helped compose a repertoire of current knowledge about the enormously complex subject of this Commission.

That scholarly research is predominant in the work here presented is evident in the product. But we should like to emphasize that the roles which we occupied were not limited to scholarly inquiry. The Directors of Research were afforded an opportunity to participate in all Commission meetings. We engaged in discussions at the highest levels of decisionmaking, and had great freedom in the selection of scholars, in the control of research budgets, and in the direction and design of research. If this was not unique, it is at least an uncommon degree of prominence accorded research by a national commission.

There were three major levels to our research pursuit: (1) summarizing the state of our present knowledge and clarifying the lacunae where more or new research should be encouraged; (2) accelerating known ongoing research so as to make it available to the Task Forces; (3) undertaking new research projects

within the limits of time and funds available. Coming from a university setting where the pace of research is more conducive to reflection and quiet hours analyzing data, we at first thought that completing much meaningful new research within a matter of months was most unlikely. But the need was matched by the talent and enthusiasm of the staff, and the Task Forces very early had begun enough new projects to launch a small university with a score of doctoral theses. It is well to remember also that in each volume here presented, the research reported is on full public display and thereby makes the staff more than usually accountable for their products.

One of the very rewarding aspects of these research undertakings has been the experience of minds trained in the law mingling and meshing, sometimes fiercely arguing, with other minds trained in behavioral science. The organizational structure and the substantive issues of each Task Force required members from both groups. Intuitive judgment and the logic of argument and organization blended, not always smoothly, with the methodology of science and statistical reasoning. Critical and analytical faculties were sharpened as theories confronted facts. The arrogance neither of ignorance nor of certainty could long endure the doubts and questions of interdisciplinary debate. Any sign of approaching the priestly pontification of scientism was quickly dispelled in the matrix of mutual criticism. Years required for the normal accumulation of experience were compressed into months of sharing ideas with others who had equally valid but differing perspectives. Because of this process, these volumes are much richer than they otherwise might have been.

Partly because of the freedom which the Commission gave to the Directors of Research and the Directors of each Task Force, and partly to retain the full integrity of the research work in publication, these reports of the Task Forces are in the posture of being submitted to and received by the Commission. These are volumes published under the authority of the Commission, but they do not necessarily represent the views or the conclusions of the Commission. The Commission is presently at work producing its own report, based in part on the materials presented to it by the Task Forces. Commission members have, of course, commented on earlier drafts of each Task Force, and have caused alterations by reason of the cogency of their remarks and insights. But the final responsibility for what is contained in these volumes rests fully and properly on the research staffs who labored on them.

In this connection, we should like to acknowledge the special leadership of the Chairman, Dr. Milton S. Eisenhower, in formulating and supporting the principle of research freedom and autonomy under which this work has been conducted.

We note, finally, that these volumes are in many respects incomplete and tentative. The urgency with which papers were prepared and then integrated into Task Force Reports rendered impossible the successive siftings of data and argument to which the typical academic article or volume is subjected. The reports have benefited greatly from the counsel of our colleagues on the Advisory Panel, and from much debate and revision from within the staff. It is our hope, that the total work effort of the Commission staff will be the

source and subject of continued research by scholars in the several disciplines, as well as a useful resource for policymakers. We feel certain that public policy and the disciplines will benefit greatly from such further work.

\* \* \*

To the Commission, and especially to its Chairman, for the opportunity they provided for complete research freedom, and to the staff for its prodigious and prolific work, we, who were intermediaries and servants to both, are most grateful.

James F. Short, Jr.

Marvin E. Wolfgang

Directors of Research

## ABOUT THE REPORT

The research methods used in preparing this report were similar to those used by this Commission's other study teams. Extensive interviewing of the various participants in the January 18th-20th events, coupled with the examination of still photographs and motion picture film, enabled us to reconstruct the factual sequence of events.

The report is unique in one sense. Because disruption was anticipated and because we were physically located in Washington, it was possible to begin our investigation prior to the event itself. Advance briefings enabled us to position observers at critical points. Staff members circulated among the crowds during the inaugural weekend and were able to provide information which simplified the investigative function.

The success of our investigation rested on the cooperation of city and federal officials, the police, the networks, and the demonstrators. Deputy Director Thomas D. Barr and General Counsel James S. Campbell of the Commission provided valuable editorial assistance.

I am especially grateful to Judy Harkison, who so diligently collected and selected photographs for the pictorial supplement, and Dave Stang, without whose foresight and perseverance this report would never have been written.

Joseph R. Sahid  
Director, Study Team  
Washington, D.C.  
May 22, 1969

“The true story of the counter-inaugural is not what happened but what didn’t happen.”

Thomas Fletcher,  
Deputy Mayor, Washington, D.C.

## INTRODUCTION

This is a study of a series of confrontations between Washington, D. C. government officials, the local police and groups of demonstrators on January 18, 19, and 20, 1969, in connection with the Presidential inauguration ceremonies and festivities.

Confrontations between officials, police and demonstrators for various causes have become commonplace throughout this country. Each new incident exposes problems and difficulties in preventing violence which heretofore were not recognized or planned for. This study reveals a series of commendable responses by the officials and by the police to a series of incidents which had a relatively high potential for violence. Some violence did occur, but each time it flared up it was quickly contained and minimized.

The purpose to which most demonstrations in a free society are presumably directed is that of convincing and persuading a majority that the goals sought by the demonstrators are valid and desirable. The confrontation between police and demonstrators reflects a struggle for the minds of the uncommitted. It is appropriate, indeed it is necessary, in a free society, that there be a constant call to revise conclusions, to re-examine previous decisions and to renew inquiry into difficult questions of public policy. But when those quests become confused by emotional responses to excesses committed in street confrontation, then the process of decision deteriorates and may in fact disintegrate into a mindless chaos from which only tyranny or repression results.

The policeman's role in dealing with a mass of demonstrators is basically that of an umpire. Since the umpire must be the instant decision-maker who stands in the eye of a potential storm, the policeman's job is an incredibly difficult one. To perform his task properly, a policeman may not become involved in the issues or committed for or against the demonstrators. The policeman must make snap judgements which balance conflicting rights and interests in a way which both enforces the law and keeps the peace. A policeman may not properly condone violations of the law nor may he by his action convert a minor incident into a major riot. Both those things being true, it is nevertheless clear that a policeman sometimes finds himself in a situation where it is impossible to do the one without also doing the other. It is a dilemma which each policeman is asked to resolve quickly and, at his peril and that of others, correctly.

The conduct of government officials other than the police can make the policeman's job possible or impossible. Public officials can set the stage and lay down the rules for a demonstration in such a way that violent clashes between police and demonstrators are virtually certain to occur. Or public officials can condition the responses of police and demonstrators in the

direction of mutual toleration. Too often police bear the brunt of criticism for mistakes of officials whose confusion or bad judgment has sometimes made large-scale violence result from demonstrations that otherwise might have been peaceful.

The demonstrator's role is easier to define, and to play, but because of their exuberance and emotional commitment it is only reasonable as a practical matter to expect less propriety from the demonstrators than from disciplined and trained police officers. Nevertheless, it is perfectly plain that those who determine, for whatever cause, that it is necessary to dramatize their dissent must do so with full recognition that their right of dissent can extend only to the limit of the rights of others.

With respect to the counter-inaugural demonstration which is the subject of this report, it is our judgment that the city officials and the police generally conducted themselves in a highly commendable fashion. The negotiations preceding the demonstrations concerning parade and other permits and coordination were conducted in good faith by reasonable men. The spirit of those negotiations set the tone for the confrontations that followed.

The police were organized, trained and disciplined. They responded in most cases effectively, fairly, and reasonably. We do not believe those responses were accidental, but rather were the result of planning and experience as well as training and organization. The demonstrators by and large were exuberant, and often tasteless when measured against prevailing standards of decorum; nevertheless, most of the demonstrators were reasonably disciplined and effectively restrained by their leaders.

Some individuals on both sides lost their self-control or deliberately went beyond the bounds of lawful conduct. This was particularly true of the group of demonstrators responsible for hurling debris at the President's car during the Inaugural Parade. In each such instance, however, cooler heads on both sides prevailed to restore order and to contain potentially explosive situations.

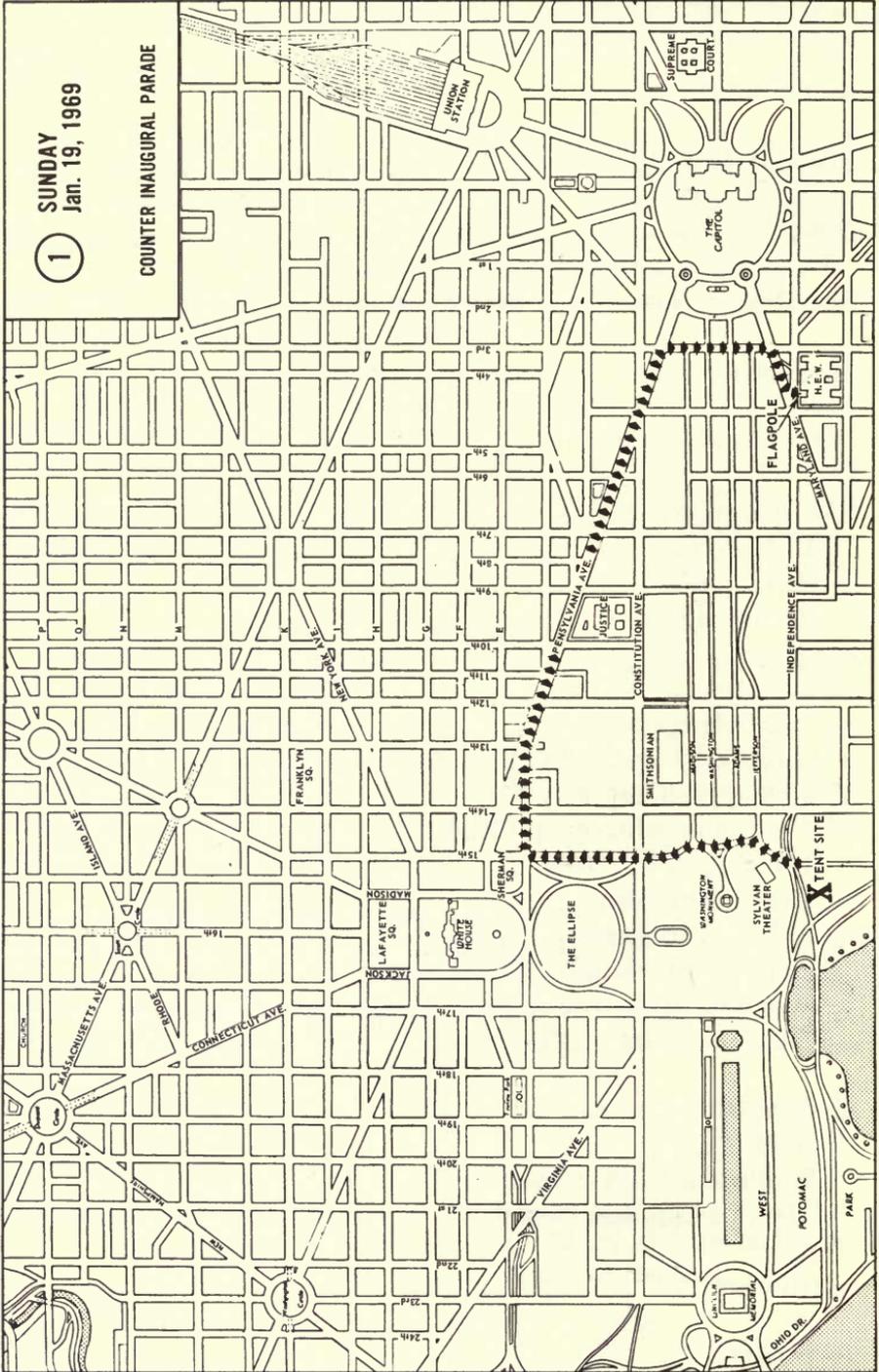
James S. Campbell  
Joseph R. Sahid  
David P. Stang  
Directors, Task Force on Law and  
Law Enforcement

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SUNDAY  
Jan. 19, 1969

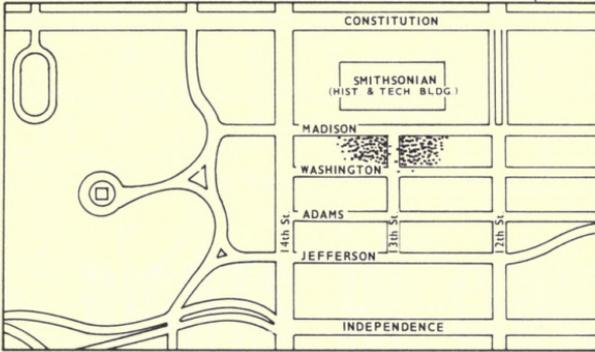
COUNTER INAUGURAL PARADE



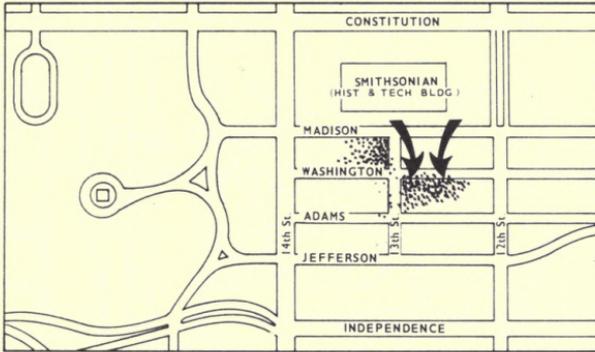
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SUNDAY  
Jan. 19, 1969

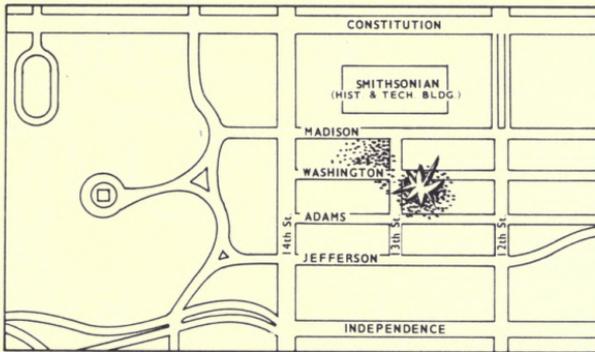
SMITHSONIAN  
INCIDENT



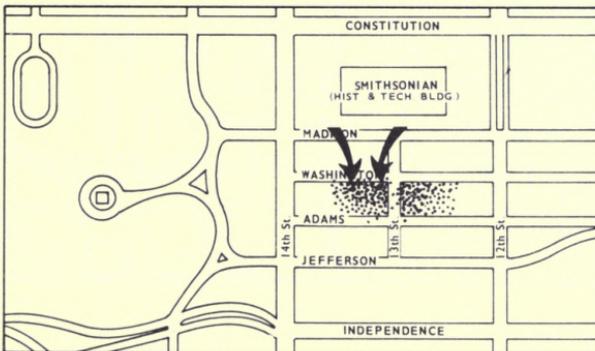
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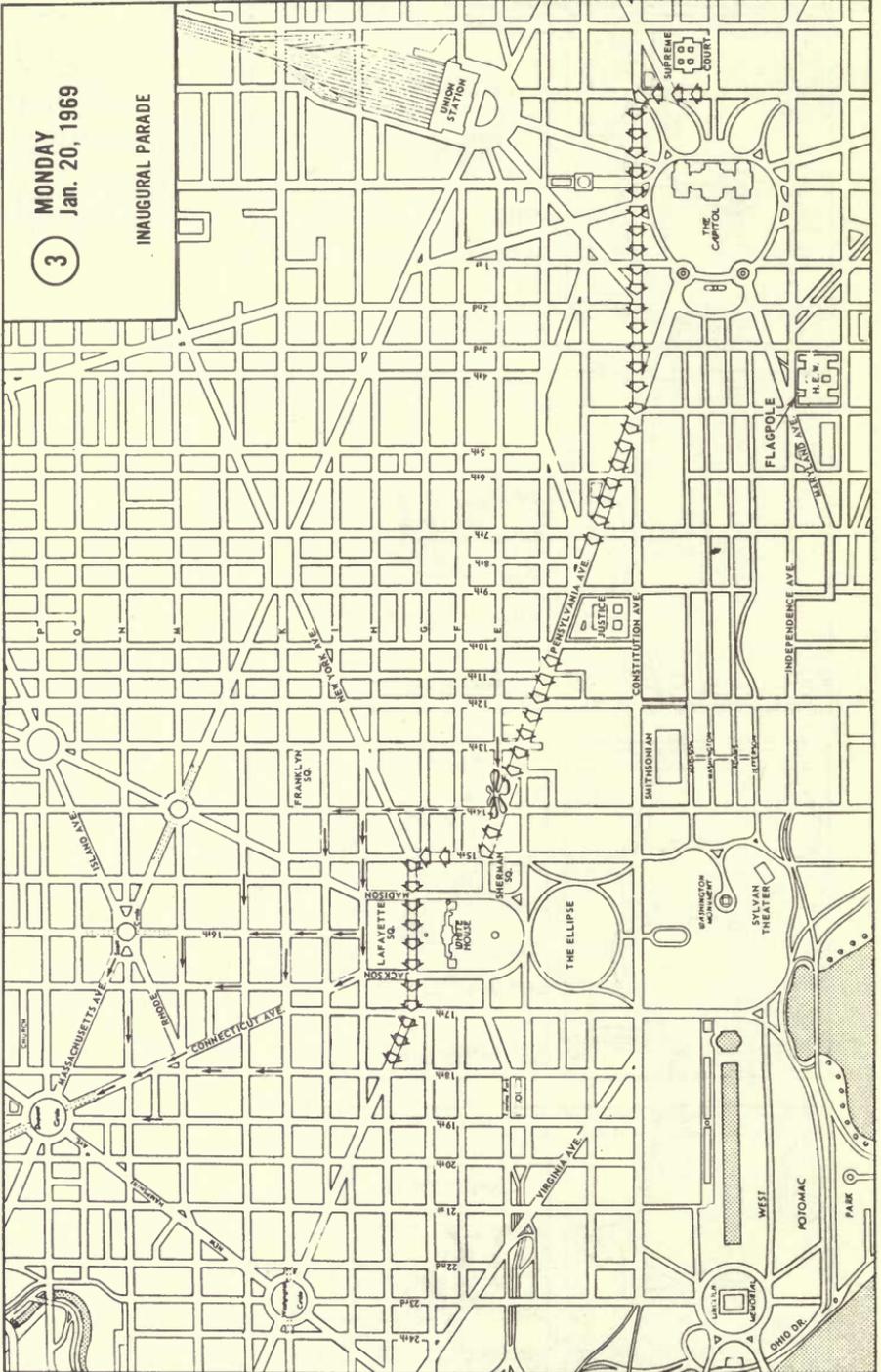
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3 MONDAY  
Jan. 20, 1969

INAUGURAL PARADE



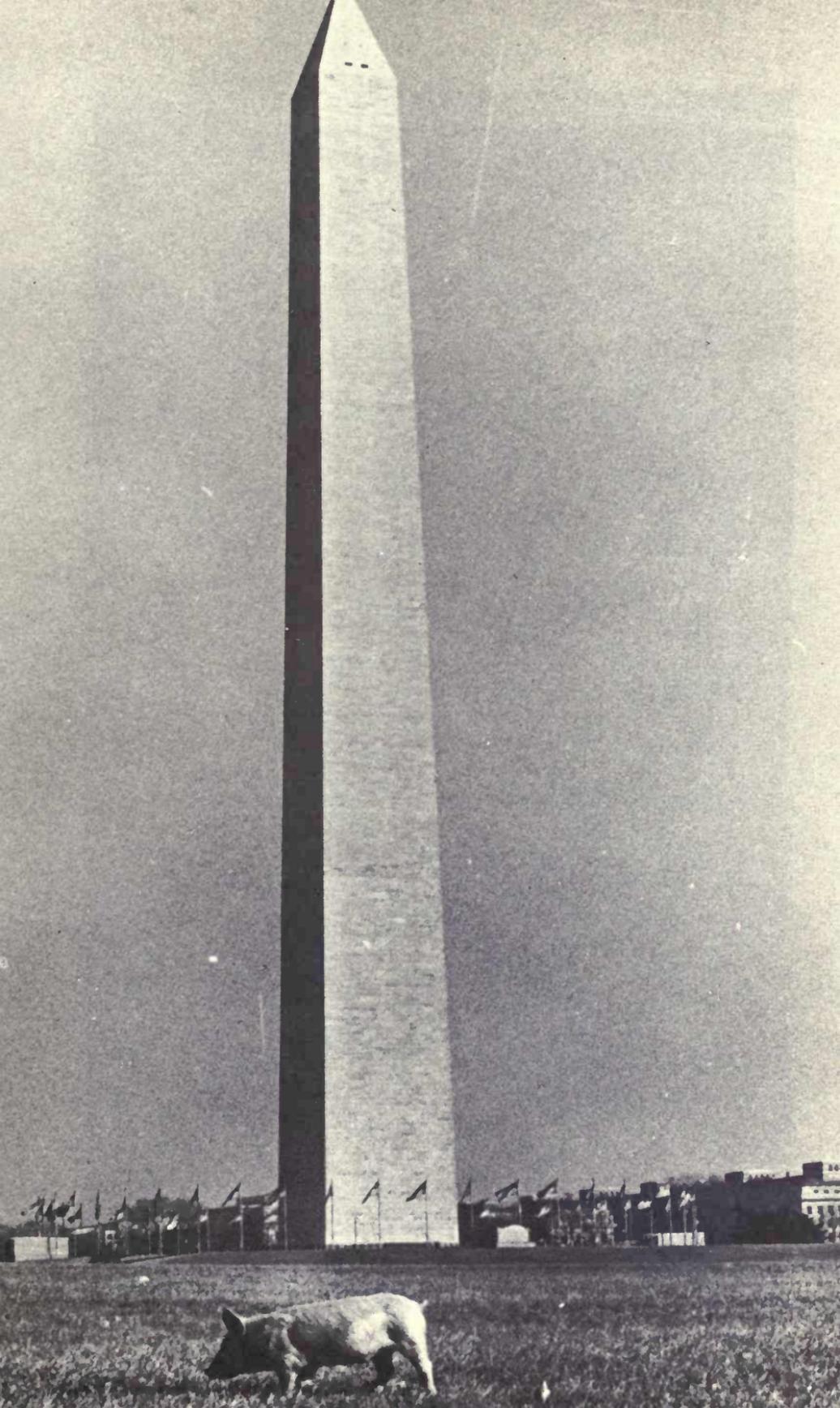
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# **A PICTORIAL REVIEW OF WHAT HAPPENED AND WHEN**





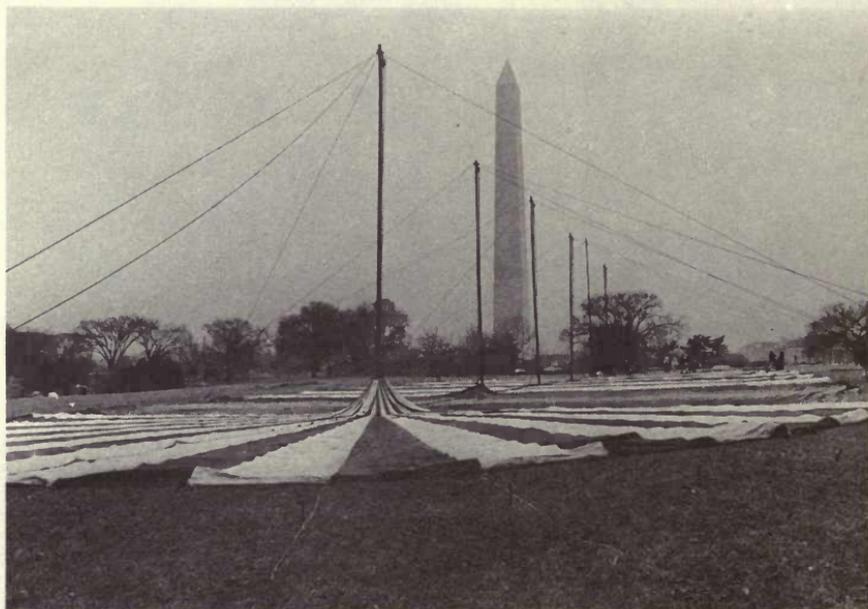
Friday, January 17

*The Washington Daily News*

Receiving their demonstration permits at the Department of the Interior are David Dellinger, left, and Rennie Davis, of the National Mobilization Committee to End the War in Vietnam (MOBE). At right is Harry Van Cleve, General Counsel for GSA.

Friday, January 17 – Erecting the tent.

*Washington Evening Star*





*The Washington Post*



Demonstrators begin converging on Washington.



Associated Press



ABOVE: The "In-HOG-uration."

RIGHT: Super Joel Yippie serves as master of ceremonies.



ALL: Newsweek—Wally McNamee

Mrs. Pigasus begins her escape.



Hi there  
I'm your  
Republican  
Natl.  
Cont.

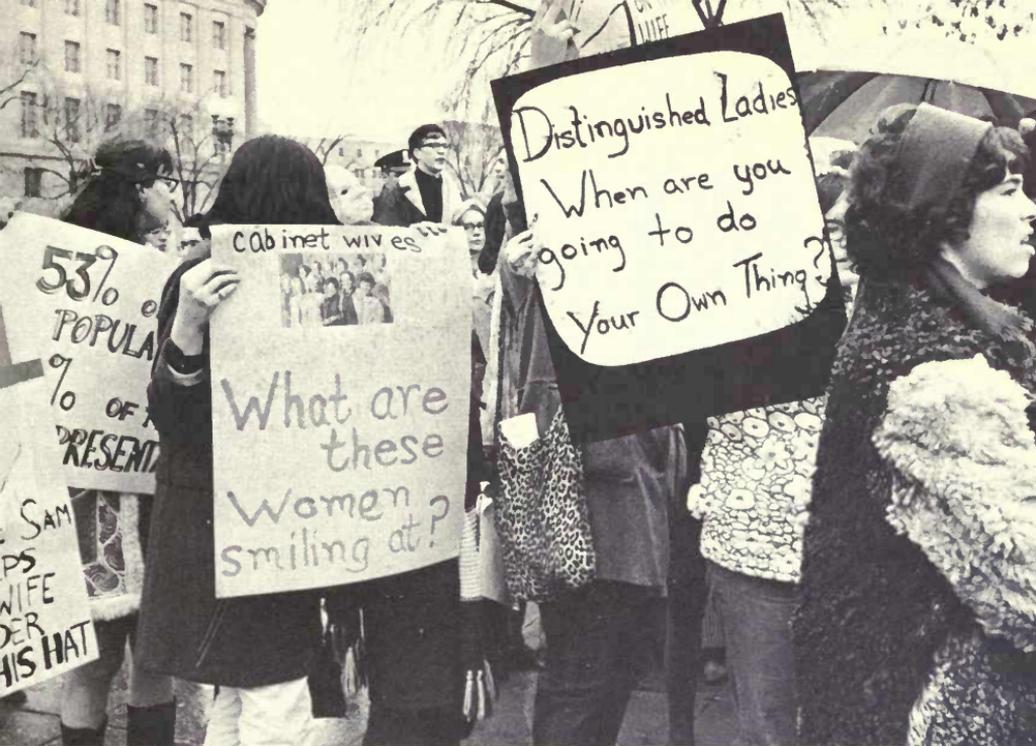


The chase is on.

BOTH: *Newsweek*—Wally McNamee

Mrs. Pigasus is rescued.





On Saturday, January 18, the demonstration participants hold meetings and seminars at the Hawthorne School in Southwest Washington. Meanwhile, members of the Women's Liberation Front picket outside the National Gallery of Art.

Other protestors assemble in front of the Hilton Hotel while a reception for Young Republicans takes place inside.





A crowd assembles at the tent site on Sunday morning, January 19.

A counter-demonstrator attracts attention.

ALL: U.S. Park Police





They display their propaganda.





Southern students rally at Sherman Square.

Associated Press



Thousands gather at the tent site.

U.S. Park Police

Speeches and singing occupy demonstrators inside the tent.

*Washington Evening Star*





Paraders assemble.

BOTH: UPI Photo

The coffin contains dummies representing Vietnamese war dead.





The Counter-Inaugural parade begins at 15th Street and Independence Avenue.

U.S. Park Police

Marchers turn on to Pennsylvania Avenue, and pass Republican headquarters.

*Washington Evening Star*





The parade progresses toward the Capitol. Symbolically, it moved in the direction opposite to the Inaugural Parade.

UPI Photo



Aerial view of parade as it proceeds along  
Pennsylvania Avenue.

*Washington Evening Star*

OVERLEAF: *The Washington Daily News*







Spectator attacks a marcher.  
BOTH: UPI Photo



Police officer scuffles with a demonstrator on Third Street.

The marchers turn  
on to Independence Avenue.

*The Washington Post*





The flag at right represents North Vietnam and the one next to it the Vietcong.

Associated Press





Attackers and defenders grapple for control of an American flag at the Health,



Education and Welfare plaza.

*Milwaukee Journal*—George Koshollek Jr.





ABOVE: Occasional scuffles erupt among bystanders, but the crowd soon dissipates.

BOTH: *Milwaukee Journal*—George Koshollek Jr.

LEFT: Attackers are barely discernible from defenders.

Past the Department of Health, Education and Welfare Building and up Independence Avenue toward the tent site. *Washington Evening Star*





Meanwhile, a magic circling of the Washington monument.



*Washington Evening Star*



A quiet crowd collects on the Mall outside the Smithsonian Institution's Museum of History and Technology.

BOTH: U. S. Park Police

Objects begin to sail overhead but police remain calm.





Inside, Vice President-Elect Spiro Agnew greets guests at a reception in his honor.

Smithsonian Institution



Demonstrators shout "fascist pig" at some reception guests. Here a group gives the Nazi salute.



*The Washington Post*



First police charge meets little resistance.

U.S. Park Police



But some policemen soon lose their restraint.

*The Washington Post*

An officer swings a long tube thrown at him by demonstrators.

UPI Photo





Objects are hurled from the crowd.

A police officer ducks to avoid being hit.





BOTH: *The Washington Post*





Police and crowds remain calm and the situation returns to normal.

U. S. Park Police



A medic treats a demonstrator injured by a horse.

*Milwaukee Journal*—George Koshollek Jr.



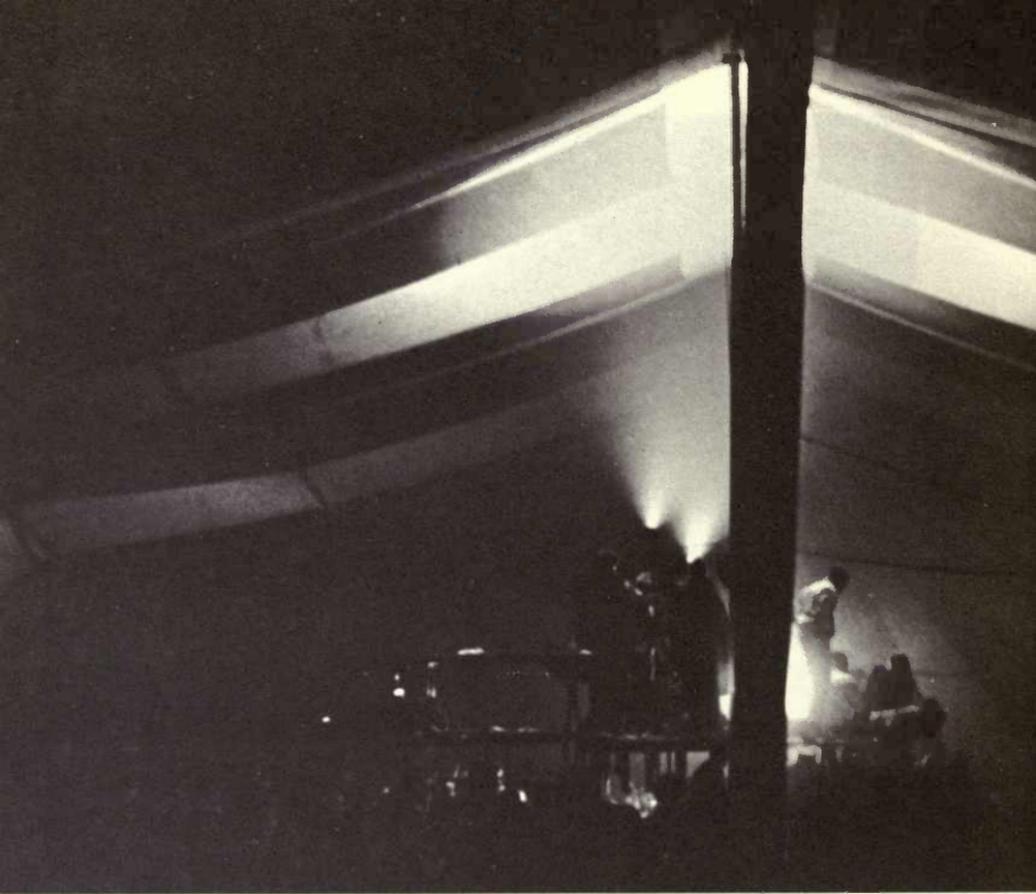
And an arrested demonstrator is led away.

*Milwaukee Journal*—George Koshollek Jr.



After the battle, an officer displays some of the demonstrators' weapons.

U.S. Park Police



At the Counter-Inaugural Ball loud music and  
psychedelic lights replaced fox trotting. There was . . .

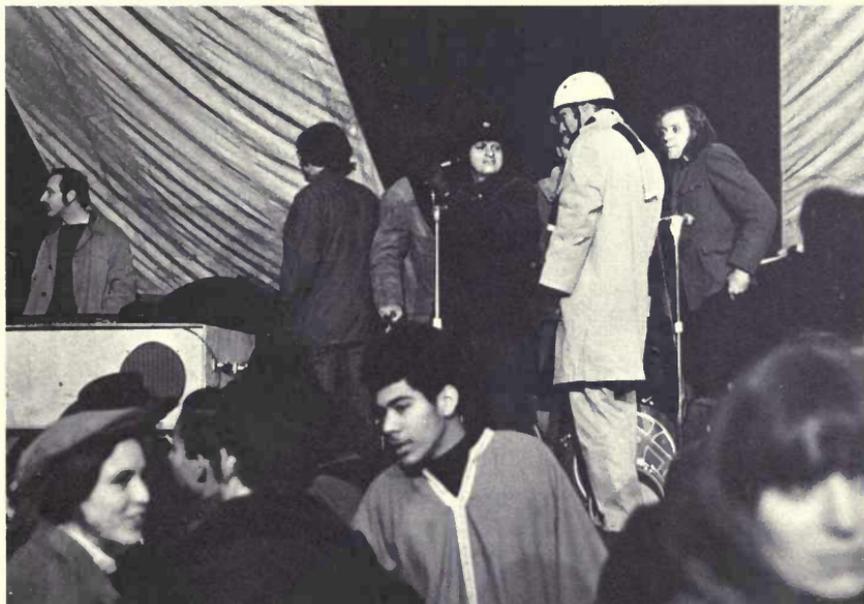
Singing . . .



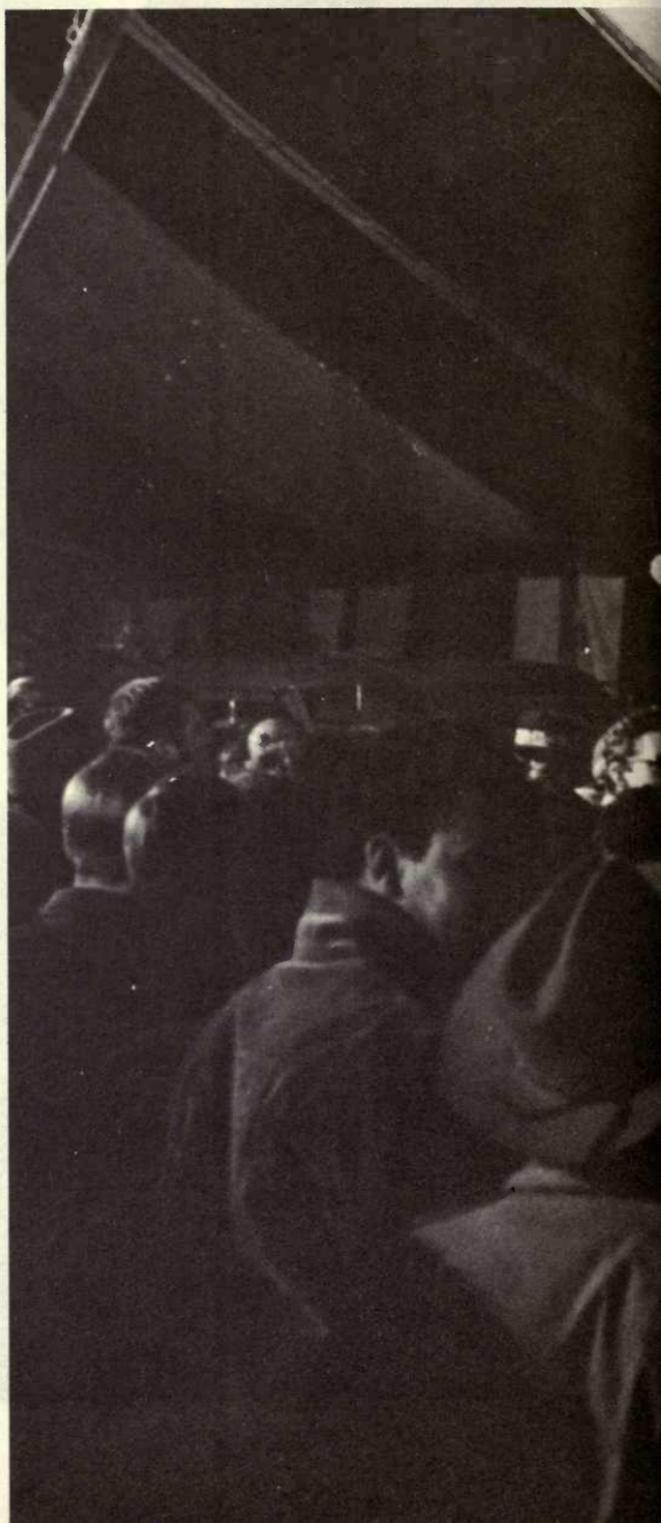


ALL: Bill Helmer

Speeches . . .



And other forms of entertainment.



Bill Helmer





Marchers congregate at Franklin Park on Monday morning.



U. S. Park Police

*The Washington Daily News*

Franklin Park demonstrator arrested  
after a scuffle with a counter  
demonstrator.





Marchers proceed down 14th Street.



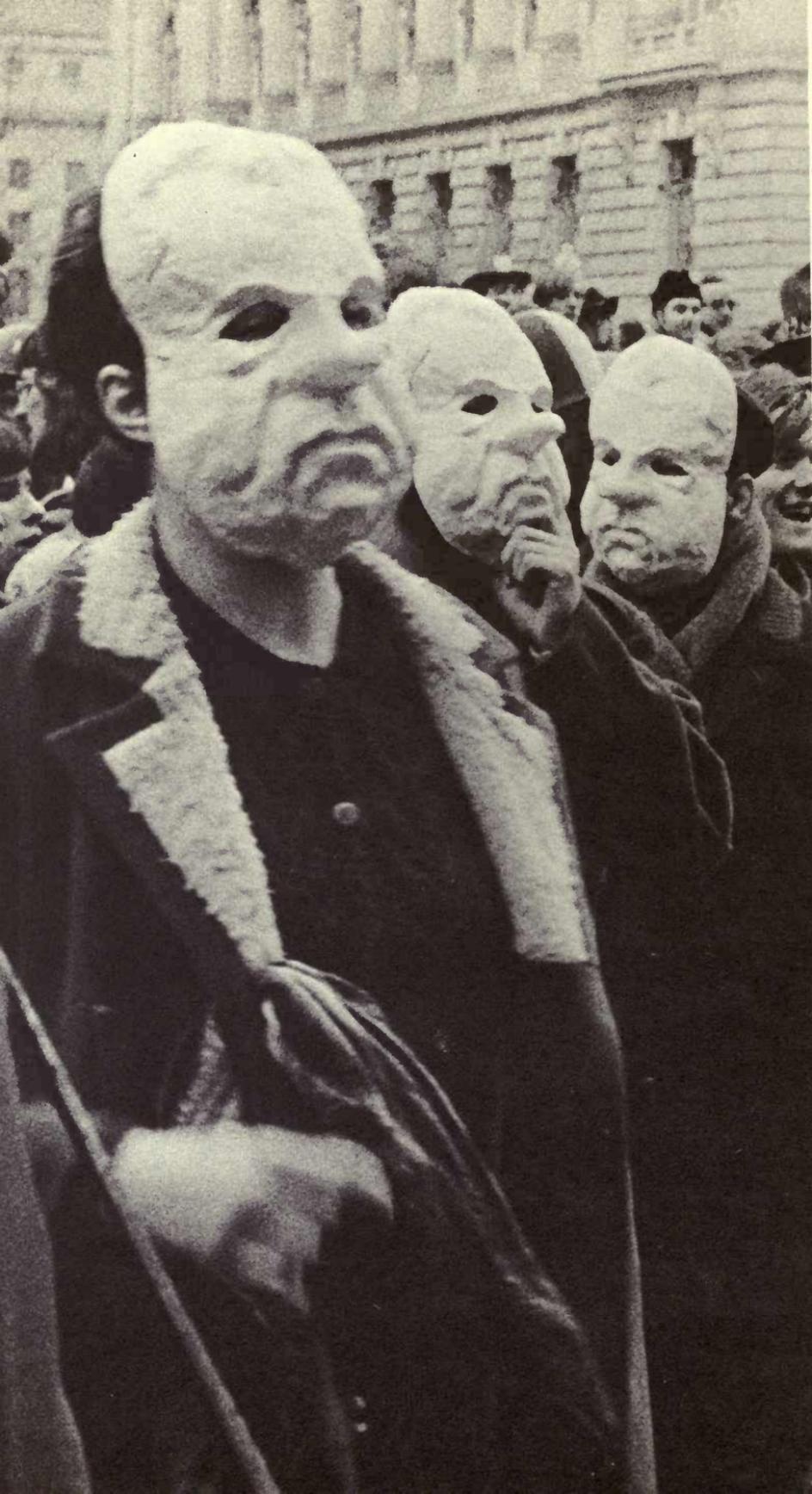
*The Washington Daily News*

A counter demonstrator is arrested.



UPI Photo





LEFT: The group moves to the corner of Pennsylvania and E Street, in front of the National Theater.

BOTH: *The Washington Daily News*



They stage a death scene, with girl placing hedge sprigs on his chest.



Demonstrators begin burning small American flags distributed by Boy Scouts.



BOTH: UPI Photo



A female demonstrator is removed from the

UPI Photo

street while police hold their batons horizontally against a straining crowd.



Scuffle breaks out as police make arrests.

Someone in the crowd has snatched the hat from the policeman on the left.

BOTH: Associated Press

The demonstrators are removed from the crowd.





Although it appears as if he is being handled brutally, this demonstrator's gesture of crossing his hands around his throat is actually a method of defense used by experienced protesters to protect the head and neck. UPI Photo



MOBE lawyer Philip Hirschkop and assistant corporation counsel Mel Washington at the scene of arrest.

*The Washington Post*



Crowds become increasingly unruly as conflict with police escalates. In this picture, a police officer swings his baton at demonstrators.



UPI Photo

Meanwhile, on Capitol Hill,  
a new leader is proclaimed.



Associated Press





National Guardsmen, wearing battle gear and carrying rifles, arrive at the intersection.

They and the police await the arrival of the parade.





*The Washington Post*

*Washington Evening Star*





District police reinforcements stand at the corner of 14th and Pennsylvania.

BOTH: UPI Photo

The Nixon car leaves Capitol Hill and drives down Pennsylvania Avenue toward the first group of demonstrators.





The first group, standing between 11th and 12th Streets, is separated from the President by 1) a police line, 2) National Guardsmen in battle gear, and 3) members of the 82d Airborne without battle gear. *The Washington Daily News*

President and Mrs. Nixon pass the first block of demonstrators at 12th Street without incident.

UPI Photo



The motorcade approaches the second group at the corner of E Street.



Associated Press





The executive limousine passes the second group—the Franklin Park contingent—in front of the National Theater. Secret Service men duck the flying stones and beer cans.



UPI Photo



Demonstrators salute the Chief in their own fashion.

UPI Photo

The third group of demonstrators at 15th Street await the passage of the Presidential car. Again no incidents occurred.





President Nixon reaches the reviewing stand.

Associated Press





LEFT: Following the passage of the Presidential car the demonstrators disperse and begin heading toward Lafayette Park. At the intersection of 15th and H Streets a young man sinks to the ground after having been clubbed by a policeman. As the blood seeps through his fingers, members of the crowd hurl rocks and other missiles at the police. The fight is on.

ALL: Pamela Olson

The President's motorcycle escort responds to the police call for help. The area becomes chaotic.

Pamela Olson





Demonstrators congregate at St. John's Church  
across from Lafayette Park at 16th and H Streets.

Pamela Olson

A motorcycle officer is narrowly missed  
by a flying rock.

*The Washington Daily News*





Demonstrator flees from a policeman  
at 15th and I Streets.

*The Washington Daily News*



Officer gives a helping hand. According to the photographer, he flashes a winning smile for the camera.

*The Washington Daily News*



A volunteer medical team assists an injured participant.

UPI Photo



Police battle demonstrators at 15th and K Streets.

*The Washington Daily News*

Some leave for home. Some engage in “cops and robbers” chase. Some break windows and overturn trash cans. Police, with little guidance, fill the streets of Washington and arrest nearly 80 demonstrators. Eventually the situation returns to normal. The 1969 Counter-Inaugural is over.

*Washington Evening Star*



Street Action continues.

UPI Photo





As the antiwar protestors exit the inaugural scene, the festivities continue on schedule.

Associated Press

## THE DEMONSTRATORS AND THEIR PREPARATIONS

Following the demonstrations and violence that had erupted in Chicago during the August, 1968 Democratic National Convention, the various groups actively opposed to the war in Vietnam faded from the public's consciousness. Protest activities continued on a limited local basis through the months prior to the 1968 Presidential Election, but did not reach the magnitude of those during Convention week in Chicago.

The Steering Committee of the National Mobilization Committee to End the War in Vietnam (MOBE) met in Washington, D.C., on September 14, 1968. In attendance were David Dellinger, 52, an old-line pacifist, editor of *Liberation* magazine, and chairman of MOBE; Rennie Davis, 28-year old son of one of President's Truman's top economic advisors and National Coordinator of MOBE; Tom Hayden, 28-year old new left spokesman and one of the founders of Students for a Democratic Society (SDS); and nearly 100 others representing groups covering the entire spectrum of MOBE's membership.

MOBE had acted as the organizing force which brought together demonstrators for the Pentagon March on October 21, 1967, and at the Democratic National Convention. MOBE served as a loose coalition of various local and national anti-war groups which, although autonomous, looked to MOBE officials to secure permits and make other logistic arrangements necessary to the success of a mass demonstration. Dellinger, Davis, and Hayden had each been actively involved in the Chicago protest.

Following the meeting, MOBE sent a paper to groups actively protesting the Vietnam War calling for them to

“descend on Washington with the same determination that brought us to Chicago . . . on the Inauguration, January 20, 1969, if the Government seems set to launch another four years of war, political repression, poverty, and racism.”

In the weeks that followed, subsequent meetings were held to discuss strategy and formulate plans for the Inaugural protest. MOBE officials made clear from the beginning that they intended to plan only peaceful protest activities. Dellinger repeatedly stated MOBE's intention to make the demonstration a “political, not a physical confrontation,” aimed at showing the new President how deeply divided the American people were over the war. He said, “To get into a street fight with the police is simply to focus on the wrong issue.” Davis joined in this position.

Nevertheless, they made clear that the peacefulness of the protest depended on the response of city officials. Believing they had a legal right to

stage their protest, they asserted from the beginning that demonstrators would converge on Washington whether or not a permit was granted. They also stated that without a permit, no assurances could be made that the demonstrations would not be disruptive.

Paralleling MOBE's planning, a group which described themselves as "friends" met in New York to discuss the Inauguration. This group included Abbie Hoffman of the mythical "Yippies!," Paul Krassner, editor of the *Realist* magazine, Dennis Livingston of the Washington Free Community, and other non-SDS, non-MOBE people.\*

This group initially had no interest in scheduling demonstrations. Discussion focused on staging a three-day conference with seminars and workshops where information could be exchanged to strengthen the network of communes which have been growing recently throughout the country, and to inaugurate the birth of their own "life style." Believing that massive demonstrations had served their purpose by convincing young people that the "underground" was more than a myth, a sizeable number of participants felt the time had come to turn inward to face the problems connected with making their community more effective and rewarding. Denied the opportunity to conduct their "Festival of Life" in Chicago, they were more eager than ever to schedule a similar gathering in Washington.

The "friends" decided to approach George Washington and American Universities in Washington for logistic support. Negotiations with those universities were not successful. The idea of having thousands of young people descend on a campus, perhaps with violence the result, did not appeal to administrators or to many students. MOBE negotiations were progressing successfully, however, and many who were originally opposed to the idea of a march and other forms of protest began to abandon their original plans in favor of participation in the MOBE activities.

Various other groups and organizations, ranging from veterans and housewives to radical left-wingers, began planning to take part in the counter-inaugural activities. These individual groups made plans for transportation to Washington and many worked through MOBE officials to secure housing upon their arrival.

For various reasons, many of the better-known participants at the Chicago Convention decided not to join MOBE in Washington. Abbie Hoffman had contracted hepatitis and was unable to attend. Jerry Rubin had not made plans to come. He arrived unexpectedly, but took no part in the activities.

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\*While these people have been described as "Hippies" and "Yippies," such labeling seems misleading. As one of the group expressed it, "Yippies are dead. It was a media myth and it was lovely. But like all media myths it should die before the media gets rid of it. The Yippies never existed."

Tom Hayden decided to remain at home in Oakland, California. Many SDS chapters voted against participating.

### Intelligence

Agents of the Federal Bureau of Investigation monitored the activities of these anti-war groups closely. They reported that a potential for violence existed. Davis was quoted as urging an SDS regional conference panel to "move ahead" of MOBE because MOBE would only attract older people who "favor symbolic action as opposed to militant action." It was also reported that the MOBE Executive Committee, at a meeting in New York City on December 7, 1968, had voted to disrupt the inauguration on January 20 by confronting the police. Mark Lane, an activist attorney, who has extensively written and spoken in criticism of the Warren Commission's findings, reportedly told an audience at San Francisco State College on November 1, 1968, "If you think Chicago was something, don't miss this." Intelligence sources also reported that a MOBE spokesman had said there would be "Chicago-type violence" during the inauguration.

Other threats were recorded. Abbie Hoffman and Jerry Rubin reportedly had said,

"We will bring our revolutionary theatre to Washington to inaugurate Pigasus, our pig, the only honest candidate, and turn the White House into a crash pad. They will have to put Nixon's hand on the Bible in a glass cage."

It was reported that several "guerrilla theatre" groups were rehearsing for the inauguration. One actor in such a group was reported as saying, "Ideally, we are getting right up there on the inauguration stand." SDS groups reportedly were scheduling disruption during the counter-inaugural march to be held on January 19. It was reported that the "Yippies!" had held a press conference on January 16 at which it was said that "members" would "do their thing."

On January 18, the FBI reported that plans had been made to assassinate President Nixon during the inauguration. The plans were allegedly discussed at a meeting held at the University of North Carolina several days previously.

Washington officials evaluated this data and concluded that while some disruption might occur, their own intelligence indicated that no serious threat existed. As one high-ranking police official expressed it, "an intelligence report is like beauty—it lies in the eye of the beholder."

## Permit Negotiations

Philip J. Hirschkop, a suburban Washington attorney, had been retained as MOBE's chief counsel for the counter-inaugural. Hirschkop, a member of the National Board of the American Civil Liberties Union and MOBE's chief litigant for the Pentagon demonstration, and John W. Karr, another attorney selected as Chief Negotiator, drafted a letter to the appropriate government officials on December 20, 1968, requesting a permit. The letter, signed by Karr, reached the officials during the Christmas season and remained unanswered for a short time. A second letter was sent on January 3. Shortly thereafter, a meeting was held at the office of Roger Wilkins, then Director of the Community Relations Service at the Department of Justice, during which Hirschkop, Karr, and Rennie Davis met with officials of the District of Columbia government. The MOBE negotiators, aware of the difficulties of dealing with the multiple agencies of the District of Columbia government whose jurisdiction overlaps with the Federal government for demonstrations, requested that a central negotiator be appointed to serve as the spokesman for all the individual agencies.

No agreement was reached at this meeting. After a few days of silence, MOBE received notice that Harry R. Van Cleve, then General Counsel of the United States Government General Services Administration, had been appointed negotiator for all the government agencies involved. Van Cleve had performed a similar function prior to the October, 1967 Pentagon march and knew Dellinger from that experience. Thereafter the negotiators met almost daily to work out the permit details. The meetings were occasionally heated but always cordial.

The job for the MOBE negotiators was complex. Many of the groups that comprised the umbrella organization called MOBE were developing plans for their own individual demonstrations apart from those that would be centrally organized. It was decided to leave the planning for these to the individual groups.

Moreover, the planned large-scale demonstration would be the first in American history to protest the inauguration of a President.\* Congressional members and other public officials had registered their opposition to granting a permit and MOBE officials feared that the pressure which was being brought to bear would affect the Government negotiators.\*\* Van Cleve admitted, "We were operating under pressure all along."

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\*A small group of unemployed men appeared at the inauguration of Franklin Pierce in 1853, but were quickly disbanded.

\*\*As an example, Congressmen William C. Cramer (R. Fla.) and Louis C. Wyman (R. N.H.) sent the following telegram dated January 14, to Attorney General Ramsey Clark and Interior Secretary Stewart Udall:

Request denial of any permits for mass demonstrations or assemblies other than duly constituted inaugural committees in D.C. during inaugural

Additionally, MOBE's connection with demonstrations during the Democratic National Convention in Chicago prompted a wave of criticism against the government for allowing negotiations to proceed. A sizeable body of public opinion rejected the legitimacy of the scheduled protest, expecting it to become a major riot.\* The reaction seemed to be that if the permit was denied the protesters would go away.

Finally, MOBE officials could not guarantee that disruption would not occur. They were aware that militant groups might come to Washington to join the scheduled activities and attempt to initiate violence.

Hirschkop explained the theory under which the MOBE negotiators operated:

"I felt that if we could get them enough freedom to speak out that we would limit the violence a great deal. It was really an effort on the part of myself and a few lawyers I met with to see if we could balance off what we saw happen in Chicago. We believed that if we did have an ordinary outlet for speech it would not seek the extraordinary outlet it might otherwise seek."

Van Cleve's position was complicated by the necessity to secure consensus from the multiple governmental agencies interested in the outcome of the negotiations. He was constantly required to clear major issues with numerous individuals. High-ranking members of the President-Elect's administration were also consulted. Nevertheless, a general consensus emerged which Van Cleve expressed as follows:

"In negotiating with Mobilization the government had a genuine intention of trying to reach a mutually satisfactory agreement."

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Footnote Continued

period. To grant permit to those whose announced intentions are to break the law if necessary to attract attention is to make a mockery of the Constitutional right to peaceable free assembly. There is no Constitutional requirement for the issuance of a permit to assemble or march in such circumstances and we urge in the interest of the public peace, dignity and safety, that all such permits be denied without exception.

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\*Reflecting this fear, a resident of Silver Spring, Maryland, sought an injunction in the United States District Court in Washington against granting a permit to the demonstrators. It was alleged that "he and tens of thousands of other people throughout the United States fear to come to Washington, D.C., should the permit be granted." A hearing was held in the chambers of Senior Judge Matthew F. McGuire, after which the motion for an injunction was denied.

Government officials, especially those directly concerned with the negotiations, received a rash of letters, telegrams and phone calls attacking the demonstrators as "communists," "vermin," "gullible little freshmen communist dupes," and worse.

MOBE negotiators initially requested a permit for a parade from the Ellipse behind the White House, down Pennsylvania Avenue to the Supreme Court Plaza. This route would approximate the reverse of the route the new President would take the following day. The Supreme Court Plaza was attractive since it overlooked the spot where the actual inauguration was to take place. The Supreme Court itself was also secure, with stone steps and walls and steel doors.

Early on the second day of the negotiations, Van Cleve agreed to the use of Pennsylvania Avenue as the route for the parade if other matters could be resolved. This represented a major breakthrough, Pennsylvania Avenue being the main thoroughfare through the center of government in Washington. The government's willingness to grant MOBE access to this route did much to clear the air for further negotiations.

Congressional leaders were vehement in their opposition to the use of any part of Capitol Hill for the demonstrations. Having been granted the Pennsylvania Avenue route, however, the MOBE negotiators accepted an alternative spot to conclude the march. Independence Avenue and Third Street, S. W., was accepted in place of the Supreme Court Plaza.

MOBE also requested permission to erect a huge circus tent which would house the "Counter-Inaugural Ball" scheduled for Sunday night, January 19, and which would serve as a focal point for speeches and other activities. MOBE officials had been unsuccessful in their own attempt to secure use of an indoor auditorium in Washington. Most facilities had already been booked by the Inaugural Committee and the universities refused to make their facilities available.\* They were therefore forced to provide an alternative to protect the demonstrators from the bitterly cold weather which had descended on Washington.

The government at first refused to grant permission to allow the tent to be erected. Later it was suggested that the tent be erected in West Potomac Park on Ohio Drive. This site, somewhat removed from the center of Washington and the parade route, was unacceptable to MOBE. MOBE officials feared that without a centrally located tent as a focal point, they would have great difficulty controlling the thousands of demonstrators that were expected to arrive. Rennie Davis emerged from one of the sessions and announced, "If we don't agree on the tent all bets are off." He warned that the peaceful nature of the protest "might change direction."\*\*

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\*At one point the President of Washington's Federal City College offered use of his school's facilities to the demonstrators. The majority of voters in a student referendum disapproved this decision, and the President revoked his offer.

\*\*This insistence seemed to be related to the fact that MOBE had already printed thousands of invitations to the Counter-Inaugural Ball listing the tent site as being on the Washington Monument Mall.

Negotiations continued. At one point the negotiators rode in Van Cleve's car to examine various sites. Finally, at Van Cleve's suggestion, a site for the tent was accepted which placed it on a grassy, triangular area bounded by Maine Avenue, Independence Avenue, and 15th Street, N.W., directly behind the Washington monument grounds.

MOBE officials had successfully arranged accommodations for many of those expected in Washington in private homes and apartments and in churches. Nevertheless, they were fearful that some demonstrators might arrive in Washington with no place to sleep. An understanding was reached, under which the permit allowed the counter-inaugural ball to continue through the night until 8:00 a.m. on Monday, provided a continuous entertainment program was conducted. The permit did not specify how quiet the entertainment program might be.\*

The underground press was quick to respond to these developments. A festive mood replaced the bitterness that had been left by the Democratic National Convention. With permit negotiations progressing smoothly, singers and rock groups agreed to entertain at the counter-inaugural ball. More staid anti-war groups, including the Women's Strike for Peace, the Committee for a Sane Nuclear Policy (SANE), and the University Committee on Problems of War and Peace, comprised mainly of academics, decided to participate in the activities. Their numbers did much to restore a more moderate balance to the roll of demonstrators that had been disrupted in Chicago, where the recalcitrance of city officials had discouraged many members of these more responsible groups from participating. Davis commented to the press:

I feel that we have here the kind of cooperation we did not have in Chicago. For this reason I do not expect the physical confrontations and riots we had in Chicago.

MOBE leaflets were distributed inviting all to the Ball which was billed as "the most mind-blowing social affair of the decade." Maintaining the reverse values of the counter-inaugural, tickets for the best seats were advertised at \$2.00, while the worst seats would cost \$35.00. (Ultimately, the tickets were never collected.)

Additional planning took place during the negotiation period to establish medical teams and legal support units to handle the problems that might arise during the protest activities. Medical and legal students in Washington as well as practicing professionals were enlisted to provide these services.

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\*Government officials were concerned that specifically granting permission to sleep in the tent would be construed as permitting sexual license. They therefore retained the right to revoke the permit if substantial violations of the conditions attached to the use of the tent occurred but only after giving MOBE officials one hour to correct the violations.

Two factors contributed to keeping down the numbers of participants at the counter-inaugural. Many students were involved in mid-year exams at their universities. The bitter cold also had a role.

It seems unlikely that any but the most reserved stayed away out of fear of violence. No one at all familiar with the Washington police believed in the likelihood of large-scale police violence. The Washington police had conducted themselves in a restrained manner during earlier anti-war demonstrations. Moreover, the cooperative nature of the permit negotiations made it clear that a "blood-bath" was not expected.

Additionally, there was a widespread belief that the anti-anti-war feeling that had surfaced in Chicago had undergone a catharsis. The controversy that had accompanied the Democratic National Convention served as a warning to the Washington authorities to avoid a response that would discredit the city. It was reported that Van Cleve was reading nightly the report on the Chicago disorders prepared for this Commission by Daniel Walker.\*

As a result of all these factors, only a small proportion of the crowd anticipated violence of any sort. But the rhetoric of violence continued unabated. The Washington Free Press published an inaugural special widely distributed among the demonstrators. Concerning the Inaugural Parade on January 20, readers were advised:

*"Try to stay within a group of straight people. If they move away from your group, hug them.*

*Don't wear any jewelry, and try to keep your hair close to your head, as policemen's fingers sometimes become entangled in these.*

*Wear good boots that can be stood in or upon . . .*

*Bring a lot of eggs, tomatoes, and rotten fruit. If you become tired of carrying these, you can leave them with someone.*

*After the parade, if you're still up to it, you might like to see one or two other 'points of interest' around Washington. Check the map for the locations of the Selective Service Board, F.B.I. building, and others . . .*

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\*The report was somewhat misleading. Van Cleve had already read the Walker report in December.

*All movement action should take place on the north side of Pennsylvania Avenue, because on the south side there is no place to run to if the gettin' gets good . . .*

*A word about the turf—Penn. and 15th is the best place for people who know what they're doing and how to do it. That area could get real hot. Between 15th and 14th Sts., there is a dead-end alley. It looks like a good place to run but it's a death trap. If you are in the alley there is no place to go but UP AGAINST THE WALL!! On the corner of 14th and Penn. is the Nixon Headquarters. DO IT, DO IT!! . . .*

January 20 is the night of their Inaugural Balls for Dicky Nixon. We should all try to drop by and ball at the balls. The time is right for dancing in the street . . . Try to make at least one of the balls. PUT 'EM ALL UPTIGHT!!!!'

Washington authorities were quick to discount this type of rhetoric. They carefully sifted fact from theatrics and could therefore more accurately gauge the type of response which would be most appropriate.

On the morning of Friday, January 17, the permit, reproduced in the Appendix, was signed by the parties. To avoid the controversy which followed the end of the Pentagon march, it was provided that at the termination of the permit, the participants were guaranteed all rights they normally would have. That is, anyone who had not left the area of the permit would not needlessly be forced to leave if they otherwise had a right to be there.

The government did not insist on requiring MOBE to post liability bonds for damage which might result. In fact, it was doubted that such a requirement could have been met. Since the Pentagon demonstration no bonding company would issue MOBE a bond.\* Instead, the permit required MOBE to use "all means at its command and under its control" to avoid damage.

For their part, the MOBE spokesmen voluntarily guaranteed to do their best to prevent a violent clash. They were impressed with the forthrightness of Van Cleve and intended to cooperate with the government's good faith effort to grant an open and peaceful forum to the demonstrators. This spirit of cooperation, nurtured during the negotiations, came to play a significant role in the drama which was about to unfold.

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\*Nevertheless, Chicago Officials had insisted on a bond as a condition to grant MOBE a permit during the Democratic National Convention.

The government officials whose signatures were required on the permit along with the MOBE representatives gathered to sign the document. John B. Layton, Chief of the District of Columbia police department, refused to join the assembled group. The permit was brought to him in a separate room for his signature.

Later that day Hirschkop met with Judge Harold H. Greene, Chief Judge of the Washington, D.C. Court of General Sessions. Hirschkop explained the type of activity that was anticipated and urged that the prevailing bail schedule not be raised in the event of mass arrests. Judge Greene expressed his gratitude for the briefing, explaining that he had not been aware of the demonstrators' plans. Hirschkop left under the impression that Judge Greene had agreed not to raise the bail schedule without first notifying MOBE. (Judge Greene denies making such a commitment.)

At 7:00 a.m. on Friday morning, workmen arrived at the tent site and began erecting the tent, which had been ordered several days before. A Lieutenant from the United States Park Police, uninformed about the agreement with the government, refused to allow the tent to be erected. MOBE attorneys were quickly notified. The negotiators and other city officials had previously exchanged private and home phone numbers, and within a few minutes city and MOBE officials arrived at the scene. At this point all parties were well aware that the tent had become crucial to the MOBE activities, and the problem was quickly resolved.

A further potential complication arose when a Federal Government official discovered that no insurance had been obtained for the tent. The matter was quietly dropped.

It was also agreed that Hirschkop and other MOBE attorneys would be given a direct walkie-talkie hook-up to the Mayor's Command Post. Hirschkop was supplied with a civil defense cruiser and was to be accompanied by an Assistant Corporation Counsel. The Assistant Counsel would serve as a link to the city government and to the police.

### The Washington Police

Ideologically, the Washington police present a profile similar to policemen throughout the country. The overwhelming majority of white force members support conservative policies. It was reported that some policemen wore "Wallace for President" buttons on their uniforms prior to the 1968 election. Similar bumper stickers donned their private automobiles.

Two semi-autonomous law enforcement agencies shared the responsibility for maintaining order during the Counter-Inaugural activities. The United States Park Police (Park Police) exercised primary jurisdiction over the city's

open areas while the District of Columbia Police Department (D. C. Police) exercised jurisdiction throughout the remainder of the city.

### D. C. Police

A Civil Disturbance Unit (CDU) had been established by the D. C. Police Department in 1946. It was expanded in 1967 to comply with the recommendations of an International Association of Chiefs of Police study done in conjunction with the District of Columbia Crime Commission. At the time of the inauguration there were approximately 340 men in the unit, two-thirds of whom were assigned full time to the Special Operations Division, while the remaining 150 were assigned to the CDU as a collateral duty in addition to their normal responsibilities in the various precincts in Washington.

Police officers selected for CDU duty receive five days of initial training in Crowd Psychology, Tactical Formations, Use of Special Weapons, Identification of Explosive Devices, and related subjects. Supplementary training is given each year.

Two days each fall and one day each spring, members of the CDU are given field day training at the Lorton Reformatory in Virginia during which crowd handling maneuvers are practiced. "Provocation Training" is an integral part of the curriculum. Police officers acting as demonstrators throw papier mache bricks, sticks, tomatoes and eggs at the CDU training teams, attempting to make the training as realistic as possible.

Supplementary training is also given on an ad hoc basis throughout the year at which films and video tapes of disorders that have occurred in Washington are shown. The technique is similar in concept to the Monday morning review by the team of the Sunday football game.

The command ratio of superiors to CDU privates is 1 to 9. The men are trained to respond only to their superiors and to act as a unit. Superiors have standing instructions to relieve any man from duty during a demonstration who appears to be losing his self-control.

A new technique has recently been developed to expedite mobilization of the CDU. Twenty squad cars throughout the city continuously maintain in their trunks CDU equipment sufficient to supply four men each. To mobilize, the following procedure is followed:

1. The sergeant on duty or senior officer present in the precinct station or at the site of an escalating disturbance calls the communications center and requests that the CDU be mobilized and dispatched to the scene.

2. Teletypes at the communications center automatically alert the CDU members by means of pre-coded tapes. The senior official on duty at police headquarters is alerted.
3. The CDU officers are dispatched to the 20 special cars and drive immediately to the disturbance area. From the time of the initial request, it takes between 15 and 20 minutes for the 20 cars to arrive at the scene of the disturbance anywhere in the city.
4. If the disturbance continues to escalate, an additional 80 men of the CDU and 100 off-duty policemen can be brought to the scene of the disturbance within an hour after they are requested. Another hundred will be present within 2 hours.

Only those men needed to present an adequate show of force are brought to the immediate area of the disorder. Others may be inconspicuously held in reserve in nearby cars or buses.

The CDU has been credited with restoring order following the April ghetto disorders that erupted in Washington after the assassination of the Reverend Dr. Martin Luther King, Jr., with a minimum of bloodshed. They have successfully participated in the control of hundreds of marches and demonstrations in the City of Washington during the past few years, including the Pentagon demonstration and the Poor People's campaign.

Several weeks prior to the Inaugural weekend, the CDU Captain in charge of training conducted special classes for the men. Most of the three hour sessions was devoted to reading excerpts from the Walker Report to acquaint the men with the types of provocation they might encounter and to caution against overreaction. They were told, "Don't let those things get under your skin."

Just prior to the inauguration the entire CDU force was ordered into the office of the Deputy Chief of Police in charge of the detail in groups of 15 to 18 men. The Deputy Chief reiterated the basic philosophy of the police department to them. They were told that arrest, not clubbing or gassing, was the proper method of dealing with those who violated the law. The men were instructed not to use excessive force, to maintain their dignity, and to conduct themselves with restraint. Problems they were likely to encounter were discussed.

Each man was given a mimeographed information sheet. They were asked to remember that they would be "on camera" at all times and urged to "take all police action in a professional manner."

The D. C. Police Department prepared a 144-page detailed operation plan

for the inaugural weekend, dealing with policy, organization, and deployment. Assistant Chief Jerry V. Wilson was given overall operational responsibility.

### **Park Police**

The Park Police developed a similar CDU in 1949. Approximately 30 officers were given detailed training in crowd control to prepare for violence that was expected to accompany desegregation of Washington swimming pools.

In the early 1950's the Park Police developed platoon-type training for their CDU personnel. Four such platoons were trained. The unit numbered 52 men at the time of the inauguration. A sergeant was assigned to every 7 or 8 men, and numerous lieutenants, drawn from the entire force, added to the supervision.

Members of the Park Police CDU are chosen for their exceptional abilities and "good common sense." Mature men rather than recruits are preferred. A board interviews each man after his training to evaluate his attitudes towards the performance of his duties.

Within the six months prior to the inauguration, each member of the CDU had received 24 hours of training in human relations and attitudes, including provocation training, and an additional 16 hours of physical training.

Following the Election Day anti-war demonstration that occurred in Lafayette Park, across the street from the White House, members of the CDU viewed video-tapes of their performance. Mistakes were pinpointed. Techniques were revised to profit from these mistakes and each member of the CDU was given a one-day retraining course.

The Park Police were responsible for supervising more than 1100 special events in 1968. Principles of crowd control that have evolved from this experience emphasize training, discipline, courtesy, restraint, and tolerance. Strict control by supervisors is demanded. Privates are discouraged from engaging in conversations with participants in the demonstrations. Men who appear to be getting nervous are removed from the scene.

Before every planned demonstration or public event, Park Police are briefed by supervisors in the squad room. They are supplied with intelligence that has been collected and are advised how best to handle the possible circumstances. Similar briefings are conducted in the field.

Prior to the inauguration each member of the Park Police received a mimeographed sheet of instruction, as follows:

On January 20, the eyes of the entire Nation and World will be focused on Washington, D. C., for on that day an event of world-wide significance will take place—the Inauguration of the 37th President of the United States. Visitors from all sections of the United States and other countries, including diplomats, dignitaries and governmental officials will be in the Nation's Capital for this momentous occasion. As police officers, we are an integral part of this event and our performance may have a very decided effect upon it.

During the Inaugural Parade and the events leading up to it, many Force members will work long and arduous hours of duty without proper rest or relief. People seeking information will ask many questions and many minor infractions of the law will occur. Each of us will be tested. Tolerance, courtesy, patience, tact, restraint and firmness will be the watchwords of the day. This event will be a memorable occasion for thousands of people. We can help to make their memories pleasant ones.

We have a fine reputation for public service; let's use this event to enhance that reputation.

This supplemented their general orders. General Order No. 130, dated December 4, 1968, dealing with the use of batons, stated, *inter alia*:

Batons and blackjacks should not be used unless extreme force is necessary to effect an arrest. Force members should familiarize themselves with established and proven methods of incapacitating an aggressive person without causing serious injury.

In the event of large crowds where disorder exists, past experiences of other police organizations have shown that the injudicious use of force will often incite a mob to aggressive hostility and compound the violence.\*

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\*The order continued:

"Batons shall not be carried in the hands unless it is necessary for possible immediate use. When being held, batons will not be twirled or played with in any manner. Blackjacks will not be strapped on the belt in view of the public. Force members are again reminded that it is Force policy to project an image of the police officer in the service role and not to attract attention to our defensive weapons which by necessity must be carried . . ."

"Each time a Force member uses his baton or blackjack, he shall submit a . . . *supplemental* report which shall include *all* facts concerning the need to use the baton or blackjack. . ."

"The member shall notify his supervisor immediately after the use of his baton or blackjack."

## Coordination

Coordination between the D. C. Police and the Park Police occurred on January 17, after the permit had been signed. The D. C. Police were responsible for the demonstrators during the parade. The Park Police were responsible for the tent site and the parade as it formed on 15th Street between Maine and Constitution Avenues.

Command posts were established linking the police forces with the Department of Defense, the White House, the Military District of Washington, the Mayor, the Secret Service, and the Department of Justice. Coordination with the National Guard and Army personnel that stood by in reserve was effected.

Undercover agents from the Federal Bureau of Investigation, the United States Attorney's Office, the D. C. Police Force, and the Department of Justice were ordered to circulate through the crowds during the course of the activities. The Federal Communications Commission assigned a detail to monitor the MOBE walkie-talkie communications system. They initially followed MOBE personnel responding to calls from their headquarters over the walkie-talkie system, although this practice was eventually terminated.

## Major Events

### The In-HOG-uration

Government officials had been concerned over announcements made several weeks prior to the counter-inaugural that a pig would be "In-HOG-urated" by the demonstrators. During the negotiations they asked for assurances that this would not take place. Although MOBE officials had no plans to bring a pig, they replied that they would do anything they wanted with a pig except "make it into bacon." The Government negotiators dropped the matter, although the Washington Humane Society announced it would ask for the arrest of anyone with a pig during the counter-inaugural parade for "cruelty to animals."

On January 16, a guerilla theater group arrived at the Sylvan Theater on the Washington Monument grounds for a brief, "informal reception," at which they introduced a pig named "Mrs. Pigasus." The audience was assured that she was the wife of Pigasus, who had been nominated for President by the demonstrators in Chicago. "Super Joel Yippie" served as master of ceremonies, announcing that LSD had been placed in the Potomac River. "You're all stoned out of your minds," he said.

Twice Mrs. Pigasus escaped and ran across the Washington Monument grounds. Six police officers, three on horseback, two in cars, and one on foot, reporters, photographers, and Super Joel Yippie, managed to rescue her.

Representatives of WITCH (Women's International Terrorist Conspiracy from Hell) stood by. At one point, the assembled crowd sang, to the tune of "You're a Grand Old Flag":

"You're a grand old pig, you're a high-flying pig, . . . you're an emblem of the land we love."

No arrests were made, and Mrs. Pigasus was not seen again.

### **Saturday, January 18**

Demonstrators began arriving in force on Saturday, January 18. They came from cities and colleges throughout the eastern part of the United States—Columbus and Oberlin, Ohio, Chicago, Philadelphia, New York City, Boston, Baltimore, Columbia, South Carolina, Florida, Georgia, Connecticut, and numerous other states. Workshops on the war in Vietnam, campus organizing and other subjects held at the private Hawthorne School at 6th and I Streets, S.W., occupied the day.

Approximately 100 females, members of the "Women's Liberation Front," congregated at the National Gallery of Art at 2:00 p.m. to protest a reception for "Distinguished Ladies" being held there. D. C. Police prevented an attempt to cross police lines and enter the building. Some of the female demonstrators were observed pushing and shoving the police, and one woman carrying a baby beat a policeman with a baby rattle. No arrests were made.

Approximately 300 demonstrators gathered at the Washington Hilton Hotel on Connecticut Avenue in the late afternoon to picket a "Young Americans Inaugural Salute" scheduled by the Young Republicans. A guerilla theater group, wearing white face masks intended to resemble the President-elect, imitated pigs and the gestapo. A rubber doll was pulled apart and burned while the demonstrators chanted "Kill for Peace."

Thirty D. C. Policemen appeared and moved the demonstrators across the street from the hotel entrance. One arrest was made.

### **Sunday, January 19**

Sizeable crowds began gathering at the tent site on Sunday morning. Several agents of the Federal Bureau of Investigation, wearing coats, ties and raincoats, excited demonstrators by walking up to them and taking their pictures. MOBE officials asked the agents to discontinue their picture taking. The agents moved across the street and continued taking pictures with telescopic lenses and miniature cameras.

Several hundred demonstrators picketed FBI headquarters at about 11:00 a.m. They represented various organizations, including the Southern Student

Organizing Committee and the Southern Liberation Front. The demonstrators carried signs reading: "Federal Bureau of Intimidation," "Dickie tap our wires and we'll light the fires," "The Gestapo is alive and well and living at the F.B.I.," "Hoover should stick to cleaning rugs," etc. The Southern demonstrators then moved to Sherman Park where they continued their protest against "Yankee Imperialists." The rally concluded without incident.

A young female visiting the White House was arrested and charged with threatening the life of the President.

At approximately noon, several young girls were observed gathering rocks in shopping bags and purses at 15th Street and Independence Avenue, near the tent site. However, the report to the Mayor's command post cautioned, "There is no indication whether the intention is to add weight to the purses for protection or to throw the rocks."

### **The Counter-Inaugural Parade**

As the morning progressed, the crowd at the tent site swelled to between five and seven thousand. Police re-routed traffic to accommodate those who spilled out of the tent area. A counter-demonstrator who appeared at the tent site was removed by the police.

Inside the tent, speakers and entertainers reflected the enthusiasm the demonstrators brought with them. As the early afternoon wore on, however, a feeling of restlessness engulfed many, and cries of "to the streets" began competing with the speakers for attention. To complicate matters, a heavy rain had turned the grounds on which the tent was erected into a quadmire of mud which at places was six inches deep.

When members of the "Women's Liberation Front" mounted the platform to address the females in the crowd, the restlessness increased. Their spokesmen, who had demanded that all men except a wounded Vietnam veteran leave the platform, shouted, "the vote our grandmothers fought for is a fraud." Men in the crowd responded, "Take it away." They continued: "Our lives, our minds and our bodies are being exploited." Hysterical cheering and laughter followed. "We've got to get on top of the men who are our oppressors!" Laughter and applause drowned out much of the remaining speech.

A group of S.D.S. members from the New York City area sought access to the tent microphone and were refused by MOBE officials. Angered, they were asked to leave the tent. After milling around outside for a while, they began, at about 2:30 p.m., to march along the parade route in a disorganized way. As one of the participants in this march expressed it:

The people were all outside the tent. It was cold and muddy. Inside the tent, the speakers were shooting their mouths off saying nothing that we hadn't heard a thousand times before and everyone wanted to get out of there. They just wanted to go and they started going. There was no planning session. There was no decision involved. There was a feeling that we really didn't want to hear Mobilization give all those speeches by famous soldiers.

Mistaking this for the scheduled parade, other demonstrators joined them. Within a few blocks their numbers mounted until approximately one thousand were marching. One of the members of this first group was arrested after he became involved in a scuffle with a counter-demonstrator over a Vietcong flag. Otherwise, the march was uneventful.

The police were disturbed by this unplanned event. At 7th Street and Pennsylvania Avenue a large group of the marchers turned and started back in the opposite direction. Assistant Chief Wilson informed them that they would not be allowed to proceed in that direction contrary to the provisions of the permit. Some in this group eventually joined the main body of marchers. Others proceeded along the parade route and returned to the Washington Monument where they and others joined hands in a large circle and danced around the Monument.\*

The main body of marchers, numbering between 6,000 and 10,000, had by this time begun the scheduled parade. The line of march extended down 15th Street to Pennsylvania Avenue after a right turn, it would proceed on Pennsylvania Avenue to 3rd Street. A "reviewing stand" had been erected on 3rd Street. Another right turn onto Independence Avenue would bring the marchers to the Health, Education and Welfare building where the parade would terminate. The marchers would cover three miles before they returned to the tent.

One hundred and seventy D.C. Police Department CDU men were assigned to supervise the parade's progress. Fifty of them directed traffic and kept the marchers on their route, on the right side of Pennsylvania Avenue. This allowed traffic to travel normally in the other direction. The remaining men were divided into two teams. One team assembled in cars at 3rd and Pennsylvania to prevent the demonstrators from attempting a march to the

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\*This maneuver duplicated an earlier dance which had been conducted by the Southern demonstrators returning from their rally at Sherman Square. It had been recommended in the Washington Free Press Inaugural Special under a section entitled "Why don't we do it in the road", which described it as follows:

*Washington Monument:* Magic circling of the Washington Monument by a troupe of vestal virgins to exorcise the country's need for a perpetual hard-on. A "F. . . the World" ceremony.

Capitol rather than turning right on 3rd Street. The other team was positioned in buses at the vicinity of 15th and Pennsylvania to prevent a possible attempt to march on the White House rather than turn right on Pennsylvania.

FBI Intelligence sources reported that S.D.S. members at the tent site had stated they had in their possession bear traps and tire chains. Those articles were never observed.

The first report of disruption came as the marchers approached the turn at 15th and Pennsylvania. A policeman radioed that tacks had been thrown in the street. Police and MOBE officials rushed to the scene. No tacks were found, and the march progressed.

The crowd slowed down as it approached the reviewing stand, threatening a tie-up. The congestion created a bottle-neck near the intersection of Maryland and Independence Avenues and 3rd Street. Only a few policemen had been positioned at this intersection. Some of the marchers, apparently confused by the five-cornered intersection, began walking down the wrong street. The Deputy Chief of Police in charge, apprehensive about the traffic buildup and fearing an attempt by the marchers to rush the Capitol grounds, ordered his men to keep the crowds moving. During the confusion that followed, several demonstrators threw sticks and rocks at the police. MOBE marshals moved forward to form a line between the police and the demonstrators, and urged the demonstrators to proceed along the proper parade route. The police arrested approximately fifteen marchers.

### **The Flagpole at HEW**

The termination of the parade at the HEW Building was poorly planned. Rather than a final speech to mark the end of the parade, the marchers were left to disperse by themselves. Several thousand gathered in the Plaza in front of the HEW Building with nothing to do.

As the crowds began arriving, they gathered around a flagpole erected in the Plaza. The mood was festive and relaxed. The parade had proceeded almost without incident and thoughts were turning to the activities planned for later in the day.

Within a few minutes the calm was broken. Two young men in their late teens or early twenties appeared at the base of the flagpole. They seemed unsure of themselves, but the American flag waving in the air provided a potential for activity. They made a half-hearted attempt to unwind the ropes from the flagpole. Although they could have easily lowered the flag before anyone would have noticed their activity, they refrained from doing so.

Reinforcement, both positive and negative, quickly appeared. Several other marchers ran to the base of the flagpole shouting "Take it down." A MOBE attorney and several marshals surrounded the base of the pole and protected the lines holding the flag with their bodies. They held onto the ropes so that it would be impossible to take the flag down.

Approximately twenty marshals finally surrounded the base of the pole, opposed by an equal number of "attackers." Thousands of bystanders crowded around them. Shouting and commotion enveloped the area. Occasional fist fights broke out and picket sticks were used as levers to pry the marshals away from the pole.

Ideological debate swept through the crowd. Those who wanted the flag lowered to half-mast urged a symbolic protest against American foreign policies. Those who resisted the flag lowering complained that the parade had served this purpose and that lowering the flag would merely antagonize the American public.

One of the marshals shouted that the matter be put to a voice vote. Those in the crowd overwhelmingly voted against lowering the flag. But some were still not satisfied. One articulate "attacker" began addressing the crowd through a bullhorn. A young girl approached him and urged him to stop, citing the discord the argument was producing and the silliness of the symbolism involved. Soon thereafter a young bearded demonstrator, about 20 years old, ran at the man with the bullhorn, swearing loudly. After a brief argument he grabbed the horn and broke it by throwing it on the ground. The brief fist fight that followed was quickly subdued.

There was still much shouting and some physical contact at the flagpole but the excitement had left the crowd. It had become clear to all concerned that the "attackers" numbered only a small percentage of the assembled people. The marshals had effectively protected the flag. Several MOBE officials, including Dellinger and Davis, urged the crowd to disperse. The crowd, which had numbered nearly three thousand, quickly dwindled to about two hundred.

The defeated attackers, as a last gesture, ran to another flagpole about one block away and lowered that flag to half-mast. No one paid much attention to them and the lowering was not mentioned in any newspaper accounts of the day's activities.

This lowering provided an excuse for the few remaining "attackers" to leave the HEW Plaza area. The marshals were left in complete control of the flag. MOBE officials suggested that, since it was after 5:00 p.m., officials lower the flag so that they could leave the area. The flag was furled and the incident was over.

## The Smithsonian

The afternoon was rapidly fading and the cold became more intense. The dispersing crowds, moving back towards the tent area up Independence Avenue, began gathering at the Smithsonian Institution Museum of History and Technology Building, which faces 13th Street and Washington Drive, where a reception for Vice President Elect Spiro Agnew was about to take place. Although a group calling themselves "Fat Japs and Polacks for Peace" had announced earlier that they would appear outside the reception, the few police deployed to the area were not prepared for the crowd numbering 5000 which swelled at the entrance.

Twenty Park Police, eight of whom were mounted, moved into position in front of the History and Technology Building. Forty additional Park Policemen were bussed to the scene. A strong percentage of the group were higher ranking officers.

The entrance to the building is bounded by a large, grassy area, with a few scattered trees. Roads wide enough for two cars criss-cross the grassy area, dividing it into blocks.

The Park Police entered the roadway leading to the entrance and moved the demonstrators onto the grassy areas on either side of 13th Street between Washington and Madison Drives. No attempt was made to disperse them. The crowd was restrained, but occasionally a clod of dirt and a few firecrackers were thrown at the mounted police. No more than 15 objects were thrown in as many minutes.

Someone threw a firecracker which exploded near one of the horses. Some of the horses, which were being used for the first time in crowd control, became excited and reared. Their riders managed to keep them under control. There was scattered shouting and a few obscenities, but a general calm pervaded the crowd. At 5:00 p.m., Vice President Elect Agnew entered the History and Technology Building from another entrance.

The few foot patrolmen made no attempt to line the curbs. They stayed towards the center of the street and occasionally asked demonstrators who had wandered into the street to return to the curb. A few cries of "the streets belong to the people" were heard and many demonstrators had a good time crossing back and forth across the street. The police ignored this obvious provocation and some of them smiled.

Finally, guests began to arrive. Two mounted officers cleared the street by moving their horses forward and sideways at a quick pace. The crowd moved easily.

Several guests began walking down the 13th Street corridor from Washington Drive, where they had been discharged from their automobiles, to the History and Technology Building entrance. They were the first to arrive and did not exhibit much fear. Dressed in mink and formal clothes, they contrasted sharply with the demonstrators. Shouts of "facist pig," "imperialists," etc., greeted them. Three or four demonstrators out of the crowd of 5000 threw objects at them. No one was hit but this provided the setting for what was to follow.

The police still made no move against the crowd. It was impossible to identify those few demonstrators who had thrown objects. Instead, the police attempted to protect the arriving guests by ushering them through the corridor.

One female guest, somewhat frightened by the crowd's presence, spotted a pretty, long-haired girl of about 18 at the curb, who was smiling at her. The guest, sensing she had discovered someone who sympathized with her plight, smiled back warmly. At this the young girl called out, "F. . . you, you fascist pig." The older woman's face quickly hardened, but the young girl continued to smile.

With each successive arrival, the shouting from the crowd increased. Approximately 10 to 15 objects, including sticks, rocks and mud, were thrown at the next few couples. Finally, the seventh couple started down the corridor. The man smiled happily in an apparent attempt to look unconcerned. Five to ten objects were soon thrown and a firecracker exploded a few inches from his wife's arm. She became extremely frightened and grasped her husband's arm tightly as they hurried down the corridor.

Immediately, one policeman darted into the crowd and seized the arm of a young male. A police lieutenant a few feet away also entered the crowd and seized another young man by the arm. At 5:20 p.m., six mounted policemen moved their horses into the crowd gathered on the grassy area to the right of the entrance from which most of the objects had been thrown.

Interviews have convinced us that most of the demonstrators moved voluntarily once the police indicated that they wanted the area cleared. Those in the crowd sensed that the police could not tolerate the actions of the few people who were throwing objects and were therefore required to disperse the crowd from the area. The mood seemed to be that this was a necessary and legitimate action taken by the police.

After the crowd had been moved approximately 50 feet back from the roadway, the police paused, allowing the demonstrators to gather before them. A second order was received to move the crowd further away. This time, the charge by the Park Police was somewhat less restrained. As one city

official later commented, "Some of the mounted policemen were still living in the Wild Bill Hickok era." One policeman began swinging his club at the demonstrators as his horse pushed into the crowd. Another lost control of his horse, which thrashed about wildly into the crowds. Several demonstrators were knocked down by the horses. One policeman picked up a cardboard tube which had been thrown and began swinging it at the demonstrators. Within seconds, shouts of "pig" began to increase in intensity. People were crying that they or their friends were being trampled by horses or beaten by police. Several rocks and sticks were thrown at the police.

After the crowd had been moved to the grassy area between Washington and Adams Drive, the police took up positions in the Washington Drive roadway. Heavy sticks came hurtling 30 feet and more through the air at the mounted police, occasionally hitting them. A young girl approached and hit a mounted policeman, attempting to have him strike back. He ignored her. The shouting and obscenities directed at the police became intense.

No more than 300 demonstrators comprised the crowd from which the objects were thrown, and only about 50 objects were thrown by about 20 people. The remaining crowd, numbering about 4000, watched the spectacle in relative calm. The sun was setting and only the silhouettes of the policemen on horseback and the small group of angry demonstrators could be seen.

Several other mounted police then cleared the area to the left of the entrance. This crowd was docile and quickly dissolved.

After the area in front of the History and Technology Building had been cleared, a MOBE attorney, accompanied by representatives of the Mayor's office, spotted a man in a police slicker and riot helmet beating a young demonstrator with a 3-foot riot club. The demonstrator had remained in a tree during the charge to avoid the crush of people trying to disperse. They rushed to the scene where the city official asked the man, "Why are you beating a kid coming out of a tree?" He replied, "That's what's supposed to happen to them. How would you like to have your wife go through this." The city official replied, "But the one you're hitting wasn't doing anything." The other retorted, "Whoever in the hell you are, you better get out of here." The official asked for the man's name, since he wore no name plate. He refused to identify himself. Later, he was identified as a part-time, police surgeon, not a member of the police force, who had no authority to wear a police uniform.

At 5:45 p.m., a police undercover agent reported that a group was planning to forcefully enter the rear door of the History and Technology Building. The reported break never occurred.

A young man in the crowd lost consciousness and fell to the ground, apparently from exhaustion. A city official asked the police to call an

ambulance. When no ambulance appeared after about ten minutes, demonstrators began demanding that one be sent. Finally, the city official that had initially requested the ambulance called the command center. He discovered that no ambulance had been requested. He demanded that one be sent immediately. The ambulance, which had been parked less than two blocks from the entrance to the Smithsonian, arrived 25 minutes after the city official first notified the police. By the time the ambulance arrived the demonstrator had recovered and the ambulance was used to transport an injured policeman.

Now that the area immediately in front of the History and Technology Building was cleared, the guests could enter without coming in contact with the demonstrators. Large numbers of police still were not evident. Unknown to the demonstrators, however, 80 D.C. Policemen in 20 squad cars were parked one block from the Smithsonian entrance. They had been held in reserve and were never called. The eight mounted police who were being pelted by the angry crowd of 300 remained calm. This crowd soon wandered off and merged with the larger crowd.

The main crowd reassembled further from the entrance but by now its size had decreased. The cold and dark contributed to the exodus which was taking place. Approximately 10 to 20 patrolmen formed a loose line to keep the demonstrators on the curb. Some taunting was directed at them, but not a significant amount. The policemen themselves were quiet and reserved.

One mounted policeman, however, began yelling to his fellow policemen in a voice obviously intended to be heard by the demonstrators, calling them names and suggesting that they needed to be "beat over the head to teach them a lesson." The other policemen ignored him. Restlessly he moved his horse into a corridor between the demonstrators where no other policemen were positioned. A police lieutenant quickly spotted him and ordered him to return.

Several small fires had been started in the crowd. They were extinguished by policemen and no arrests were made. The mood was calm on both sides.

A Deputy Chief of Police, accompanied by a MOBE attorney, went to inspect one of the fires. As they moved through the crowd someone threw or swung a leg support of a wooden police barricade which grazed the attorney's head and hit the policeman behind the ear. The policeman went to his knees and the crowd quickly moved back. The policeman got to his feet, and, apparently dazed, drew a can of mace and rushed forward. The aerosol can failed to work. Two policemen assisted him to a police cruiser where he was examined and treated for his injury.

The Vice President Elect left the Smithsonian from a rear entrance at 6:45 p.m. Soon thereafter, the bulk of the crowd wandered away.

During all this activity, which lasted about two hours, no recognizable leaders of any of the groups that had assembled for the march were identified. Less than 10 arrests were made. Few injuries resulted. Several heavy objects, including a fire hydrant cap, had been thrown. Sixteen police officers reported being assaulted. Two were hospitalized that evening, one with a head injury and the other from having been kicked in the stomach. The remaining assaults were minor. Yet the police responded in a measured and restrained manner, maintaining an objective outward composure. Several incidents captured this mood.

A petite female demonstrator moved into the street, pleading with a giant of a policeman who was stationed there to allow her to cross the street so she could be with her friends. He grinned at her size and finally said, in a mockingly gruff voice, "Get back where you belong." She darted back onto the sidewalk apologetically. He broke into a laugh, and the crowd in the immediate area laughed too.

At another point, at the height of the missile throwing, several young demonstrators approached one policeman and asked him how they could leave without confronting policemen at some other point. He pointed down one street and suggested they take that route since they were probably hungry and there were some inexpensive restaurants along the way.

The suggestion about eating places was not necessary. He could have gruffly pointed the way. But the exchange, overheard by many demonstrators in the area, sharply reduced the tension that had been mounting.

### **The Counter-Inaugural Ball**

Later that evening, thousands of people gathered at the tent to take part in the counter-inaugural ball. Many had not marched, but had come from suburban Washington to hear the popular singers and groups that were scheduled to appear. A light show played on the ceiling of the tent contributed to the entertainment. The mood was thoroughly festive.

Cooperation between city and MOBE officials continued. At one point the generator that provided electricity for the tent ran out of fuel. Deputy Mayor Fletcher, learning of the fuel shortage, immediately sent out a call for help to all city departments. The municipal fire department quickly supplied the fuel which enabled the show to continue and promised to make fuel available until 8:00 A.M. the following morning.

Numerous plainclothesmen circulated inside the tent. Marijuana was being smoked, some of it openly. As one observer described it:

This kid came up to me and he says, "Do you want a joint?" An old friend of mine. I said, "Is it good stuff?" He said, "Yeah." I said, "Come with me." We walked around to the generator. We were downwind at that moment. I said, "Stick your nose up in the air." It was just fantastic. You didn't have to have it directly at all. I'm serious. After a couple of deep breaths, you were out.

No attempt was made to arrest those who thus violated the law. This, of course, would have been tactically impossible in the crowded tent. A few uniformed policemen directed traffic outside the tent, but otherwise ignored the assembled crowd.

### **Plans for Franklin Park Rally**

A more serious drama was unfolding away from the tent site. At approximately 8:00 P.M., a meeting had been held at a Washington church at which 200 demonstrators gathered to discuss the course of the counter-inaugural. In attendance were members of a New York City chapter of the S.D.S., another New York City group called Co-Aim, and members of the New York Progressive Labor Party.

Spokesmen at the meeting expressed their dissatisfaction with the peaceful nature of the demonstration, alleging that their protest was being ignored by the press. To prevent the demonstration from turning into a failure, they urged a physical confrontation with police on the following day during the Inaugural Parade. Unhappy with the moderation exhibited by MOBE officials, they planned to physically seize the microphone at the tent and announce their plans, seeking recruits.

At MOBE headquarters on Vermont Avenue, a number of militants, who had been present at this meeting, attempted to seize possession of the office and wrest control from MOBE officials. At the tent, a speaker took the microphone at about 11:00 P.M., and proceeded to berate those in the tent for so quietly yielding to the police at the Smithsonian. He announced that a march would originate at Franklin Park the following day at noon, and urged those with "weak stomachs" to stay away.

Argument and heated debate between MOBE officials and these dissidents dragged into the early hours of the morning. MOBE officials were initially uneasy as to what their response should be. MOBE's function was not to provide leadership, but rather to act as a conduit through which participating groups could obtain logistic support to "do their own thing." As one official expressed it:

There were strong feelings that we cannot disown our own. When your unmarried daughter becomes pregnant, you don't throw her out into the cold. That's basically the problem we faced.

Nevertheless, they finally threatened to deny legal and other assistance to this group of "crazies," as they came to be called, if they engaged in physical confrontation on the day of the inauguration.

A compromise was finally reached. MOBE officials agreed to negotiate a permit for a march from Franklin Park, on I and 14th Streets, to the Inaugural Parade Route. Assurances were made by the "crazies" that the march, if permitted, would not be disruptive.

### **March to the Parade Route**

MOBE officials secured an oral permit on Monday morning for the Franklin Park rally.\* City officials had been alerted to the potential for disruption and watched the Franklin Park gathering closely. A police captain lined his men on the curb near Franklin Park and, when the march began, followed the marchers to the parade route. Contingents of the D. C. National Guard were deployed behind the District Building, which faces 14th Street and Pennsylvania Avenue, across the street from where the marchers were expected to line the Parade Route.

At one point a counter-demonstrator tried to grab a banner from a young man in the Park. A scuffle followed and the police arrested three people.

Approximately 200 marchers had gathered in Franklin Park when the march began at about 12:30 P.M. Several waste baskets made of wooden slats had been dismantled. Police intelligence sources reported that certain groups planned to force their way through police lines along the parade route. It was believed that they had purchased helmets, gas masks, plastic athletic supporters, and oven cleaner to throw at police.

It was also learned that a meeting of a midwestern S.D.S. chapter had been held that morning and that approximately half of the group of 200 had decided to join the radical group which was gathering at Franklin Park. An FBI agent reported that a station wagon loaded with clubs and sticks was parked outside the gathering. A D. C. Police Sergeant immediately was sent to investigate. He found no sticks or clubs in the car.

It was also reported that S.D.S. members were gathering sticks and bats to throw at the President's car during the Inaugural Parade. A massive confrontation was allegedly being planned which would be "nasty and bloody." Girls were reported to have hidden bags of "something" in their coats and pockets to throw at police. Fifty individuals were reported to be carrying clubs, tire wrenches and lead pipes wrapped in flags.

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\*The permit was granted by the Regional Director, National Capital Region, National Park Service, after discussion with city officials.

Since no permit had been granted for a march, the demonstrators stayed on the curb and obeyed traffic lights. Several hundred stragglers joined the march as it proceeded down 14th Street to Pennsylvania Avenue. Many in this group were unaware of the ideological struggle that had taken place the previous night, and of the character of the group that had organized the march.

As the marchers neared Pennsylvania Avenue, a spectator charged into the ranks of the demonstrators and attempted to grab a Vietcong flag. After some pushing and shoving, he and four of the demonstrators were arrested and charged with disorderly conduct. As the arrests were made, a policeman grabbed the arm of one of the demonstrators and said, "All right Teague, come with me." Walter D. Teague, a member of the Progressive Labor Party and a relative unknown,\* had been leading the march until that point. It is not clear how the identification was made.

The marchers first spread out on Pennsylvania Avenue and 14th Street, then moved down Pennsylvania to E Street in front of the National Theater. The group there varied from 500 to 1,000 and remained from about 1:00 P.M. until the President's car passed at approximately 2:50 P.M.

In addition to this group, MOBE officials had purchased 100 tickets for two blocks of bleacher seats along Pennsylvania Avenue at 11th and at 15th Streets. It was announced that demonstrators would occupy these seats and were planning to bring banners and sing as the parade passed. Although there was initial concern that disruption would be attempted, those in the bleacher seats remained relatively orderly and presented no serious problem.

Another group of approximately 100 demonstrators congregated at 12th Street and Pennsylvania Avenue in front of the American Security Building. The police evaluated this group as a "talking" crowd which caused only minor problems. Mark Rudd, leader of the Columbia University Chapter of S.D.S. during the disorders which occurred in the spring of 1968, was observed in this group.

From the Capitol Hill area of Washington, three demonstrators and their dog began walking to the parade route. The demonstrators carried signs at their sides. A paper plate with a peace symbol had been attached to the dog's collar. Several policemen in a patrol car stopped them and confiscated the signs, including the sign on the dog. When the youths asked the police for their names and badge numbers they were told to "shut up."

A steel cable separated the more militant crowd, which had begun its march from Franklin Park, from the street. Logistically, the police were

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\*Except for having been immortalized as Norman Mailer's cellmate in Mailer's book about the 1967 Pentagon demonstration, *Armies of the Night* (1968).

apprehensive. The group had congregated at the widest spot along Pennsylvania Avenue. Police at the curb could not see or control the dozens of demonstrators who stood many feet back from the curb. They also feared that the Presidential Motorcade would be forced to slow down as it reached this intersection as earlier parade contingents made the turn at 15th Street.

CDU units, numbering 40 men, were positioned directly in front of the demonstrators. They wore soft hats and had orders to use their helmets only on the command of the Deputy Chief of Police in charge. Police escorted spectators who wished to leave the area across the street. The demonstrators themselves began engaging in disorganized activities, climbing trees to display Vietcong flags, taunting policemen with obscenities, and burning miniature American flags which had been distributed by boy scouts.

Two police officials entered the edge of the crowd and arrested a young female who had allegedly burned a flag. As they carried the girl to an arrest wagon the crowd responded with cries of "Sieg Heil."

Demonstrators deep in the crowd held up burning flags and occasionally threw paper cups and other debris at the police. The police, unable to identify and arrest these individuals, stayed on the street side of the restraining cable.

Soon, however, a police sergeant darted into the crowd to arrest a demonstrator, and he and the demonstrator fell to the ground. Six other policemen, fearing that the sergeant was in trouble, ran into the crowd after him. The crowd quickly fell back away from the commotion.

During the scuffle one policeman had had his hat taken by someone in the crowd. Angered, he wanted to retrieve it. A representative from the Mayor's Office dissuaded him from re-entering the crowd, and the police captain in charge, fearing that the officer had become excited, moved him down the line away from the commotion. The policemen were ordered to carry their 30-inch riot batons in their hands.

As the crowd moved back towards the cable, the captain and several of his men began reaching across the cable, attempting to collar those who were burning flags or throwing debris. Taunting and cries of "pig" increased in intensity from the front ranks of the demonstrators. Few arrests were made. The demonstrators ducked out of the way whenever the police got close to them amid the laughter of some demonstrators and spectators.

A Deputy Chief of Police at the scene ordered the captain to regroup his men. When the demonstrators had returned to their positions behind the cable, the captain and a sergeant began yelling at them to get off the cable. They were met with jeers. When the demonstrators failed to move, the two

policemen began swinging their batons over their heads into the ranks of the demonstrators. People tried desperately to move out of the way but were blocked by the demonstrators behind them. The shouting from the crowd became a roar.

At 1:30 P.M., the Chief of the Washington Fire Department directed all fire fighting units responding to calls which might be made from the upper parade route area to equip themselves with riot gear.

At 1:45 P.M., the police received information that two drugstores in the area of 13th and Pennsylvania had sold all the oven cleaner they had in stock.

At approximately 2:00 P.M., acting on the request of police officials, Judge Greene raised the bail schedule without notifying MOBE or city officials.\*

At approximately 2:25 P.M., police intelligence reported that they had received information that some of the demonstrators were planning to break through the police lines and reach the President's car as it passed.

The Inaugural Parade began leaving the Capitol at 2:30 P.M. after receiving word from Assistant Chief Wilson that the situation was clear.

Approximately fifteen minutes before the parade reached the intersection which the crowd occupied, units of the C.D.U. moved into position behind the demonstrators. Units of the Regular Army 82nd Airborne from Fort Bragg, in dress uniform, formed a line behind the police and linked arms. They carried no rifles. Two companies, totalling approximately 200 National Guardsmen, were ordered to 13th and Pennsylvania from their position behind the District Building. Wearing battle gear and carrying rifles, they lined up shoulder-to-shoulder next to the Army troops. Tension among the demonstrators mounted.

Police interaction with the crowd continued. The captain entered the crowd to stomp out a pile of burning flags. He was hit over the head from behind. Turning, he grabbed a banner and the youth holding it. A city official approached and urged him not to enter the crowd. The captain released the youth since he was not sure whether the youth was the one who had hit him.

A MOBE attorney, unaware of the captain's reason for grabbing the banner, approached the captain, identified himself, and advised the captain

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\*Later, the Judge learned that the Office of the District of Columbia Corporation Counsel opposed the raise. To prevent this situation from recurring, he later submitted a proposal which would require the police to coordinate with the D. C. Corporation Counsel and the U.S. Attorney for the District of Columbia before requesting an elevation of the bail schedule. This system has been adopted.

that the permit granted demonstrators the right to carry banners. The captain grabbed the attorney, who wore no identification, and pushed him into the crowd with his baton. A representative from the Mayor's Office, known to the captain, rushed up to identify the attorney. Finally, the Deputy Chief of Police in charge advised the captain that the attorney was permitted to remain behind police lines.

The crowd was beginning to have an effect on the captain, who had been on the front line for several hours. Many demonstrators began directing their taunts at him. One city official at the scene later commented, "He was getting upset and taking the taunts personally. He was getting tired and peeved off with the kids." Another city official stated:

He looked like a mad dog. He was salivating from the mouth and was sweating all over. He looked like a horse who had been pounded at full heat. He had really worked himself up into a lather.

Dozens of screaming demonstrators in the front ranks began swaying against the restraining cable, which threatened to break. Police, some jabbing with their clubs, tried to restrain them. MOBE and city officials alerted the Mayor's Office that a full scale riot was about to take place.

Deputy Mayor Fletcher, who was in charge of the Mayor's Command Post, dispatched an assistant to report on the situation. The assistant recommended that the captain be removed from the scene of the confrontation. An unidentified official at the Command Post announced that the decision had been made to relieve the captain.

Deputy Mayor Fletcher radioed Police Chief Layton, who was riding with the Inaugural parade, recommending that he examine the Captain's conduct. Layton asked Assistant Chief Wilson for his recommendation. Wilson replied there was no need to relieve the Captain.

Nevertheless, reinforcements under the command of D. C. Police Lieutenant William G. Burchette were moved to the scene of the confrontation from their position further down the line. The Captain had by this time shifted his position slightly to the side of the crowd. Burchette ordered his men to stand in a line about three feet from the steel cable holding their batons horizontally across their bodies. No more charges were made into the crowd.

Burchette walked up and down the line in front of his men. He talked to them casually in a slow, southern drawl, inspecting their uniforms and urging them to keep calm. Tension among demonstrators in the front ranks diminished sharply.

The Presidential car was approaching and the demonstrators switched their attention from the police to the parade. Several firecrackers were thrown at the Marine Band as it passed. One National Guardsman was struck by a missile which knocked him down. A roman candle, which was described as a "smoke bomb" by some observers, was lit seconds before the Presidential car passed.

When the President's car reached the center of the crowd, a bottle and an empty beer can were thrown into the street. Two cans with smoke coming from them were also hurled. One rolled under the President's car while the other landed in front of it. Several Secret Service Agents jumped on the car's sideboards.

A rock hit the side of the car after it had passed the crowd. Another rock hit an agent at the rear of the car and a second agent batted down a bottle. The car, which had moved towards the left side of Pennsylvania Avenue away from the crowd of demonstrators, maintained a speed of between three and five miles per hour.

Altogether, twelve hard objects and many wads of paper and tin foil were thrown. The President avoided embarrassment by waving at the bystanders on the other side of the street.

At no time did anyone attempt to break through police lines. No oven cleaner was ever used. Other than verbal abuse and the few missiles that were thrown, no commotion engulfed the crowd.

The purpose of those who comprised the crowd has been described as "brinksmanship" by a city official present. We concur in that analysis. As one of the major participants in the demonstration phrased it:

"Nobody believed we were going to break through the police lines and overturn the President's car or anything like that. The pressure was important. It was important that they brought lines of soldiers into that parade. It was important that the United States of America realized that there were soldiers guarding their President."

Any other plans, if they existed at all, were probably abandoned as the show of force mustered by the police and Army units revealed itself.

### **The Demonstrators Disperse**

With nothing further planned, the demonstrators began dispersing. There was a feeling that they should move along toward the White House.

Many began moving up H Street toward Lafayette Park at about 3:00 p.m. Groups began congregating at Madison and H Streets with no apparent plan. Police, fearing an attempt to reach the White House, moved into the area with sirens wailing.

The relative calm was broken when three policemen struggled with a demonstrator, clubbing him on the head. A second demonstrator sank to the curb after having been clubbed by a policeman. At the sight of the blood oozing through the hand he held to his head and the sound of the hysterical screaming by a girl who was with him, the crowd responded excitedly. Between fifty and eighty rocks and bottles were thrown at the police and the fight was on.

All available police units and the National Guard were ordered to the area as the cry, "Mayday," was broadcast over the police radio. The Deputy Chief of Police in charge of the CDU, his car being pelted by stones, radioed to the responding units, "These hippies should be arrested without hesitation." Variations on this order were repeated several times during the next few hours.

Approximately 200 black youths from Washington had been moving along 14th Street. Hearing the sirens and commotion, they ran and joined the demonstrators at Madison.

As the combined groups moved towards 16th Street, police chased and occasionally clubbed them. On the corner of Vermont and H Streets a young woman, clearly marked with a white armband as a medic, went to assist a youth who appeared to have been injured during a scuffle with a policeman. The policeman turned and hit her with his baton. She began bleeding at the ear.

Two representatives from the Mayor's Office personally restrained policemen from administering indiscriminate beatings. At one point a city official intercepted a policeman chasing an 11-year-old boy. The official escorted the frightened youth to a church. An 18-year-old girl was chased twenty-five feet by a policeman who kept hitting her across the back with his baton.

The police surgeon observed at the Smithsonian reappeared, dressed as he had the day before. He chased and beat demonstrators who had been unfortunate enough to run near him.

Motorcycled policemen who had escorted the Presidential car during the parade had by this time left the Presidential car when it reached the reviewing stand. As they approached 17th Street and Pennsylvania, they heard the call for help over their radios. They proceeded up 17th to I Street, then down I to

16th Street and then toward the crowd which had by this time reached H and 16th Streets. They formed a solid line of motorcycles from curb to curb and rapidly rode down H Street, attempting to move the crowd backwards. Bundles of newspapers, empty bottles and rocks were thrown at them, damaging a motorcycle and a patrol car. Several motorcycles climbed onto the sidewalks and moved at high speeds into the demonstrators, pushing people as they went.

The area became chaotic. Highly excited demonstrators dispersed in small groups in all directions to avoid the police sweep. Without recognizable leadership, the fleeing demonstrators roamed the streets of Washington which by this time were filled with police and National Guard units.

The mood of the fleeing youths was mixed. Some were simply trying to get out of the area. Others regarded the skirmishing as a game of "cops and robbers." As one participant described his reaction:

The mood was one of celebration, if anything. The police were all uptight guarding the President, and here we are in the streets running in the opposite direction from the President, and they're still uptight. The police were not violent or monstrous; they just looked foolish. The biggest problem the police had was catching up to the crowd, not defending themselves from the crowd. It became a game and the police became very uptight. There was no leadership, no consensus. We just ran around the streets, period.

Others, generally younger in age, were more venal. Five males jumped in front of a car carrying a middle-aged woman and two young children as the car turned onto 16th from H Street. The woman leaned out her car window and said "Please . . ." A 17-year-old blond girl cut her off by yelling, "F . . . you, you old bitty." Other demonstrators pounded on cars, overturned trash cans, and broke at least four windows. One demonstrator, running past a bank, yelled, "This is a fascist bank of the imperialists," then followed up his point by breaking one of the banks' windows with a rock.

The police had broken ranks and lost touch with each other and their commanding officers. Many units from Northwest Washington precincts, not trained for CDU duty, joined the chase. Their only orders were to "make arrests." While CDU personnel recognized this order to mean arrests for all violations rather than beating or gassing, the order was not clear to other police personnel. Some of them justifiably interpreted the order to sanction arrest of everyone who looked like a hippie. They roamed the streets of Washington, arresting fleeing demonstrators. Nevertheless, they refrained from beating them.

Helicopters circled in the sky attempting to locate groups in the streets.

Multiple sightings of one group by several policemen magnified their numbers in the minds of the police. Actually, only a very small number of demonstrators, probably less than one hundred, continued to roam the streets. Most began making their way back to their homes and to bus and train stations. Many congregated at Dupont Circle, home of the Washington "hippie" community. City and MOBE officials escorted groups of demonstrators out of the area to protect them from arrest.

The Deputy Chief of Police in charge of the CDU was notified by his Command Post that 90 arrests had been made at that time. He replied, "not near enough, not near enough." Off the radio, the officer who had supplied the information said apologetically, "I'm sorry."

MOBE officials were becoming concerned with the number of arrests which were being made. They suggested to city officials that the remaining stragglers were tired and were preparing to leave.

At 5:00 p.m., Deputy Mayor Fletcher discussed the situation with Assistant Chief Wilson. Wilson then began ordering police units to return to their normal patrol duties and to move towards their evening assignments securing the Inaugural Balls. No further disorder occurred. The 1969 Counter-Inaugural had ended.

### General Observations

Federal and city officials in Washington proved that a large-scale demonstration organized to protest a major national event, coupled with the presence of numbers of unruly participants, need not erupt into large scale violence. While some may criticize officials for allowing any disruption to occur, it cannot be forgotten that the disruptions were minor, few injuries resulted, and the nation's attention was never diverted from the main event that prompted the protest.

More importantly, perhaps, those who wished to express peaceably their disagreement with governmental policies were allowed to do so without fear for their safety or freedom. We agree with the following editorial which appeared in the *Washington Daily News*:

The exceeding hospitality of the Federal Government in this and other recent visitations by guests whose manners frequently leave much to be desired have a way of infuriating some people. As for us, we feel rather proud to be part of a country that not only will permit such a tent, but will put up with those who'll inhabit it.\*

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\*January 18, 1969, p. 10, col. 1.

Some demonstrators came to Washington intending to create disorder. Through a complex evolution, they have come to believe that street violence is a necessary ingredient of change. As one MOBE official described them:

What it really boils down to is a certain very small group of kids who *only* want violence. Their feeling is that kids in conflict with cops, in violent conflict with cops, will have the taste of blood and know true revolution.

In Washington, this group numbered about 100 people. They comprised the group that attempted to lower the flag to half-mast at the HEW plaza. They threw rocks, sticks, and firecrackers at guests arriving at the reception for Vice-President Agnew at the Smithsonian Institute and later at the police who attempted to disperse them. They attempted to take over MOBE headquarters and alter the character of the peaceful protest.

They met at Franklin Park with others and threw objects at the car carrying the President of the United States. They ran through the streets of Washington in a wild "cops-and-robbers" chase.

This is not to imply that every member of this group engaged in each of these disruptive activities or even that members of this group knew each other. Some knew others who came from the same city as themselves. Few knew their ideological counterparts from other cities or organizations.

Occasionally, their ranks were swelled by people who did not share their ideological commitment. The reasons for this varied—some joined out of ignorance; others because they were willing to tolerate disruptive activities even though they would not engage in them themselves; others because they were ideologically uncommitted and were willing to experiment with different tactics.

Occasionally, otherwise peaceful demonstrators, responding to particular acts of perceived police misconduct, engaged in disruptive conduct out of a feeling of desperation and anger. In Washington, this group never reached sizeable proportions.

The overwhelming majority of those who had gathered in Washington never engaged in activity that was the least bit disruptive. Given the cooperation of city officials and the restraint of the police, they met in Washington, protested peacefully their opposition to the Vietnam war, and left. Some even acted to prevent their more radical counterparts from engaging in disruptive activities.

The disruptive element was effectively isolated. They gained few recruits and lost the moral support of many.

The success for isolating and controlling this disruptive element must be attributed to the government officials who shared responsibility for dealing with those who met in protest. Beginning with the negotiations for the permit, officials tried to deal in good faith with the spokesmen for the dissenting groups. Compromise and patience were the watchwords. Determined to grant full expression to Constitutional guarantees of freedom of speech and peaceable assembly, they acted to insure that unreasonable requests were not made of the demonstrators. Once reasonable rules were established, they insisted that the rules be obeyed. According to Deputy Mayor Fletcher:

It was our intention to minimize the trouble for the weekend. We felt they were entitled to a permit. There didn't seem to be any legal reason to prevent their coming. Therefore the best thing to do was to restrict it within legal bounds. We made clear the boundaries beyond which we would not allow them to cross.

The decision to allow the tent to be constructed was a wise one. The demonstrators, having their own tent near other activities they had planned, had little about which they could complain. The government for its part succeeded in clustering the demonstrators in an area which simplified the police function. A police command post was erected near the tent and only a few police observers were needed to monitor the demonstrators' activities.

Following the lead of city officials, the police acted in a restrained and professional manner. Refusing to be goaded by the actions of the few bent on physical confrontation, they retained the good will of the majority.

Several criticisms can be constructively directed at the handling of the demonstrators. Numerous undercover agents monitored the crowds and were generally unobtrusive. Yet the practice of having agents in coats and ties taking pictures of demonstrators point blank seems unwise.

If it is deemed important to record on film those who have assembled peaceably to express their opinions, it seems likely that this can be done by telescopic lens from a distance. Those whose pictures are being taken may properly conclude that sticking a camera in their faces is intended to intimidate them from participating in the assemblage. It is not coincidental that these photographers have been given the label "red squad" by demonstrators.

The dispersal of the demonstrators following the passage of the Presidential car was not handled as effectively as it might have been. Due to communications problems and the random nature of the dispersal, the authorities were unable to exercise effective control over the policemen who were rushed to the area. The only order received by patrol cars responding

from local precincts was to "make arrests." This lack of guidance merely added to the chaos.

On the other hand, police and city officials deserve special comment for high-level decisions reached during several crises.

### **HEW Plaza**

During the forty-five minutes the scuffling continued at the flagpole, not one policeman appeared to interfere with the theatrics that were occurring. Complying with the request of MOBE officials, they stayed away from the HEW Plaza entirely.

The judgment shown by the police in not attempting to interfere with the threatened flag lowering avoided a major violent confrontation. Logistically, had the police attempted to get through to the flagpole during the height of the tension and disorder, they would have had rough going. The crowd was very thick and no avenue was available. The police would have been forced to push people out of their way to create an avenue, which would have added to the tension. Their presence would have polarized the situation and would have destroyed the marshalls' ability to generate support among the crowd.

Had they gotten to the flagpole, they would have had difficulty distinguishing the "defenders" from the "attackers." The "defenders" holding onto the ropes looked exactly like the "attackers" trying to grab the ropes to everyone but those who remained at the flagpole long enough to tell the difference. Had the police mistakenly arrested some defenders, the great majority opposed to the flag lowering would have become antagonized.

After the bulk of the crowd had left and the excitement had subsided, five policemen casually moved to the flagpole area. Their presence was scarcely noted. By allowing MOBE officials and the marshalls to disperse the crowd the police job was drastically simplified. This can only be described as good police work.

### **Smithsonian Institute**

City officials did everything in their power to protect the right of peaceable assembly of those several thousand demonstrators who gathered at the Smithsonian reception for the Vice President. It was not until a frightened woman clutched her husband's arm that the police concluded that the crowd must be moved.

The sight of the frightened woman did more than hundreds of policemen in moving the crowds away from the entrance. Although the great majority of the crowd had thrown no missiles, they understood clearly the necessity for

the police action. There was simply no other alternative open to the police at that point. Most in the crowd willingly obeyed the police order to move. The police had actually won the crowd's sympathy.

Even then, the police made no attempt to disperse the crowd. They simply moved it away from the entrance so that guests could enter freely. This compromise protected the guests while still allowing the protestors to make their presence felt.

The police withstood a barrage of physical and verbal abuse with great calm. Because of their restraint, the crowd soon left of its own volition.

### **The Franklin Park Group**

Although officials accurately expected disruption to be precipitated by the group that met at Franklin Park on Inauguration Day, they nevertheless granted a permit for the gathering and allowed the demonstrators to march to the parade route. This greatly simplified the police function. The potential troublemakers converged in one group where they could be watched closely by a small number of police. Their location was known and reinforcements were brought to their precise location prior to the passage of the President's car.

This temporary show of force in all likelihood discouraged any who had planned to break through police lines and rush to the President's car from doing so. By localizing those who sought disruption the security of the rest of the parade was insured. This would not have been possible if a permit had not been granted, since, in that event, the dissidents would have scattered throughout the crowd, free to engage in disruptive activities outside the scrutiny of a large body of police and soldiers located directly in front of them.

The District of Columbia police force exercised sound judgment in moving Lieutenant Burchette to the scene of the militant crowd. Had the situation that had been developing before his arrival been allowed to continue, a much more serious confrontation might have resulted. One observer stated:

When Burchette took over a riot was just about to start. The Captain who had earlier been in charge had so excited the crowd with clubbings that many in the crowd were going to break out into Pennsylvania Avenue. Burchette came in and, as a result of his calmness, the other police and the crowd visibly calmed down. It was beautiful. By the time the President's car passed the "crowd" no longer existed. He had transformed an angered mob into a group of individuals. It was individuals throwing things and not a crowd unified in its fear and anger.

Although this is an overstatement of the actual effect of the police interaction with the crowd, it does reflect the thinking of many who took part in the demonstration.\*

But judgment like this is not exercised in a vacuum. No police force can be expected to depend on demonstrators to police themselves or accurately to describe trouble spots unless trust has first been developed. The period of cooperative negotiation did much to instill this trust on both sides. The ready access to command centers that has been granted to the MOBE officials enabled rapid communication which was used to keep city officials posted on the developments that were taking place.

Thus, the city's total approach to the demonstrators was responsible for avoiding large-scale violence. Had city officials viewed the demonstrators as a roving band of violence-prone revolutionaries, this type of cooperation and trust could never have been mustered.

No tear gas or mace was used by the police at any time during the three days of protest activities. One hundred and nineteen arrests were made, 87 of them on Monday, mostly during the street skirmishes which occurred in the Lafayette Park area. Many of these arrests were for pedestrian violations.\*\*

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\*Nothing is more difficult to anticipate than a man's continuing ability to empathize with others in a given situation. Numerous individuals, in and out of the city government, focused a great deal of attention on this Captain during the Inaugural Parade. Yet this is the same Captain who, three weeks before the Inauguration, read his men excerpts from the Walker Report and urged them to keep calm despite provocation. During the Inaugural Parade, he asked one of his men to take a walk and cool off after a demonstrator had taken his hat. This is also the same Captain who, one month after the Inauguration, ran into a burning building from which an insane gunman, who had just killed two people and wounded three policemen, was shooting, to rescue an elderly couple trapped inside. Prevented from leading them out the normal exit because the fire had already engulfed the stairs, he led them to safety out the window and down three stories, injuring himself. As a result of this act of bravery, he has been recommended for a decoration.

\*\*The D.C. Police Department recorded the following arrests made in connection with the counter-inaugural activities:

Jan. 18	3 male
	1 female
Jan. 19	25 male
	3 female
Jan. 20	71 male
	6 female
	10 juveniles
	7 male
	3 female
Total	119

Few injuries resulted to demonstrators or the police; most were minor and required no medical treatment.

## Conclusion

The reaction from all sides was complimentary to the Washington police and city officials. Dellinger called the police performance "beautiful." He said, "At key points the Mayor and other people stepped in to prevent it from escalating." The *Washington Daily News* said in an editorial, "What we witnessed was a superb demonstration of discipline—a new, professional police force, awesome in its strength and self control."\*

Mayor Walter E. Washington of the District of Columbia said that the police "brought credit upon themselves . . . the department . . . and . . . the city." He praised the police for "responding with a high degree of professionalism, using only such force as was needed to maintain order." Deputy Mayor Fletcher added, "The police department handling of the situation is an example of what a well-trained and well-disciplined force can do in a tense situation with authority and humanity." D. C. Police Chief Layton said his men "didn't over-react to the taunts and the stones of the demonstrators. The police acted as a disciplined force."

An article published in the *Washington Free Press* following the Inauguration, said, "on the whole the police were restrained . . . In Washington, El Hombre didn't give anything away, made no Daley Pig blunders. . . ."

The police were not unaware of the significance of their role in maintaining order. Towards the end of the long and trying inaugural weekend, a broadcast informed those listening to the police radio that an unidentified guest at the inauguration roundly praised the Washington police for their performance and restraint. The pride reflected by the broadcast was apparent.

We join with these people in complimenting the Washington police and authorities in their handling of the counter inaugural protest. Although numerous individuals contributed to the successful handling of the events that took place, special credit must be given to Jerry V. Wilson, Assistant Chief of the D. C. Police Department, who exercised front-line control during the duration of the weekend. MOBE Attorney Philip J. Hirschkop, who volunteered his services for the inaugural weekend and the two weeks of preparation leading up to it, also played a significant role by keeping open the channels of communication between city officials and the demonstration participants. His intervention frequently lessened tensions on both sides.

\**Washington Daily News*, Jan. 22, 1969, p. 22, col. 4.

Showing restraint, discipline and courtesy, the police and authorities succeeded in allowing a full spectrum of constitutional freedoms to be exercised. At the same time they controlled the few potential troublemakers in the crowd without antagonizing and radicalizing the bulk of the demonstrators who did not engage in disruptive forms of protest. On the whole, they performed their difficult job splendidly.

APPENDIX

PERMIT

National Mobilization Committee  
to End the War in Vietnam  
1029 Vermont Avenue, N.W. — Room 600  
Washington, D.C. 20005

Dear Sirs:

This letter constitutes a permit for the conduct of certain described rallies, a march and a gathering, on January 19, 1969, which your Committee ("Permittee") desires to hold. This permit is issued by each of the governmental agencies signatory hereto with respect to its respective jurisdiction and responsibilities. Inasmuch as you propose activities to take place in areas under the separate jurisdiction of each of the signatory agencies or involving their responsibilities, this single permit has been agreed upon as satisfactory and convenient to the signatory agencies and yourself.

This permit is granted in response to written requests made on Permittee's behalf in letters dated December 20, 1968, and January 3, 1969. This permit covers the areas and activities described herein and is issued subject to all of the conditions enumerated herein.

1. A rally may be conducted on January 19, 1969, from approximately 1:00 p.m. to approximately 2:30 p.m. at a large tent erected and located as described in paragraph 5 hereof. Participants at the rally may assemble at that tent no earlier than 10:00 a.m. on January 19, 1969, and Permittee may make arrangements for their entertainment while awaiting the beginning of the rally.
2. A march from the tent area described in paragraph 5 hereof shall commence at approximately 2:30 p.m. It shall follow a route exactly as set forth herein: from the tent area, through the Washington Monument grounds on the Fifteenth Street roadway, across Constitution Avenue, continuing north on Fifteenth Street to Pennsylvania Avenue, southeast on the south half of Pennsylvania Avenue to Third Street, N.W., south on Third Street to Maryland Avenue, S.W., southwest on Maryland Avenue to the paved plaza in front of the HEW Building between Fourth and Sixth Streets, S.W.
3. A second rally may be conducted in the plaza on Maryland Avenue, S.W., between Fourth and Sixth Streets, S.W. It shall begin at approximately 5:00 p.m. and conclude at approximately 5:45 p.m. on Sunday, January

19. Permittee may provide entertainment for participants arriving at such second rally site prior to 5:00 p.m. Buses to pick up those departing from this second rally shall be parked, prior to 5:00 p.m. in the immediate vicinity of the area permitted for this second rally.
4. Permittee shall make all necessary arrangements for the reception, protection, and departure of any persons who will address the two rallies and participate in the entertainment at the tent.
  5. Permittee may erect one large fireproof tent and one small fireproof tent within the triangular area bounded by Maine Avenue, Independence Avenue, and Fifteenth Street, N.W. as shown in the attached sketch. Permittee shall provide all necessary utilities and facilities needed for its permitted activities and the comfort of participants at such tent. These facilities and utilities shall include suitable portable toilet accommodations, power supply, heat, and a public-address system. The tents and all utilities and facilities shall be provided, erected, maintained, and removed, free of all cost to the Government, and in accordance with applicable health, fire, and safety standards. Permittee shall facilitate inspection of structures and facilities by appropriate health, safety and fire authorities of the National Park Service to ensure that such standards have been met and maintained. No open fires shall be permitted in or near either of the tents.
  6. The tents themselves may be erected anytime after 7:00 a.m. on Friday, January 17; however, no equipment may be placed in the tents until after 9:00 a.m. on Saturday, January 18. The tents may not be used except as provided in paragraphs 7 and 8 below. Equipment shall be removed and the tents shall be taken down, beginning promptly at 8:00 a.m. on January 20, and concluding by 8:00 p.m. on January 20.
  7. Permittee may sell suitable pennants, buttons and similar souvenirs within the large tent. No more than 1,500 wooden chairs may be placed within the large tent. Such chairs need not be joined to one another; however, no chairs may be placed in a way that blocks entrances or exits of the large tent, and all chairs must be placed within the large tent around its outside perimeter. Permittee may authorize the H and B Caterers of the Berdo Vending Company or other firm designated by Permittee to sell refreshments, as permitted by regulations in 36 CFR, Part 50, within the large tent.
  8. Permittee may conduct an entertainment program in the tent described in paragraph 5 above from 7:00 p.m. on January 19, 1969, until 8:00 a.m. on January 20, 1969. Except for an intermission from approximately 10:00 p.m. to approximately 10:30 p.m., the entertainment program shall be continuous. The tent shall not be used

during the hours specified in this paragraph for any purpose other than the entertainment program. Permittee shall close down the public-address system and the heating facilities in the tent at 8:00 a.m. on January 20. It is further agreed that Permittee will not plan, schedule or otherwise permit any use of the tent, other than for security purposes or for necessary preparations for the permitted activities of Sunday, January 19. The National Park Service will maintain police in proximity to the area described in paragraph 5 above to assure security of the tents. If both signatories for the issuing agencies have substantial reason to believe that the tent is being used for purposes other than those permitted herein, they will immediately contact officials of Permittee and specify such alleged unpermitted use and give such officials reasonable opportunity, but in no case longer than one hour from such contact, to correct any such complaint. If the signatories and the negotiator for the issuing agencies concur that a violation of the permitted use has occurred and that the Permittee has not corrected it after notice given as required above, then the signatories for the issuing agencies may revoke this permit or place such further limitations on its use as to assure compliance with the permit.

9. No self-propelled vehicles of any sort shall be permitted in the line of march described in paragraph 2 above, except for three two-wheeled motor vehicles to be used by Permittee for communications and except for one motorized float. Vehicles, such as sound trucks, sanitary vans, and the like, to be used at the first rally described in paragraph 1 above, and at the second rally described in paragraph 3 above, shall be in place at least 30 minutes ahead of any scheduled use of those areas. Permittee may erect a small portable platform midway on Third Street between Pennsylvania Avenue, N.W., and Maryland Avenue, S.W. This platform shall be no longer than sixteen feet, no wider than four feet, nor elevated above ground level by more than seven feet. The platform may be draped in bunting. Any other decoration shall be in accord with applicable laws and regulations. This platform shall be removed promptly at the conclusion of the rally described in paragraph 3 above, but no later than 6:30 p.m., January 19.
10. For the safety of participants, no participant at the rallies, in the march, or at the tent shall carry on his person any firearm, weapon, or explosive. No participant will be permitted to carry any support for picket signs, banners and the like which is more than three-quarters of an inch thick or one and three-quarter inches wide and three feet in length, except for poles on which flags are flown and for standards supporting banners requiring more than one support; such poles and standards shall be no larger than poles and standards normally used for like purposes.

11. No property of either of the signatory agencies, of any other Federal agency or department, or of any person within the area of the activities described herein, shall be destroyed, damaged or defaced by the Permittee or any participant.
12. Permittee agrees that the area described in paragraph 5 above shall be left in substantially the same condition as it was prior to the use authorized herein, and all litter shall be placed in trash containers to be provided by the National Park Service.
13. Permittee shall use all means at its command and under its control to avoid any and all loss, damage, claim, or liability whatsoever for personal injury or death, or damage to or destruction of property of others due to the exercise by the Permittee of the privileges and obligations established by this permit, or due to any other act of Permittee.
14. The rules and regulations set out in 36 CFR, Part 50, shall be fully applicable to Permittee and to participants at any of the activities described herein, to the extent not inconsistent with the express provisions of this permit.
15. This permit in no way authorizes any activity by Permittee or by participants in the activities described herein in violation of applicable laws or regulations, nor does it permit entry into any public building or the grounds thereof which are closed to the public. Expiration of this permit will not be the basis for denying to any person the right to do anything which the general public is permitted to do. Violations by Permittee or participants of the terms of this permit or of applicable law or regulations, resulting in substantial danger to people or property or in serious disorder, shall cause immediate revocation of the permit by the signatories hereto for the issuing agencies, with the concurrence of the negotiators for the issuing agencies. Any persons violating any law or regulation shall be subject to immediate arrest, detention, and prosecution in accordance with law.
16. The issuing agencies, jointly and separately, specifically prohibit, pursuant to all applicable laws and regulations, any act by Permittee or participants in any of the rallies, march or other activities described herein which are prohibited by existing law or regulation and which are not specifically authorized herein.

17. This permit shall take effect at 7:00 a.m. on Sunday, January 19, 1969, and, except as provided in paragraphs 6, 8 and 15 above, it shall remain in effect until midnight on Sunday, January 19, 1969.

Permittee:

National Mobilization Committee  
to End the War in Vietnam

By

Issuing Agencies:

National Park Service  
Department of the Interior

By

Metropolitan Police Department,  
District of Columbia

By

Permit issued January 17, 1969





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