

Riot charges on Brown dropped

By MICHAEL J. CLARK
Columbia Bureau of The Sun

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The criminal trial of H. Rap Brown ended quickly yesterday after the Dorchester county prosecutor dropped arson and riot-related charges and the black militant in a barely audible voice, pleaded guilty to a misdemeanor.

The guilty plea was for failing to show up for trial three years ago on the charges stemming from the 1967 Cambridge riot.

Judge James Macgill sentenced Brown to 1 year in prison concurrent with the 5- to-15 year term the defendant is now serving in New York for armed robbery and assaulting a policeman.

The sentencing means Brown will actually serve no additional prison time as a result of the Maryland conviction.

The sentence recommended to Judge Macgill by Richard J. Kinlein, the Howard county state's attorney, was the outcome of plea bargaining sessions between Mr. Kinlein and Edward Carl Broege, defense lawyer for Brown.

Mr. Broege's demand that William B. Yates 2d., the Dorchester county state's attorney, be required to attempt to prove the 8-year-old charges stemming from a racial disorder in Cambridge was rejected by the judge.

Judge Macgill said it was within the "discretion" of a state's attorney to dismiss charges.

A sharp exchange occurred during the hour-and-a-half court hearing between Mr. Yates and Mr. Broege, in the Ellicott City courtroom when the defense lawyer contended that the prosecutor had previously informed him that the state had a tape recording of Brown's speech to a group of Cambridge blacks before the disorder.

"He is lying all the way through," Mr. Yates jumped up to tell the court. "The conversation never took place."

In further exchanges, Mr. Broege, a civil rights lawyer from Newark, N.J., said Mr. Yates "does not want to go forward with the case in the interest of the public record. I don't believe he ever did. Mr.



H. RAP BROWN
... terse and sardonic

Yates never had any evidence."

And Mr. Yates in his closing remarks before leaving the courtroom, replied, "the state was ready and willing to go ahead 3 1/2 years ago, and the defendant did not appear."

The principal figure in the proceedings was the tall, thin, mustachioed defendant, who continuously chewed on a toothpick.

Brown, 30, wore dungarees and a blue turtle-neck sweater. A red bandana covered his head.

During his arraignment on the failure to appear charge, Brown refused to raise his right hand, as is the local court custom. Mr. Broege later explained that Brown refused to raise his hand because "he doesn't swear allegiance to the United States of America."

All of Brown's courtroom comments were terse and sometimes sardonic. Before Judge Macgill passed sentencing he asked the defendant a series of standard questions to determine whether he was "competent" to plead guilty to the sole charge.

In the terse dialogue, Brown was asked how much education he had and he answered: "not much. Three years of college."

Before being escorted back to the Maryland Penitentiary by the State Police, Brown was allowed by Judge Macgill to have a brief private meeting with his wife, Lynn, a native of New York city.

When the trial was set in 1970—a bomb was set off in

the Dorchester County Courthouse blowing out a wall, and later when the case was moved the Harford county, two of Brown's friends died when a bomb police said they were carrying exploded in their car near Bel Air.

Subsequently, the case was removed to Howard county, and Brown failed to show up for his trial.

In late 1971, Mr. Kinlein, the prosecutor for Howard county, publicly contended that Mr. Yates had "fabricated" the arson charge against Brown.

Mr. Kinlein was found in contempt of court for violating Judge Macgill's court order prohibiting parties in the case from making public statements.

Yesterday, when questioned about the outcome of the arson charge, Mr. Kinlein smiled and said, "no comment."

State Police officials said they will return Brown to New York authorities today.

H. Rap Brown

The Radical Grocer

The sign on the small, faded brick building in a quiet corner of Atlanta's black West End reads: "In the name of Allah, Most Gracious, Most Merciful. The Community Store." Inside, a tall man minds the shop, watching over a battered white scale on the counter, dispensing candy for pennies and nickels from neighborhood children. When business is slow—and it usually is, judging from the meager stock on the shelves—the clerk crosses the street where he plays pickup basketball on a public court.

Even framed by the crocheted cap, the hair almost touching the dashiki, the face behind the counter of The Community Store is recognizable: it belongs to H. Rap Brown, Proprietor.

One of black power's staunchest soldiers in the '60s now calls himself Jamil Abdullah Al-Amin. He is a Muslim. He dislikes visitors. He talks guardedly with a reporter, permitting no notes, no photographs.

Al-Amin is working off a 10-year parole that grew out of a conviction for trying to rob a New York City bar. "Truth crushed to the earth will rise again," he said at his sentencing. He was best known to Washingtonians as the man Maryland authorities couldn't find after he was charged with inciting riots in Cambridge in 1967, riots that caused about \$200,000 in damage to the black section of that Eastern Shore community. The charges were eventually dropped, though after an arrest in New York in 1973 Brown was returned to Cambridge where he pleaded guilty for failing to appear for his trial in 1970.

If pressed, Al-Amin, 34, will say conditions for blacks in America haven't improved much since his days as head of the Student Nonviolent Coordinating Committee. But he wants no leadership role in changing society; his life is to be spent in service to Allah. A reporter, remarking on Al-Amin's obscure life as

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