

Joseph T. Stovall, II

Race & Law Seminar

Paper: Kenneth L. Johnson

Supporting Documents

April 28, 2010

HONOREES



Kenneth L. Johnson
Circuit Court for Baltimore City
1982-Present

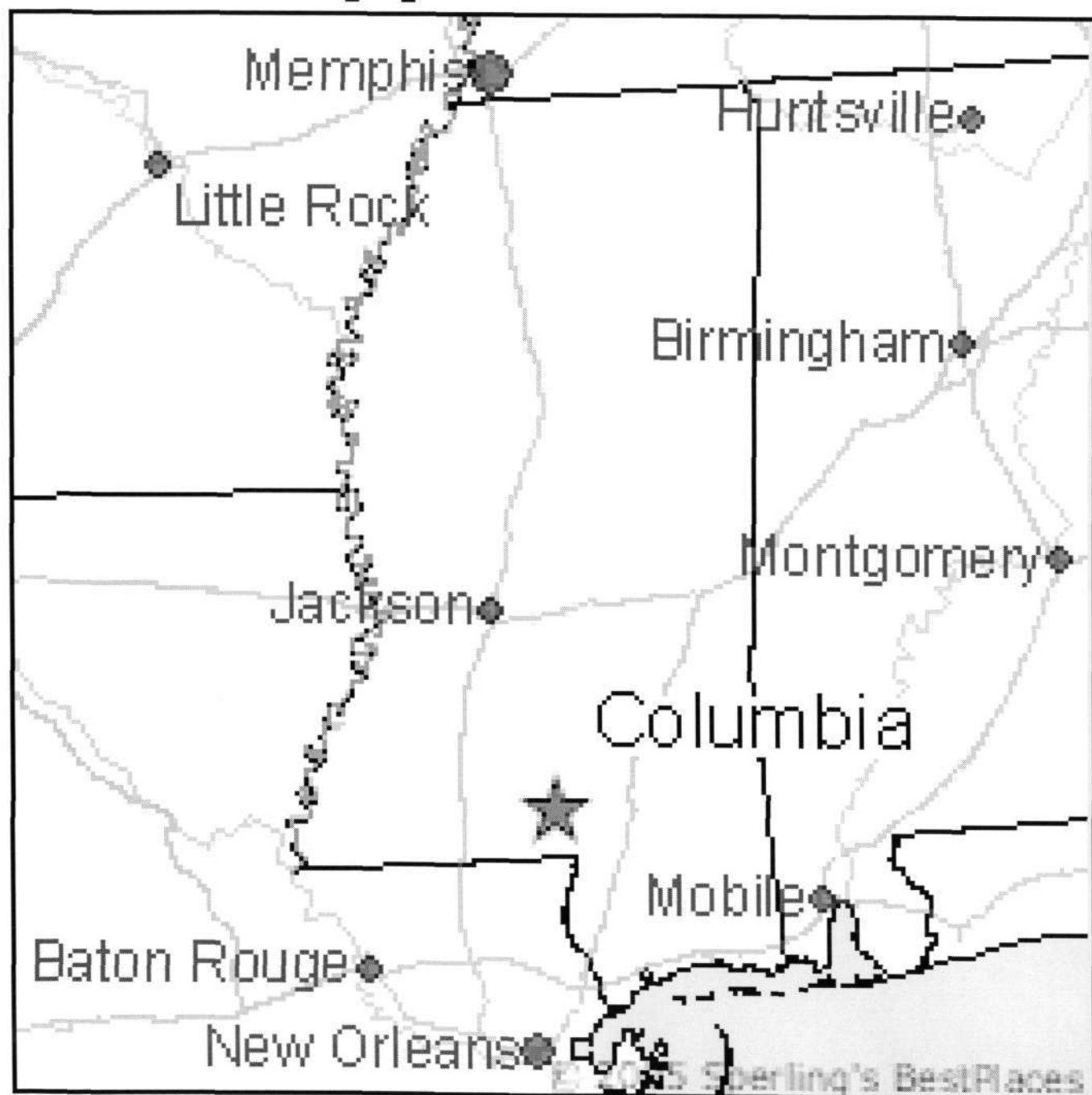
prudence Award in Criminal Law and Jurisprudence (1961). Judge Johnson and his wife Carolyn have two daughters, Sara and Jennifer.

Judge Johnson, born and raised in Columbia, Mississippi, graduated from Globe Academy High School in May, 1955 and received his Bachelor of Arts Degree (B.A.) in Political Science from Southern University and A&M College, Baton Rouge, Louisiana (1959). He received his Bachelor of Laws Degree (L.L.B.) in June 1962 from the Howard University School of Law in Washington, D.C. Following graduation from Howard University, Judge Johnson began his legal career as a Captain in the U.S. Army Judge Advocate General's Corps, serving duty in Korea, Thailand, Okinawa and Vietnam. While in Okinawa, Judge Johnson served as the Chief of the Military Justice Section for the Staff Judge Advocate Office. In January, 1967 Judge Johnson began a two-year career (1967-1969) in the Civil Rights Division of the U.S. Department of Justice in Washington, D.C. While there he participated in several Civil Rights cases including *Local 189, et al v. United States*, (1969), which was a leading case in establishing the legal basis for affirmative action. Moving to Baltimore in 1969, Judge Johnson established a private law practice and continued to specialize in Civil Rights law. In November 1982, Judge Johnson was elected to his present position, a fifteen-year term on the Circuit Court for Baltimore City. A member of the Louisiana, Maryland, and District of Columbia Bar Associations, Judge Johnson has numerous awards and honors from both civic and fraternal organizations including the American Juris-



Michael W. Lee, Chief Judge
Orphans' Court - Baltimore City
1983-Present

Judge Lee, a native of Baltimore who attended local public schools, graduated from Northwestern Senior High School in 1971. He received a Bachelor of Arts Degree (B.A.) from Macalester College, Saint Paul, Minnesota in 1975 and majored in Political Science, History, and Music. Upon his return to Baltimore, Judge Lee attended the University of Maryland School of Law and received his Juris Doctorate Degree (J.D.) in 1978. While studying at the University of Maryland, Judge Lee chaired the prestigious Moot Court Board. He worked in a private law firm (1981-1984) specializing in civil litigation, probate, immigration law, and juvenile proceedings. Judge Lee has also served as Assistant City Solicitor for the Baltimore City Solicitor's Office (1980-1981). Appointed to the Orphan's Court in 1983 at the age of thirty (30), Judge Lee became the youngest judge in the State of Maryland. Elevated to his current position as Chief Judge of the Orphans' Court in 1984, he is the first Black to serve as Chief Judge of any court in Maryland. An active member of several bar associations and civic organizations, Judge Lee is President of the Maryland Association of Judges of the Orphans' Courts. He also serves on the faculties of Coppin State College, the University of Baltimore School of Law, and the University of Maryland School of Law.







in Arrests Illegal, Highest Court Hints
Afro-American (1893-1988); Oct 28, 1961;
ProQuest Historical Newspapers Baltimore *Afro-American* (1893-1988)
pg. 1

Sit-in Arrests Illegal, Highest Court Hints



MRS. CONSTANCE MOTLEY, JACK GREENBERG
Supreme Court impressed by NAACP argument

Greenberg makes first argument

WASHINGTON— Do police have the right to arrest student sitdown demonstrators in the absence of any request for such action by owners of the affected establishments? That appeared to be the main point at issue Wednesday and Thursday as the Supreme Court began consideration of the first of a long series of sitdown appeals. Pointed questions posed by Chief Justice Earl Warren and Associate Justices Hugo Black, Felix Frankfurter, Charles Whittaker, Potter Stewart and John Marshall Harlan led observers to believe the court would rule police do not have this authority.

THE CASES, *Briscoe, Garner and Boston vs State of Louisiana*, were argued for the NAACP by six-year-old Jack Greenberg, making his first appearance as successor to Thurgood Marshall as chief counsel for the NAACP Legal Defense and Educational Fund.

Representing Louisiana was John F. Ward Jr., an assistant local attorney general.

Involved was the arrest and conviction at Baton Rouge of 16 Southern University students, who were fined \$100 and given 30-day sentences for sitdown demonstrations at a bus station, a drug store and a variety store.

GREENBERG, assisted by Mrs. Constance Baker Motley of NYC, A. P. Tureau of New Orleans, James M. Nabrit 3rd and William Coleman Jr. of Philadelphia, argued that the students were arrested purely on the ground that their mere presence at lunch counters reserved for whites constituted a breach of the peace.

He said Louisiana really used its power in an effort to preserve segregation and contended the record supported no breach of the peace as charged by the state.

Greenberg was interrupted several times by the justices who wanted to know why the students were arrested if no one, including the management of the lunch counters, objected to their sitting in the establishments.

But the full barrage of the
(Continued on page 2)



AT THE SUPREME COURT hearing on the appeal of the sit-in cases of Louisiana, in Washington last week, were two of the Southern University students convicted in the cases. Shown talking with two of the attorneys in the cases, they are, from left:

John Johnson, Cullen, La., Attorney A. P. Tureaud, New Orleans; Kenneth Johnson, Columbia, S.C., and Attorney Jack Greenberg, chief counsel of the NAACP Legal Defense and Educational Fund, New York City. Mr. Greenberg presented the argument.

—Greenberg

(Continued from page 1)
 court's questions was levelled at the Louisiana assistant attorney general.

"IF WE HAD allowed these demonstrations to have continued," Ward argued, "there's no doubt in my mind that violence would have occurred."

"I respect your mind but your mind is not in the record," snapped Justice Felix Frankfurter.

Mr. Frankfurter further wanted to know how the court could assume that violence rather than acquiescence to the students' wish to be served would have resulted from the demonstrations.

He added that in many Southern communities the desegregation of lunch counters had followed similar sitdown demonstrations.

CHIEF JUSTICE WARREN raised the point as to what position Louisiana police would take at a church.

He asked "if a colored person was in a white church praying in violation of customs and nobody objected, could police lawfully come in and arrest the man on his knees for disturbing the peace?"

Ward, plainly showing annoyance with the many queries posed by the court, argued that the situations were not alike.

There would be less likelihood of violence in a church, he contended. He opined that police would exercise their discretion to intervene when violence intervenes.

"Is there anything in the record to indicate that the police were exercising such discretion?" asked Warren.

WARD THEN insisted the students were illegally on private property and compared their action to the sit-down strikes of the Nineteen Thirties.

But Justice Hugo Black refused to accept that argument. He suggested that telling people they would not be served was different from ordering them out.

Justice Charles Evans Whittaker said, "You've invited me in and you've never canceled the invitation. I frankly don't see a breach of peace in that."

JUSTICE POTTER STEWART disputed Ward's contention that police were justified in their fear that the demonstration would lead to violence.

"There's a difference, isn't there between going to a place to watch for and prevent violence and arresting these people?" he asked.

Justice Black drew a laugh from the full chamber when he suggested to the Louisiana official that the only "disturbance of the peace I see in this case was caused by the police."

Later, Justice Black agreed with Mr. Greenberg that it was a "strained inference" to say that refusing the students service amounted to an order for them to leave.

CHIEF JUSTICE WARREN agreed with Justice Black that the real reason management of the establishments had not ordered the students to leave was fear of loss of colored patronage at other departments in the stores.

"If they don't say get out or stay out because they want the colored people's business, should the police come in and make arrests?" Black asked.

Chief Justice Warren added that since the students could have failed to interpret the refusal of service as an order to leave, they are entitled to the benefit of the doubt in a criminal proceeding.

Justice Frankfurter wanted to know why the Louisiana supreme Court passed on facts in the case when the constitution forbids the Su-

preme Court from passing on facts on appeal.

AT ONE POINT during his argument, Mr. Greenberg referred a question posed by Justice Frankfurter to William Coleman for reply.

The question dealt with a point of law pertaining to the Girard case, a desegregation suit involving a Philadelphia orphanage.

Mr. Coleman readily offered an answer and Justice Frankfurter said:

"I respect Mr. Coleman's memory and his legal ability."

Mr. Coleman, a Harvard law graduate, once served as Justice Frankfurter's law

clerk.

COURT OBSERVERS were surprised that Louisiana's Attorney General Jack P. F. Gremillion had left the argument of such an important case to an assistant.

"It seems that the attorney general has reached the point where he likes to drop the lead on Ward," said an observer after the hearing.

Clarence Mitchell, AFRO columnist, who heads the NAACP's Washington Bureau said of the hearing: "I think everything went off well for our side."

Among the spectators in the courtroom were Roy Wilkins, NAACP executive secretary, and two of the student demonstrators, John Johnson of Cullen, La., and Kenneth L. Johnson of Baton Rouge, La.

Kenneth Johnson becomes a judge

By Pam Widgeon
and Johanne Brown
AFRO Staff Writers

Kenneth L. Johnson, who won a seat on the Supreme Bench of Baltimore City in the November general election, was sworn in to office Friday, Dec. 10 during a lengthy ceremony that attracted an oversized crowd of local and out-of-state friends, politicians and family members.

Judge Johnson will be the seventh black judge on the 23 member bench of the city's high court.

Several members of the legal and political arenas in the city spoke before the bench in honor of Johnson. Attorney Elijah Cummings, president of the Monumental Bar Association and former law partner with Johnson said, "He (Johnson) wanted to help those others who have been forgotten. Cummings called the event a "celebration for Baltimore."

Quoting the poet and philosopher Kahil Gibran, Cummings concluded his address by saying, "There are those who give little of the much they have and there are those who give with pain and pain is their baptism...."

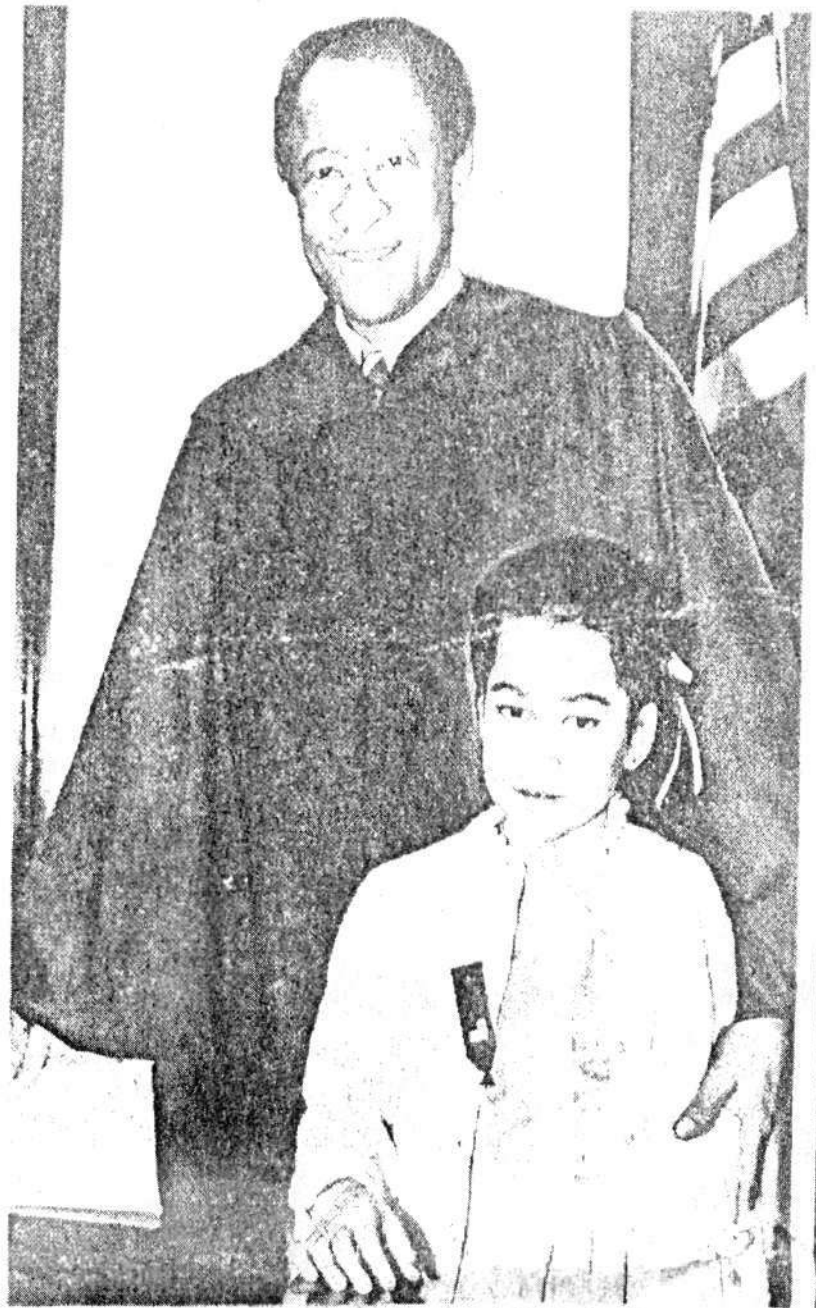
Comparing Johnson's commitments to and perseverance in his campaign to the Gibran description Cummings further explained he chose the passage because Johnson had "refused to stay down when he was pushed down, and got up and dusted himself off."

It was the expressed belief of all the speakers that Johnson would make a "very fine and excellent judge."

Judge Johnson was described by his former law partner attorney Gerald Smith as having "a tremendous commitment to his conscience and to his people."

His experiences in the areas of civil rights and civil liberties will appeal to the bench, Smith said.

Johnson, 45, was robed and escorted to the bench by his mother, Mrs. Geylon Johnson and wife Carolyn Johnson, where he will preside for a term of 15 years. Chief Judge J. Harold Grady presided.



AFRO Photo by Martin Evans

PROUD PAPA, PROUD DAUGHTER — Ken Johnson, who was sworn in as a judge on the Baltimore Supreme Bench Friday

afternoon, stands with his daughter Jennefer, 8, moments after the ceremony.

Judges William H. Murphy Jr. and Robert Bell shook hands with Johnson as he approached the bench.

Judge Milton B. Allen embraced Johnson as members in the chambers shared this historical moment with their candidate for the bench.

Adjusting to the new turf, Judge Johnson whose familiar expressionless expression was ever present peered out onto the crowd behind a not so powerful microphone and thanked his family who came all the way from

Continued on Page 2

The Advocate

OCTOBER 16, 2003

BATON ROUGE, LOUISIANA

Sit-in protester visits Kress building again

By SARA BONGIORNI
Advocate business writer

On March 28, 1960, just before noon, Kenneth Lavon Johnson sat down at the whites-only counter at the S.H. Kress building and requested a cup of tea.

A few minutes later, police arrested Johnson, then 22, and six other Southern University students seated at the counter and led them to a police wagon outside.

The sit-in at the downtown Kress was the first of its kind in Louisiana and set in motion a case that went before the U.S. Supreme Court. The court's ruling helped end racial segregation

at U.S. public facilities.

Until Wednesday, Johnson had never been back to the long-vacant Kress and adjoining Welsh & Levy building, slated to be demolished and replaced with a parking lot.

"I was scared," the now 66-year-old retired judge said of the lunch-hour sit-in while on a visit Wednesday from Baltimore. He described the few minutes at Kress as more frightening than coming under live fire in Vietnam, where he served in the U.S. Army.

"I was ready to meet my maker," he said of his emotions

□ See KRESS, Page 4A



Advocate staff photo by Patrick Dennis

Kenneth Lavon Johnson, a retired judge visiting from Baltimore, notes the faded Kress name on the Third and Main streets building where he and other Southern University students staged a sit-in in 1960 at a whites-only lunch counter. A demolition permit has been taken out on the building.



At the Howard Inn, from left, Marvin Robinson, Felton Valdry, John Johnson, Donald Moss, Janette Hoston Harris, Kenneth Johnson, JoAnn Morris.

Group Recalls 1960 Sit-In During Reunion Here

SIT-IN, From D1

"If I had to do it again, yes, I'd do it again, the same way," said JoAnn Morris, now an administrator at Spelman College in Atlanta. In 1960, Morris was a 19-year-old freshman at Southern. Hers was a sentiment articulated by each of her colleagues, except Donald Moss.

In 1960, Moss, 21, a native of Winfield, La., was married and a second-year law student. "It was really negative in my life. It derailed my life, and I never felt I deserved it," said Moss, who is now director of the Kittrell Job Corps in Kittrell, N.C. Moss's pain was evident in his voice. "I wanted to be free without paying any dues. And I'm still mad about it. I'd be lying if I said I wasn't."

Hoston Harris, today a professor of history at the University of the District of Columbia, was a 24-year-old biology major in 1960. "The sit-in was just another activity I was involved in," said Hoston Harris, whose parents were activists when she grew up in Monroe, La.

After her expulsion from Southern, Hoston Harris's family was harassed to such an extent that they moved to Washington. "But I didn't know it was going to disrupt my life as it did."

About midway through the program, Moss remarked that, "I haven't changed in 30 years. Really, none of us has." It was a sentiment echoed by his six friends. There was lots of teasing, tale-telling and laughter. An intimacy, forged 30 years ago, remained vivid.



In 1960, from left, Marvin Robinson, Felton Valdry, Major Johns, John Johnson, Donald Moss, Janette Hoston Harris, Kenneth Johnson, JoAnn Morris. Johns was a strategist but did not sit in.

When it came to talking about the future and young people, the seven, each of whom works with young people in some capacity, were particularly critical. "I am disappointed in youth, but I am more disappointed in myself and those of our age for not giving them the courage," Kenneth Johnson said. "We really have not done our job. We have given them the wrong message by our inaction."

The seven agreed that there is a need for education, mentoring and innovative approaches to problems of dysfunctional families—as well as for teaching young people a strong value system.

They also see a need for lobbying, political diversity, economic self-sufficiency, and for coalition-building. "There wouldn't have been a civil rights movement if black people hadn't had support," Moss said.

After they were expelled from Southern, the seven scattered to other schools. Some were helped with tuition costs by the New York-based Roothbet Foundation, which funded yesterday's reunion.

When the formal discussion was over, the seven went to Hoston Harris's house for ribs, fish, Hoston and, of course, lots more discussion. Not only of problems, but solutions.

Thurs

M-24-49

Police Dept (Baltimore)

cer praises police

Layson, Friedman, ~~Robertson~~ Robertson
ming by the judge, Mr. Rob-
re blacks fail the examina-
or ticketed them—although he was not
working some of the days mentioned.

TOP BLACK

By SHERIDAN LYONS

Bishop L. Robinson, a deputy city police commissioner, praised the department in his testimony yesterday in a federal discrimination lawsuit—and recalled the racism in the department when he joined it in 1952.

"I'm not saying all is well in the Baltimore Police Department. There is room for improvement," said Mr. Robinson, 51, who was appointed the department's highest-ranking black officer in January.

But in 1952, he said, black officers were segregated both in units of the department and sections of the city. He said they were denied patrol cars and were subjected to racist remarks at roll-call.

Most of the progress has come since 1966 under Commissioner Donald D. Pomerleau, who is "very receptive" and has favored blacks in his appointments, Mr. Robinson said.

The civil lawsuit charging racial discrimination in hiring and promotions was filed in 1973 by the Vanguard Justice Society, Inc., an association of black police officers, on behalf of 500 to 600 former, current or potential employees.

Testimony in the non-jury trial ended yesterday evening, and United States District Judge Frank A. Kaufman gave attorneys un-

who is "very receptive" and has favored blacks in his appointments, Mr. Robinson said.

The civil lawsuit charging racial discrimination in hiring and promotions was filed in 1973 by the Vanguard Justice Society, Inc., an association of black police officers, on behalf of 500 to 600 former, current or potential employees.

Testimony in the non-jury trial ended yesterday evening, and United States District Judge Frank A. Kaufman gave attorneys until August 28 to file written arguments.

Figures provided by the Police Department show 14.3 per cent of the 3,162 officers now in the department are black, compared with 5.7 per cent of 2,877 officers in 1966.

Mr. Robinson said there were about 10 blacks in supervisory positions before 1966, but now there are about 30 black supervisors, of 400 to 500 positions.

Expert witnesses for both sides disagreed again yesterday on the validity of tests used in promoting officers, with the officers' expert saying some questions are discriminatory and are not relevant, and the department's expert saying the tests are related to job performance.

L. J. ... Fred

Under questioning by the judge, Mr. Robinson said, "More blacks fail the examination than do whites. I have no explanation."

When the judge noted the low percentage of black sergeants—5.3 per cent of 352 sergeants—Mr. Robinson said there are not enough blacks entering the department. Inner-city blacks have an average education of 8½ years, he said, and top-quality candidates are raided by private industry and by other police departments offering higher pay and other benefits, he said.

But Barnett Q. Brooks, a lawyer, said he quit the department after 10 years because he could not use his education—and finally was sent back to district patrol.

He said he joined the department after he was graduated from college in 1969, and earned his master's and law degrees while working as a detective. He was told he was being sent back to patrol because one man had to be cut from the headquarters staff, he said, although there were men there with fewer years experience.

He said he wanted to teach in the academy or work in the legal affairs department, but was held back by "practices at the Po-

was sent back to district patrol.

He said he joined the department after he was graduated from college in 1969, and earned his master's and law degrees while working as a detective. He was told he was being sent back to patrol because one man had to be cut from the headquarters staff, he said, although there were men there with fewer years experience.

He said he wanted to teach in the academy or work in the legal affairs department, but was held back by "practices at the Police Department which are racially motivated."

Officer Alex Vallair, 34, testified for the department that he recently took the examination for sergeant and missed by one question. No discrimination was involved, he said, vowing to study harder for the next test.

He said he has worked under sergeants who are prejudiced, but "I don't think it relates to the policy of the department. I think it's an individual thing."

Officer Vallair said he did have racial problems as the only black police officer in Shreveport, La., before he came to Baltimore five years ago. There, he said, he was suspended based upon complaints from relatives of his supervisor that he had harassed

man, ~~James~~ Korbowitz
or ticketed them—although he was not working some of the days mentioned.

Mr. Robinson agreed with testimony by an opposing witness, Lt. Melvin P. Freeman, 51, that they were passed over for promotion to sergeant during the 1950's, and that the lieutenant was the first black officer to be assigned a patrol car in 1957.

"When I entered the Police Department, it was blatantly segregated," Mr. Robinson said. "Blacks were required to work in restricted areas—areas that were predominantly black. Racial epithets were made openly on the floor at roll-call. I was not allowed to be assigned to a patrol car, because I was black. I was limited as to transfers. . . .

"I never dreamed that I would ascend through the organization to the position where I would control all of the radio cars."

In 1954, he said, the first three blacks were assigned to the detective bureau, which "opened the door for blacks to work in other areas other than the districts."

In 1957, a black was appointed sergeant, and he began to assign radio patrol cars to

where I would control all of the radio cars.”
In 1954, he said, the first three blacks were assigned to the detective bureau, which “opened the door for blacks to work in other areas other than the districts.”

In 1957, a black was appointed sergeant, and he began to assign radio patrol cars to black officers. One black officer was appointed a captain, and in 1966, the first black major was hired from outside the department, Mr. Robinson said.

The real impetus came in 1966, he said, with Commissioner Pomerleau.

“The greatest strides” came between 1971 and 1974, and have continued in “a steady line” since then, Mr. Robinson said.

He said most blacks and whites in the department still do not interact socially. He is trying to keep black recruits from becoming discouraged through a “buddy system” with other black officers, he said.

There still “might be employees who discriminate among that 3,500,” he said, but there is no impediment to success for a black officer who has the drive and the ability to succeed, he said.

Re: New American

7-25-68

Donald P. Pomerleau

Brooklyn, Friedman

Pomerleau In Court:

By **ELLISON WOOD**
Feature

Assistant Justice Commissioner Donald P. Pomerleau has not been "not involved with the problem," according to the Department's "committee" which recently reported.

The hearing about upward black mobility at the National Justice Society and the National Association for the Advancement of Colored People weren't successful either. The three were dismissed last week after they filed in 1972 and 1974, have been considered and have finally been dismissed.

That civil rights trial Monday found Pomerleau on the witness stand, admitting to U.S. District Judge Frank A. Kaufman that once after he took over the department in 1968 he "issued a direct command by accepting the government

DONALD POMERLEAU
top right



to use (black) men who had a record of serious delinquency and non support."

But he said the illegal activity occurred "so long ago, and the men had been clean since those things happened."

There was, he said, "a moral obligation to an urban area to protect the needs of the community, to increase the force, which had a 100% vacancy during

the years 1967, 1968 and 1969," a time of great unemployment.

The Vanguard Justice Society and the NAACP have asked the federal court to order more blacks hired into the department and promoted to higher posts.

The class action suit also seeks payment of punitive damages to 400 to 500 past and present black officers.

The commissioner told the judge, "We're being tested by private industry and by the federal government for our well-qualified black personnel."

He said he has tried to increase his black budget over the past four or five years to raise salaries, which just barely cover market standards.

Pomerleau, defended by both the city solicitor's office and the state attorney general's office, declared he will not return the department's hiring standards.

He said blacks and whites were in

We Want More Blacks

1968 and 1969 have the same educational opportunities and he can't understand why blacks should have their salaries less weighted.

Pomerleau said he was at least at identifying the issue and trying to help in an effort to get a high school diploma or the General Education Development examination. The education issue has been considered by the state's education department.

positions. Many of these are blacks, he said.

Having said he was often from a recruitment search, Pomerleau told Kaufman, "They're going to have a long time getting their own commission. I've got a good department here. They're going to have to start from within the department. That was one of my goals."

He was disappointed in the report of

of 12. Justice Friedman, 33, with Pomerleau he had more 12 years as a public man before being promoted to assistant chief of police.

Pomerleau said, "But Friedman has trouble in getting his exams but we started him promoted and he had been out of a general development program."

Another black policeman who said, "I was promoted from 1968 and he had

the department is...
Mr. Robinson said...
blacks in supervisory...
but now there are also...
over 400 to 500 jobs...
Expect witnesses to...
again yesterday on the...
in promoting officers...
but saying some que...
er and are not re...
ment's expert says...
job performance.

The New American

NAME

4-25-78

DATE

Donald D. Pomeroy

SUBJECT

Bereska, Friedman

a In Court:

the years 1967, 1968 and 1969," a time of great civil unrest.

The Vanguard Justice Society and

By ELLISON MOSS

Staff Reporter

Baltimore Police Commissioner Donald D. Pomerleau has told a federal judge he is "not satisfied with the progress" resulting from the department's "total effort" to hire minority groups.

The force is about 10 percent black.

The Vanguard Justice Society and the National Association for the Advancement of Colored People weren't satisfied, either. The three race discrimination cases they filed, in 1973 and 1974, have been consolidated and have finally come to trial.

That civil rights trial Monday found Pomerleau on the witness stand, admitting to U.S. District Judge Frank A. Kaufman that soon after he took over the department in 1966 he "started a double standard by accepting (as patrolmen)

**DONALD
POMERLEAU:**
top cop.



those (black) men who had a record of larceny, bastardy and non-support.

But he said the illegal action occurred "so long ago, and the men have been clean since those things happened."

There was, he said, "a moral obligation to an urban area to protect the interests of the community (to increase the number of jobs) which had a 300-man vacancy) c



LD
RLEAU:

ack) men who had a record of
bastardy and non-support."

he said the illegal actions oc-
so long ago, and the men had
ean since those things hap-

e was, he said, "a moral obliga-
urban area to protect the needs
mmunity (to increase the force,
ad a 300-man vacancy) during

the years 1967, 1968 and 1969," a time of
great civil unrest.

The Vanguard Justice Society and
the NAACP have asked the federal court
to order more blacks hired into the de-
partment and promoted to higher posts.

The class action suit also asks pay-
ment of punitive damages to 400 to 500
past and present black officers.

The commissioner told the judge,
"We're being raided by private industry
and by the federal government for our
well-qualified black policemen."

He said he has tried to increase his
\$98 million budget over the past four or
five years to raise salaries "which just
barely meet rural standards."

Pomerleau, defended by both the city
solicitor's office and the state attorney
general's office, declared he will not re-
duce the department's hiring standards.

He said blacks and whites born in

WHITE DRUGS

partment. Many of these are blacks, he said.

Noting that he was chosen from a nationwide search, Pomerleau told Kaufman, "They're going to have a tough time selecting their next commissioner. I've got a good department here. They're going to have to select from within the department. This was one of my goals."

He was reappointed to his second six-year term last month by Mayor Schaefer.

Pomerleau, who testified for more than two hours, said the department is not hiring now and won't be for another six to nine months because of financial problems.

In order to get black officers higher up in commands, Pomerleau said, "I've sometimes seemed to have discriminated against the whites."

of Lt. Melvin Freeman, 51, who complained he had spent 13 years as a patrolman before being promoted to sergeant and then to lieutenant.

Pomerleau said, "Mel Freeman has trouble in passing his exams but we wanted him promoted and he had been put in a preferred development program."

Another black policeman who testified, Patrolman Earl Nesbit, said he felt he had been discriminated against but, under questioning, said he couldn't back up his claim with specific examples.

Several expert witnesses testified for the NAACP that the entrance tests were unfair, designed for better-equipped whites.

One more defense witness remains to be called when court reconvenes Wednesday at 10 a.m. — the last day of the trial.

1955 and 1956 have the same educational opportunities and he can't understand why blacks should have their entrance tests weighted.

Pomerleau said he was in favor of abolishing the tests and relying instead on an applicant's high school diploma or the General Education Development examination. The entrance tests have been ordered by the Civil Service Administration.

On the other hand, Pomerleau insisted it is essential for officers to take examinations for promotions and to stay in grade for specified times "to gain the experience."

Pomerleau said he has 40 departmental members with master's degrees, another 300 with bachelor's degrees and some 500 members now attending colleges on a part-time basis — with much of the college expense paid by the de-

partment. Many of these are black, he said.

Noting that he was chosen from a nationwide search, Pomerleau told a reporter, "They're going to have a hard time selecting their next commander. I've got a good department here and they're going to have to select from within the department. This was one of my goals."

He was reappointed to his second year term last month by the Civil Service Commission.

Pomerleau, who testified for more than two hours, said the department is not hiring now and won't be for at least six to nine months because of financial problems.

In order to get black officers up in commands, Pomerleau said he sometimes seemed to have discriminated against the whites.

The comment came after test-

12 city officers due sergeant stripes

By Wiley Hall 3rd

Twelve city police officers, one of the black, will be promoted to sergeant today as the Police Department continues its efforts to right past discriminatory practices without creating new ones.

U.S. District Court Judge Frank F. [unclear] discrimi-

2 city officers
re sergeant
ipes

By Wiley Hall 3rd

city police officers, one of the black, will
ted to sergeant today as the Police Depart-

Police

Evering Suo
NAME

12/20/79
DATE

Police
SUBJECT

By Wiley Hall 3rd

Twelve city police officers, one of the , black, will be promoted to sergeant today as the Police Department continues its efforts to right past discriminatory practices without creating new ones.

Last March, U.S. District Court Judge Frank F. Kaufman said the qualifying test for sergeant discriminated against blacks and ordered the Police Department to give new tests to 153 qualified black police officers.

Three weeks ago, the department promoted 15 of the 33 black officers who had passed that test.

However, officers who had passed the qualifying test a year ago, most of them white, felt they had been unfairly passed over for promotion.

In addition, the 18 black officers who had not been promoted also felt they had been unfairly treated.

Last week, Judge Kaufman met with lawyers for the local Fraternal Order of Police, the Vanguard Justice Society (an organization of black police officers) and representatives of the Police Department to work out a compromise.

The representatives agreed to merge the two lists: the list of officers who had taken the original promotional test in 1977 with the remainder of the list of black officers who were given a special test this fall.

The list from the 1977 test was extended an addi-

test a year ago, unfairly passed over for promotion.

In addition, the 18 black officers who had not been promoted also felt they had been unfairly treated.

Last week, Judge Kaufman met with lawyers for the local Fraternal Order of Police, the Vanguard Justice Society (an organization of black police officers) and representatives of the Police Department to work out a compromise.

The representatives agreed to merge the two lists: the list of officers who had taken the original promotional test in 1977 with the remainder of the list of black officers who were given a special test this fall.

The list from the 1977 test was extended an additional year. It normally would have expired in March 1979.

The 12 officers promoted today were the ones with the highest scores on the merged list. The promotions fill all but six of the department's 370 authorized positions for sergeant.

While the latest arrangement apparently satisfies the officers now on the merged list, a third group of officers is still unhappy.

According to Herbert Weiner, lawyer for the FOP, the Civil Service routinely gave the qualifying test for sergeant to several hundred officers in November 1978, several months before Judge Kaufman ruled that test discriminatory.

The 80 officers who qualified for sergeant from that test normally would have formed a new list to replace the 1977 promotional list.

However, the Civil Service informed those officers last week that the judge's ruling disqualifies that test.

black officers who were given a list.
The list from the 1977 test was extended an additional year. It normally would have expired in March 1979.

The 12 officers promoted today were the ones with the highest scores on the merged list. The promotions fill all but six of the department's 370 authorized positions for sergeant.

While the latest arrangement apparently satisfies the officers now on the merged list, a third group of officers is still unhappy.

According to Herbert Weiner, lawyer for the FOP, the Civil Service routinely gave the qualifying test for sergeant to several hundred officers in November 1978, several months before Judge Kaufman ruled that test discriminatory.

The 80 officers who qualified for sergeant from that test normally would have formed a new list to replace the 1977 promotional list.

However, the Civil Service informed those officers last week that the judge's ruling disqualifies that test.

Mr. Weiner said the FOP is asking the judge to consider merging the third list (that of the 80 officers who took the test last year) with the two lists merged last week.

"A lot of guys took that test [in November 1978] in good faith," Mr. Weiner said. "This is the best way I can think of giving everybody a chance."

Judge Kaufman is scheduled to consider the FOP's request later this month.

RG.9, S.39

Box 45

PENSION (CONTD.)

TO

POLICE DEPARTMENT, 1979-1983

RG. 9, S. 39

Box 45

PENSION (CONTD.)

TO

POLICE DEPARTMENT, 1979-1983

Union Leaders, Blacks Challenge Pomerleau's Confirmation

Police Commissioner Donald Pomerleau is expected to weather challenges by union and black elected leaders this week to win City Council confirmation to a third six-year term. A poll of all but one council member Monday showed the controversial commissioner has 3 confirmation votes, three more than needed for re-appointment.

However, Mr. Pomerleau's appointment may stand or fall on the challenges leveled last week by Councilman Michael Mitchell, D-4th, several black political leaders and a number of leading labor leaders. The core of their objection is a 1975 state Senate investigation of domestic surveillance activities carried on by city police with Mr. Pomerleau's knowledge.

The conclusion of that report which some council members were not familiar

with on Monday said in part "evidence showed activities, persons and organizations having no connection with crime or unlawful activities were improperly surveilled and investigated."

"The police prepared background reports containing very personal and sensitive information concerning various citizens. This type of activity was a clear abuse of the police powers vested in the department and is abominable," it continued.

Thomas Bradley, president of the Baltimore Metropolitan Council of AFL-CIO unions, said that because he was a victim of those abuses, he would oppose Commissioner Pomerleau's

nomination. He said the nomination may be rejected if council members attend the confirmation hearing and listen closely to the findings of the Senate committee.

59b

Police

This Clipping Processed by
MDDC PRESS CLIPS INC.

9 W Chase St Phone 301-
Baltimore, Md 21201 837-6070

Commissioner

**Baltimore, Md.
Guide**

JUN 8 1978

Union Leaders, Blacks Challenge Pomerleau's Confirmation

Police Commissioner
Donald Pomerleau is ex-
with on Monday said in p
"evidence showed activit
persons and organizati

JUN 8

Union Leaders, Blacks Challenge Pomerleau's Confirmation

Police Commissioner Donald Pomerleau is expected to weather challenges by union and black elected leaders this week to win City Council confirmation to a third six-year term. A poll of all but one council member Monday showed the controversial commissioner has 13 confirmation votes, three more than needed for re-appointment.

However, Mr. Pomerleau's appointment may stand or fall on the challenges leveled last week by Councilman Michael Mitchell, D-4th, several black political leaders and a number of leading labor leaders. The core of their objection is a 1975 state Senate investigation of domestic surveillance activities carried on by city police with Mr. Pomerleau's knowledge.

The conclusion of that report which some council members were not familiar

with on Monday said in part "evidence showed activities of persons and organizations having no connection with crime or unlawful activities were improperly surveilled and investigated."

"The police prepared background reports containing very personal and sensitive information concerning various citizens. This type of activity was a clear abuse of the police powers vested in the department and is abominable," it continued.

Thomas Bradley, president of the Baltimore Metropolitan Council of AFL-CIO unions, said that because he was a victim of those abuses he would oppose Commissioner Pomerleau's nomination. He said the nomination may be rejected if council members attend the confirmation hearing and listen closely to the findings of the Senate committee.

Bar's Disinterest Closes Lawyers' Urban Projects

GERALD A FITZGERALD

The Sun (1837-1985); Sep 13, 1970; ProQuest Historical Newspapers The Baltimore Sun (1837-1985)

pg. 18

Bar's Disinterest Closes Lawyers' Urban Project

By GERALD A. FITZGERALD

A lawyers committee that has represented groups involved here in minority housing and education controversies has lost its financial support and plans next week to close its office and disband its small staff.

The local group is one of 13 projects organized about 18 months ago in major cities by the Lawyers Committee for Civ-

il Rights Under Law, which was formed by leaders of the American bar in 1963 at the request of the late President Kennedy.

The Baltimore Urban Areas project and 12 similar groups were formed across the country and began operating last year with the help of a \$950,000 grant from the Ford Foundation.

The purpose, in each of the cities, was to encourage lawyers

in their own communities to join with organized urban Negroes and other minorities in seeking solutions to some of the problems underlying the riots of the past five years.

The projects depended heavily on the willingness of local lawyers to give their time and money and eventually to make them financially self-supporting.

According to Peter Connell, the Washington-based committee's executive director, 11 of the cities made substantial progress toward this goal this year. Only Baltimore and Seattle failed to do so, he said.

Kenneth Johnson, the Baltimore staff director, added that a small group of local lawyers have given generously of their time, but the bar, generally, he said, has shown little interest in the project.

Mr. Johnson said that Ford spent about \$60,000 supporting the project here during the past 15 months and was prepared to advance another \$30,000 if the community could produce \$20,000 in matching funds.

Only \$2,000 Raised

The local steering committee, however, came up with only \$2,000 in contributions and another \$2,500 in pledges, nearly half of which was promised by the union representing blue col-

lar workers in the city government.

Except for the Junior Bar Association, which pledged another \$1,000, he said, there were no large contributors from Baltimore's law firms and bar groups.

Mr. Johnson said he found this response deeply disappointing, since it was "this same legal community that raised an enormous campaign fund" to elect the incumbent judges in next week's primaries.

The lawyer, a Mississippi-born Negro who came to the project from the Justice Department's Civil Rights Division in March of last year, added that the experience supports his own view of the country's legal system.

"It simply does not work for those who are economically disadvantaged," he said. "People

who have money and contacts are treated differently from those who do not."

Groups the committee has represented during its brief existence in Baltimore have included neighborhood associations in Montebello and Edmondson Village and Activists, Inc., which helped to organize both neighborhood groups against real estate speculators.

Some of the committee's lawyers have also provided legal services to members of a youth project in Waverly, where complaints about police harassment have been common.

The group has also represented the militant West Baltimore civil rights group, Making A Nation (MAN), run by former associates of the late Dr. Martin Luther King.

Firemen's attorney blasts city defense

BALTIMORE: Kenneth L. Johnson, attorney for four black firemen, declared Wednesday that the defense put on by the city is "the most racist that I have ever witnessed in my 11 years of experience as a trial lawyer in civil rights cases."

Johnson's statement came at the conclusion of testimony in the case of the firemen who have charged the Baltimore City Fire Department with racial discrimination.

Prior to Johnson's comment, Federal Court Judge Joseph H. Young had ruled that 69 new fire fighters could be hired by the Fire Department provided at least 25 to 30 per cent of the new class at the fire school are black, (approximately 17 to 20 men).

The ruling followed pleas from City Solicitor George L. Russell Jr. that the ban on hiring was exhausting the supply of trainees in the various fire schools.

Johnson a native of Columbia, Miss. and Howard University Law School graduate, told the AFRO that, "It was acutely embarrassing for me as a black man have another black person (Russell, one to defend such racist conduct on the part of the city."

Johnson added that Russell, "did everything in his power to block the progress of the black community in general, and the black fire fighters in particular."

Monday, Johnson objected to alleged, "personal attacks", directed at him by the City Solicitor since

the outset of the trial, five weeks ago.

"The personal attacks, he said, "were designed to upset me and divert my attention from the trial. The matter on trial is neither myself nor Mr. Russell, but whether the black fire fighters get a fair shake in the Fire Department."

At one point in Wednesday's session, Russell objected to questions asked by Johnson as a, "potpourri of irrelevant dribble." Later in the session, the city solicitor criticized Johnson's tactics saying, "even a law student wouldn't do that."

Final arguments in the case will not be heard until April 6, according to a schedule drafted by Judge Young.

Friedman

Police Misconduct

Sir: *The Sun*, in its news columns
y 5, discussed alleged misconduct
city police officials in three sepa-
e articles.

) "Coverup laid to city police."
s article alleged that high city pol-
officials were involved in the cov-
and the destruction of informa-
pertaining to illegal drug traffic
that Donald D. Pomerleau, Police
missioner, may not have been
e of some of the resulting inter-
legations and reports.

"Decision due in police bias
This article discussed a suit
in late 1973, alleging that police
were racially segregated.

The Sun

NAME

7-18-78

DATE

City Police

SUBJECT

Police Misconduct

Sir: The Sun, in its news columns July 5, discussed alleged misconduct by city police officials in three separate articles.

1) "Coverup laid to city police." This article alleged that high city police officials were involved in the coverup and the destruction of information pertaining to illegal drug traffic and that Donald D. Pomerleau, Police Commissioner, may not have been aware of some of the resulting internal allegations and reports.

2) "Decision due in police bias suit." This article discussed a suit filed in late 1973, alleging that police units were racially segregated, black employees were excluded from administrative supervisory positions and that police issue traffic citations to black motorists at a significantly higher rate than to white motorists.

3) "Owner blames delly failure on officer." In this article, a businessman alleged that his respectable business was closed within six months from the opening date, in January,

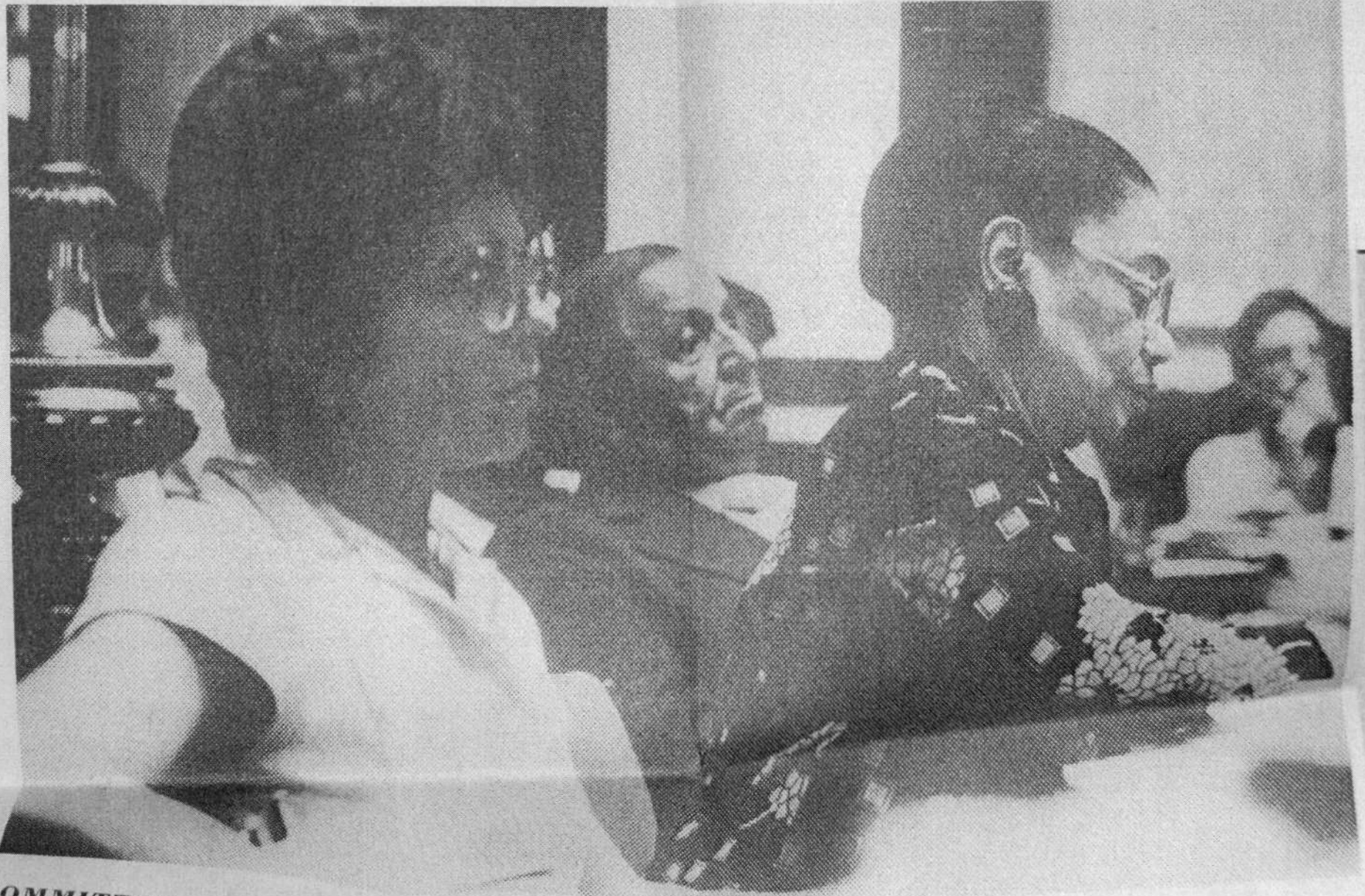


STANDING ROOM ONLY—Spectators and witnesses crowd the rear of the Council chamber for

the hearing on the re-appointment of Police Commissioner Donald D. Pomerleau.

STANDING ROOM ONLY—Spectators and witnesses crowd the rear of the Council chamber for

the hearing on the re-appointment of Police Commissioner Donald D. Pomerleau.



BISH
missio

COMMITTEE MEMBERS—Members of the Executive Nomination Committee of City Council listen to testimony at the Pomerleau hearing. Shown at left is Chairwoman

Second (L) and Fourth District Councilwoman Victorine Adams. First District Councilman

In favor



BISHOP ROBINSON—Deputy Police Commissioner "... unequivocal support ..."



HONOREES — At a dinner in their honor are Virginia Union University students, incoming freshmen and alumni. Pictured left to right are

AFRO photo by Roman Hankewycz
Serita Elliot, Osborne Payne, Glenda Pierce,
Kenneth L. Johnson, Bridgette Willis, Cheryl
Everly,

①

We came out Schmoking on Sept. 14 —
let's do it again for Georgia and Ken on Nov. 2



Parren J.
MITCHELL

Budget amendment is dead

On Friday, Oct. 1, 1982, the Reagan Administration forced a vote in the House of Representatives on House Joint Resolution 350, to amend the Constitution to require a balanced federal budget. Under no circumstance could I support this legislation.

The following is my statement in opposition to the amendment:

Mr. Speaker, I rise in strong opposition to House Joint Resolution 350, to amend the Constitution to require a balanced budget. I will not support either this measure or the substitute.

I submit to my Colleagues that I am truly saddened and resentful that while our national unemployment level hovers near 10 percent, we are literally ignoring the problem by debating the enactment of an initiative which is neither economically feasible, nor practically applicable in most national economic situations.

It is most distressing to realize the Administration and those Members who support H. J. Res. 350 have led the American people to believe the enactment of this "Constitutional straight jacket" will provide, among other things, tax relief, an end to unscrupulous government spending, and an answer to such critical problems as inflation and unemployment.

My Colleagues, it also is ironic the balanced-budget amendment is based upon, among other things, a presumption of an extremely strong relationship between high deficits and high inflation.

Ironically, we are willing to ignore economists after economists who stress that no such close correlation is confirmed and the data do not substantiate such a contention.

On another note, the issue of a balanced budget has been so sensationalized that we must wonder if this purported mandate from the people is clouded by the rhetoric of its proponents that government spending as a percent of the GNP is the sole culprit in our nation's economic ills.

Again, we would rather prophetically allude to the positiveness of putting severe restraints on the ability of the government to do its job than face the fact that econometric models have confirmed such spending restraints would boost unemployment, and fail to have a significant effect on inflation (econometric models from CRS with use of economic assumptions and models from the Urban Institute).

Mr. Speaker, the proponents of the balanced budget amendment, to include the present Administration, are feeding the American people some fantastic lies.

They are leading these constituents to believe that the enactment of this initiative will provide the panacea for the solving of our critical economic problems. These proponents are well aware that such contentions are just unfounded.

PIONEERS IN VITILIGO RESEARCH

The National Frontiers Vitiligo Foundation, Inc., is a medical research and service corporation formed in 1954 under the auspices of Frontiers International, "to stimulate, coordinate, sponsor and direct scientific research and study to determine vitiligo." Since it was first formed, it has given annual contributions to vitiligo research efforts and for the treatment of vitiligo patients to the Division of Dermatology at the Freedman's Hospital and the Howard University College of Medicine in Washington, D. C.

DINNER MENU

FRENCH ONION SOUP WITH CHEESE CROUTONS
BRAISED SWISS STEAK BERNOISE
CROSS KEYS SALAD BOWL
POTATO CROQUETTES STRING BEANS
RUM CHOCOLATE ICE CREAM
WITH CRUSHED PINEAPPLE SAUCE
ASSORTED HOT ROLLS AND BUTTER
COFFEE, TEA OR MILK

Dinner Served at 7:30 p.m.

OFFICERS OF THE BALTIMORE FRONTIERS

Robert L. Johnson, II *President*
Dale G. Lee *1st Vice President*
George A. Carroll *2nd Vice President*
Samuel W. Marlow *Secretary*
Franklin C. Fulton *Treasurer*
Rev. Howard L. Cornish *Chaplain*
Dr. Parlett L. Moore *Executive Board Member*
Charles W. Jones *Executive Board Member*
Roland D. Wheatley *Executive Board Member*

BANQUET COMMITTEE

George A. Carroll Dale G. Lee A. Paul Moss
Franklin C. Fulton Samuel W. Marlow Roland D. Wheatley
Dr. Parlett L. Moore

FRONTIERS INTERNATIONAL, INC.

Baltimore Frontiers Club

presents its

ANNUAL *Awards Banquet*



Cross Keys Inn

Village of Cross Keys
5100 Falls Road
Baltimore, Maryland

Thursday, October 10, 1974

Benefit

Frontiers Medical Research (Vitiligo) Foundation

THEME

"A Salute To The Champions For Human Rights"

1974 Program

Toastmaster - DALE G. LEE, Vice President, Baltimore Frontiers

INVOCATION The Reverend Howard L. Cornish
Chaplain, Baltimore Frontiers

THE OCCASION Robert L. Johnson, II
President, Baltimore Frontiers

INTRODUCTION OF SPEAKER Dale G. Lee
Baltimore Frontiers

THE ADDRESS Honorable Clarence M. Mitchell, Jr.
Director, Washington Bureau of NAACP

PRESENTATION OF AWARDS

Category One — Distinguished Service Citations

Honorable Clarence M. Mitchell, Jr.

Presented by Robert L. Johnson, II

Honorable Kenneth Johnson and Gerald A. Smith

Attorneys-at-Law and Professional Associates

Presented by George A. Carroll
Vice President, Baltimore Frontiers

Category Two — Frontiersman of the Year

Yokefellow Howard L. Cornish

Presented by Wilbert F. Singleton
2nd District Director, Frontiers International

Category Three — Meritorious Community Service Awards

A. "Business Executives"

John Hauswald

President, Hauswald Baking Company

Presented by Roland D. Wheatley
Baltimore Frontiers

Allen Quille

President, Quille Parking Company

Presented by Charles W. Fletcher
Baltimore Frontiers

B. "Public Service Executives"

Dr. Roland N. Patterson

Superintendent, Baltimore City Public Schools

Presented by Dr. Parlett L. Moore
Baltimore Frontiers

Honorable Milton B. Allen

States Attorney for Baltimore City

Presented by Samuel W. Marlow
Baltimore Frontiers

1974 Program

Honorable Elbert L. A. Guillory

Executive Director, Maryland Human Relations Commission

Presented by Oliver Brown
Baltimore Frontiers

C. "Public Spirited Professionals"

Dr. Emerson R. Julian

Physician and City Councilman

Presented by Arlington S. Phillips
Baltimore Frontiers

Reverend Vernon N. Dobson

Minister and Public Crusader

Presented by Rev. W. Lyndsai Pitts
Baltimore Frontiers

Professor Elizabeth F. Johnson

Educator and Social Worker

Presented by Ernestine H. Johnson
President, Women's Auxiliary, Baltimore Frontiers

SPECIAL PRESENTATIONS

NAACP Life Membership Subscription

Presented by Eugene Prettyman
Baltimore Frontiers

Boy Scouts Of America Donation

Presented by Leslie Gundy
Baltimore Frontiers

YMCA Underprivileged Youth Donation

Presented by Franklin C. Fulton
Baltimore Frontiers

BENEDICTION The Reverend H. Albion Ferrell
Chaplain, Frontiers International

The Frontiers Club is an organization of business, professional and community leaders imbued with a desire to render service to others. While it strives to use its influence to harness the cooperative spirit of other organizations and interested persons toward the amelioration of civic and social ills, the Frontiers Club has no particular ax to grind. Its actions are grounded in the philosophy "Advancement Through Service."

The Annual Awards Banquet of the Frontiers Club is designed to give appropriate recognition to those who have rendered exemplary community service without thought of themselves as well as to inspire others to follow in their footsteps.

Acknowledgements

We wish to extend our sincere thanks to the Women's Auxiliary of the Baltimore Frontiers and to the following Civic, Social, Fraternal, Business and Labor organizations for their contributions in support of this public service project of Frontiers International.

American Federation of Government Employees

Amoco Oil Company

George A. Carroll, Inc.

Hauswald Baking Company

Irene's Beauty Salon

Jenkin's Sales and Service

Johnson and Smith, P.A., Attorneys-At-Law

Leon Bridges Company - Architects and Urban Planners

Maceo's Lounge and Catering Service

Madison Park Professional Center

Maryland Commercial Interprises

National Union of Hospital and Nursing Home Workers

Omega Psi Phi Fraternity, Inc.

Parks Sausage Company, Inc.

Phillips Funeral Home

Quille Parking Company

Samuel's Jewelry and Record Mart

Star Cleaners

Wells Printers

SPECIAL PATRON

Honorable Parren J. Mitchell

Member of Congress from State of Maryland

A REUNION COMMEMORATING THIRTY YEARS OF POLITICAL AND CIVIL STRUGGLE
LOUISIANA SIT-IN

by

Janette Hoston Harris, Ph.D.

The first seven students to lead the Sit-In movement in the State of Louisiana came together in the Nation's Capital to mark the first reunion of this historical event on Saturday May 26, 1990 at 12:30 p.m. The reunion and Press conference was held at the Howard Inn in the Reeve room.

The most powerful political revolution in the United States was the Sit-In movement. The '60's witnessed sweeping changes in the social and political structure of our country, changes which brought about justice, liberty and equality in employment, government and education for the Afro-American race. This movement changed the social order and unleashed voices forbidden to speak for centuries.

The largest student Sit-In movement from which the first Sit-In case to reach the Supreme Court occurred on the campus of Southern University, March 28, 1960. This movement had a tremendous impact on the lives and future of many students, faculty and staff who later emerged as renown activist, educators, entrepreneurs, lawyers, judges and in leadership positions throughout this country. This movement also helped shape the direction of human and civil rights in Louisiana and opened up a bevy of jobs and political access for African Americans.

After the Sit-In in 1960, this group of students were jailed and expelled from the University and several from the State. As a result of this action and notoriety, many of the students were aided in completing their education through such organizations as the American Friend Service, NAACP, Roothbert Foundation and others. Each of the students in this First Sit-In case were afforded the opportunity to complete their education. They were: Janette Hoston Harris, Historian, Businesswoman, Washington, DC; John Johnson, Attorney, New York; Kenneth Johnson, Judge of the Circuit Court, Baltimore; JoAnn Morris, Educational Administrator, Georgia; Donald Moss, Job Corps Director and Civic Leader; Marvin Robinson, Attorney and Businessman, Texas; and Felton Valdry, Real Estate Developer, California.

The attorneys who worked on this case through a mock trial at Howard University in 1961 and argued for the petitioners in the United States Supreme Court case, Garner ET AL. v. Louisiana (which included case No. 26, Garner et.al.v.Louisiana; No. 27, Briscoe et al.v.Louisiana; and No. 28, Hoston et al.v.Louisiana) were the late Wiley Branton, A.P. Tureaud, Thurgood Marshall, James Nabrit, III and William Coleman, Jack Greenberg and Louis Pollak.

The general population will benefit from this information and will gain a great deal of insight into the Sit-In movement and the role of the Roothbert Fund, Albert & Toni Roothbert, and Carl Solberg in this effort. These groups along with many others helped in furthering the education of the Sit-In students as they pursued their goals from an expelled Southern University. They graduated from Howard University, Georgetown Law School, Central State University and Wilberforce University, most with graduate degrees. These former students have achieved great success in their developing years.

Lawyer battles to protect minorities' civil rights

By KAREN CHATMON

News American Staff

More than a decade ago, Kenneth L. Johnson stood in a Birmingham, Ala., courtroom arguing a Justice Department case to desegregate the faculties of public schools in five Southern states.

The judge was Sybourne H. Lynn, who told the civil rights attorney he never would order the integration of school faculties.

"For five days during the trial, Judge Lynn turned his back on me and read a newspaper," Johnson said. "He told me at the beginning of the trial he would never order a white teacher to teach black children."

At that time, Johnson headed the civil rights unit of the Justice Department in Georgia. The government sought compliance with federal laws by seeking a court judgment to integrate faculties of schools in Georgia, Alabama, Mississippi, Louisiana and Texas.

Lynn was attempting to force the government's case into the Circuit Court of Appeals, with no prior court decision on record for consideration.

"Every objection I made was overruled. But the judge sustained the objections of the (attorneys representing the states)," Johnson said.

Lynn ruled in favor of the states, but his decision later was overruled in the Fifth Circuit Court of Appeals. Lynn is still a senior judge in Birmingham.

Johnson, who has been a civil rights and constitutional law attorney for 16 years, has participated in some of the country's most difficult school desegregation and civil rights trials.

But despite the enactment of scores of federal and local laws designed to protect the rights of individuals over the past decade, Johnson's practice in Baltimore still demonstrates that America is not quite the land of equal opportunity.

The dramatic battles of the 1960s are over, but he now represents hundreds of minority and female persons employed, or seeking employment, with fire and police departments in Baltimore and seven other cities.

Before entering private practice in Baltimore in 1970, the Marion County, Miss., native worked with the Lawyer's Commission for Civil Rights Under Law.

A graduate of Southern University in Louisiana and the Howard University School of Law in Washington, he also served four years with the Army's Judge Advocate's General Corps in the Far East.

Johnson currently works in association with Anthony A. Robinson, a former Equal Employment Opportunity Commission lawyer.

They represent black steelworkers employed by three major local steel firms, as well as police and fire department employees.

Johnson said still pending are class action suits filed on behalf of female and black firefighters against Baltimore; Norfolk and Richmond, Va.; Washington, D.C.; Mount Vernon, New Rochelle, White Plains and Yonkers, N.Y.

The bulk of these suits, filed between 1972 and 1977, allege unfair hiring, promotion and job-placement practices by city fire departments. Similar suits have been lodged against the Baltimore Police Department.

"We filed suit on the behalf of the black firefighters of Baltimore in December 1972. Judge Joseph H. Young Jr. issued an order (which decreed) that the Fire Department do away with discriminatory tests. He also ordered that everyone who comes into the department be a resident of the city.

"The tests still have a discriminatory impact; and we suspect that some people who come into the Fire Department don't live in the city. We'll investigate this, and if our suspicion is correct, we will go back to court," Johnson said.

He and Robinson also represent the Vanguard Justice League, a black police officers' organization, and are in a suit against the Baltimore Police

Department. In a women's suit, 75 women passed all of the tests and became eligible to come into the department, then, (Commissioner Donald) Pomerleau set a height requirement of 5 feet 7 inches. Only 10 women at that time met that requirement. Johnson and Robinson contend that the height requirement is not



The News American — Andrew Keen

SEEKS JUSTICE: Kenneth Johnson.

job-related and the Supreme Court has ruled so in other cases."

On the Vanguard suit, Johnson said blacks were failing the department's entrance examination at a rate greater than 2 to 1. "We contend that test had a discriminatory impact."

Johnson says, "The Schaefer administration has done nothing to change the historical pattern of discrimination. Title VII of the 1964 Civil Rights Act now applies to the city also."

That measure was amended to bring municipalities into compliance with federal law barring discrimination in employment in March 1972.

Of the need for more stringent enforcement of existing civil and employment rights laws, Johnson said forced compliance may be difficult and costly for individuals.

"The outlook is bleak. The government's enforcement program is a paper one. EEOC is supposed to enforce the law, but it is now actively working on trying to cut down the number of cases filed and the business community is praising the commission."

Perspective

SECTION

L

SUNDAY,
JUNE 21, 1992

The War on Drugs Is Mostly Eyewash

By KENNETH LAVON JOHNSON

During the course of my tenure in the Felony Arraignment Court last year, not a single case involving a drug dealer at the importer-wholesaler drug-dealing level passed through that court. These drug dealers earn tens of thousands of dollars a week, and they are responsible for crimes of institutional destabilization, such as bribery and corruption.

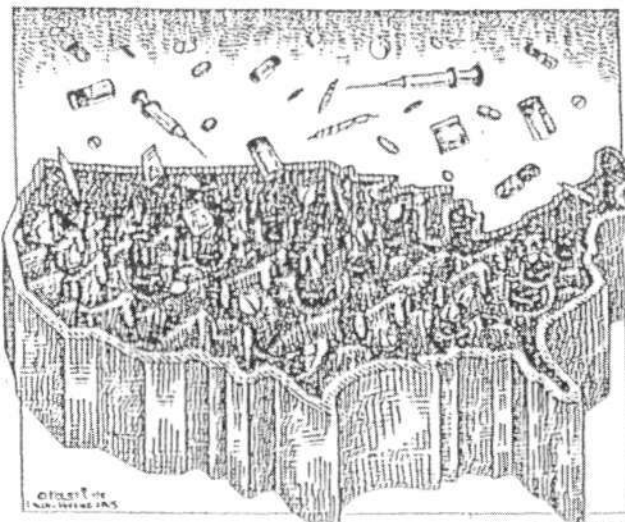
Instead, I saw the street-level retail dealers. They amounted to a total of 7,352 felony cases in ten months, of which 1,722 resulted in guilty pleas. The average age for drug-case defendants was 25 years, and the average education level was 10th grade. By contrast, the wholesaler-importer drug dealers hold regular jobs as bankers, accountants, lawyers, doctors and businessmen.

Counting such "drug-related" crimes as murders, robberies, thefts and burglaries, approximately 85 percent of all felony cases in Baltimore involve illegal drugs. Yet there is no pressure by society to require the political leadership to confront and control the grave and pervasive problems that are caused by the drug trade.

The dealings of the importer-wholesalers are difficult to detect and prosecute, which is why scant priority has been given to prosecuting lawyers who collect and file false affidavits on behalf of their clients; lawyers who pay alibi witnesses to testify falsely at criminal trials; businessmen and bankers who finance the importation and wholesaling of illegal drugs or who launder drug money and front for drug dealers; and lawyers, accountants and investment bankers who provide the expertise to keep the enormous flow of cash hidden from public scrutiny.

The availability of large sums of cash from the drug trade and the lack of sincere effort on the part of government to control it have corrupted a substantial number of professional people who are now full partners in the importer-wholesaler drug trade. They are not pursued and prosecuted mainly because the social ravages and devastation caused by the drug trade in the inner city have barely touched suburbia.

The government has successfully confined open-air drug dealing to the inner city, where the importer-wholesal-



ers and their professional cadre remain invisible. They cannot be detected with binoculars, arrested and paraded on the evening news as are street-level retail drug dealers. Parading these street-level arrestees on television has fooled the public into believing that something is being done to combat the drug problem — and into thinking incorrectly that the drug problem is a "black problem." The major criminals — the importer-wholesalers, who are usually white — go undetected and unindicted.

It cannot be seriously contended that the government cannot drastically slow the supply side of the drug trade with a firm commitment to do so. The financial resources for effective enforcement of the current drug laws would be sufficient to combat the drug trade if the will were present.

The necessary political will will come only when the white (suburban) community feels the pain and ravages of the drug trade to the same extent that they are felt in the African American (inner city) community. If society postpones the war on drugs much longer, drugs will destroy our institutions. The level of corruption will have so thoroughly

infested and corrupted all levels of society as to prevent an effective eradication by law enforcement.

Already we have begun to notice the bribery and murder of potential witnesses and police officers to prevent criminals from being tried and convicted. We also know that the profits from the illegal drug trade contribute substantially to the economy. In the not too distant future, we will see the bribery and murder of prosecutors, jurors and judges in order to protect drug profits.

When this day comes, the law of the streets will govern and our government will be too weak to regain effective control. The public will cry out, demanding that something be done: it will be more than willing to abandon constitutional liberties in an effort to confront and control the drug trade. Given the sorry state of our present political leadership, there is little hope that our future political leaders would resist the sacrifice of civil liberties to the desperate fostered by the pain and ravages of the drug trade. The time to confront and control the drug trade is now.

The drug trade cannot be controlled without jailing the importer-wholesalers and their professional cadre. Just as street-level retail dealers and users are jailed. The so-called "war on drugs" is nothing more than a political illusion that mollifies an uninformed public even as large segments of our society are terrorized by crime and corruption and respect for our institutions is being weakened.

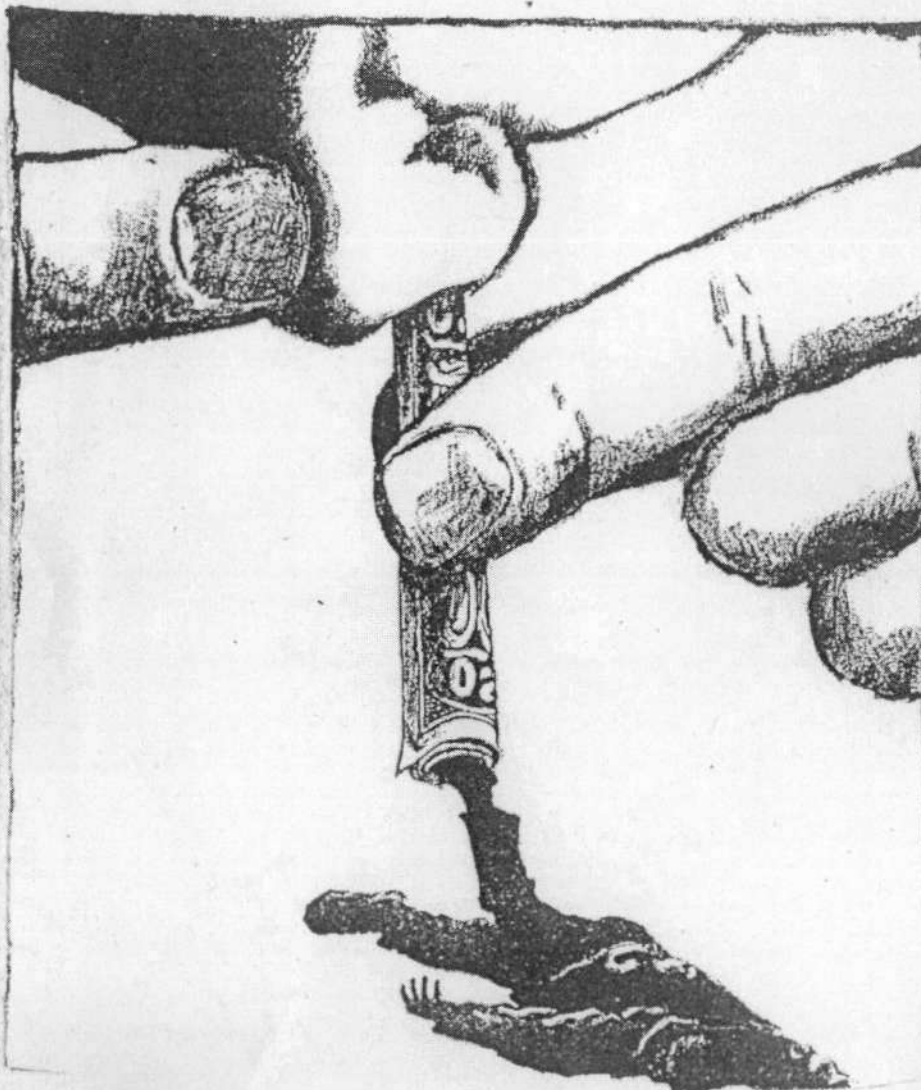
A legitimate war on drugs will require simultaneous fighting on two fronts: the importer-wholesaler supply side and the demand side. We have not seriously warred against either side. Through education, we can lower the demand for drugs. By jailing importer-wholesaler drug dealers, we can reduce the drug supply. Until society engages in a drug war on these two fronts, the so-called "war on drugs" will remain a convenient political illusion and the country will continue to pay the deadly price.

On May 11, 1992, I asked the Baltimore city grand jury to investigate why the importer-wholesaler drug dealers were not being pursued and prosecuted. It is my fervent hope that the grand jury's investigation and public report will be a call for action before it is too late.

Kenneth Lavon Johnson is a judge of the Circuit Court of Baltimore City.

Change needed in war on drugs

The Sun: Wednesday, July 11, 2001: Page 13A



OPINION • COMMENTARY

By THOMAS E. NOEL

NEARLY A decade ago, then-Circuit Judge Kenneth Lavon Johnson questioned why the focus of the war on drugs in Baltimore City was not on the upper echelon of the drug trafficking business, the importer-wholesaler.

Since then, only one year has passed in which the murder rate in Baltimore City did not exceed 300. Most of these killings are believed to be related to the illegal drug industry. Our criminal justice systems are flooded with arrests of lower-level street dealers and addicts. As a result, the correctional facilities struggle to house the ever-increasing numbers of these small-time drug defendants.

This long-standing strategy has begun to come under fire. Neighborhoods are in decline and quality-of-life issues abound. People are afraid to leave their homes or let children go out to play. Random violence and the proliferation of shootings are almost daily headlines.

So it is no surprise that great numbers of our citizens continue to leave the city. Myriad businesses have been reluctant to come to Baltimore because of the issues the drug problems have generated as well as the perceptions that follow from them.

Another concern that cannot be overlooked is the racial impact of our drug problem. Analyzing U.S. Justice Department figures and Human Rights Watch documents, the gross disparity between the imprisonment of blacks and whites for drug offenses is very evident. Blacks, who make up 12 percent of the population, account for 62 percent of incarcerated drug offenders.

The myth that blacks use drugs more frequently is easily dispelled. A study by the U.S. Department of Health and Human Services has found black and white rates of drug use to be quite similar, with far more white than black drug use overall.

These shocking arrest rates have a devastating effect on the community. Many black men are unemployable because of long arrest and conviction records. Large segments of the com-

munity are disenfranchised, eliminating many political concerns. Not only has the drug epidemic affected the black community, it has adversely affected the city.

As a Circuit Court judge, I have presided over Drug Court for several terms during the last few years. I have seen much time, effort and money devoted to focusing on low-level street activity. Very little, if anything, has changed in the last nine years. Perhaps Judge Johnson was correct when he labeled the war on drugs as "mostly eyewash."

At a neighborhood forum at which I appeared a while ago with elected officials, one official acknowledged that the lack of resources prevented expanding law enforcement efforts to truly launch a war on drugs. Priorities must be rearranged if we intend to broaden our approach. The cost of incarceration is tremendous when compared to treatment and prevention.

Unless the law enforcement community has the resources it needs, we will have to settle for business as usual; that is not satisfactory. After 20 years with simply more of the same, I think change is warranted.

We cannot forgo reclaiming neighborhoods. Our communities cannot be left to fend for themselves against this heinous drug subculture. All of our citizens deserve the same assurances in their daily lives as anyone in any of the outlying suburbs or counties.

However, we must take serious measures to broaden the scope of our approach.

Until the economics of illegal drugs is understood and becomes aggressively pursued by law enforcement, we will continue to see limited progress, if any.

All branches of government, the clergy, law enforcement and those in the world of academia need to begin a meaningful dialogue on alternatives to past efforts. A new strategy is desperately needed to effect positive and immediate change if we intend to rescue Baltimore City from its rapid demise.

Thomas E. Noel is a judge in the Circuit Court for Baltimore City.

I have seen much time, effort and money devoted to focusing on low-level street activity. Very little, if anything, has changed in the last nine years. Perhaps Judge Johnson was correct when he labeled the war on drugs as "mostly eyewash."

The Advocate

OCTOBER 16, 2003

BATON ROUGE, LOUISIANA

Sit-in protester visits Kress building again

By **SARA BONGIORNI**
Advocate business writer

On March 28, 1960, just before noon, Kenneth Lavon Johnson sat down at the whites-only counter at the S.H. Kress building and requested a cup of tea.

A few minutes later, police arrested Johnson, then 22, and six other Southern University students seated at the counter and led them to a police wagon outside.

The sit-in at the downtown Kress was the first of its kind in Louisiana and set in motion a case that went before the U.S. Supreme Court. The court's ruling helped end racial segregation

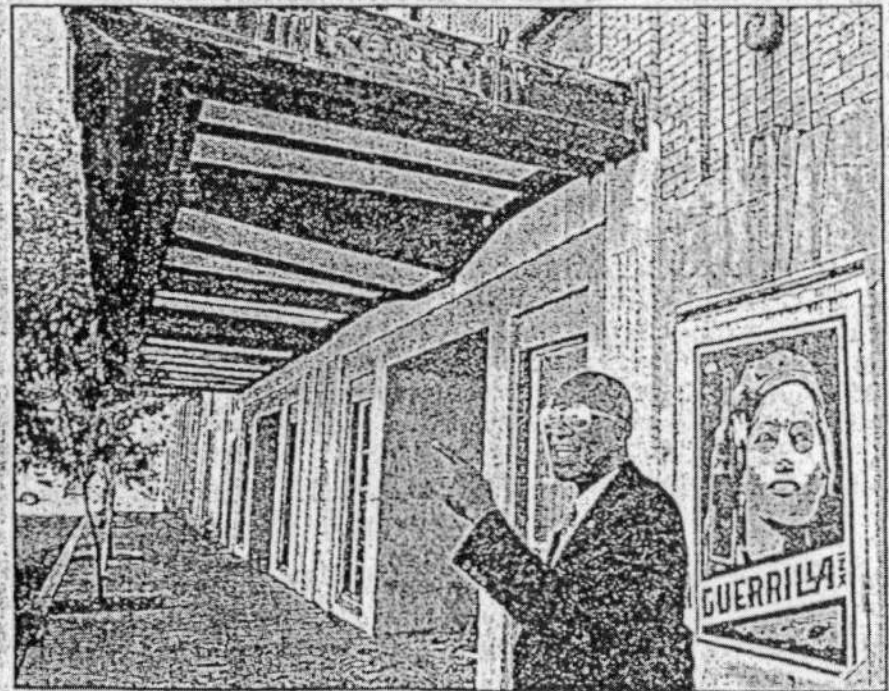
at U.S. public facilities.

Until Wednesday, Johnson had never been back to the long-vacant Kress and adjoining Welsh & Levy building, slated to be demolished and replaced with a parking lot.

"I was scared," the now 66-year-old retired judge said of the lunch-hour sit-in while on a visit Wednesday from Baltimore. He described the few minutes at Kress as more frightening than coming under live fire in Vietnam, where he served in the U.S. Army.

"I was ready to meet my maker," he said of his emotions

□ See **KRESS**, Page 4A



Advocate staff photo by Patrick Dennis

Kenneth Lavon Johnson, a retired judge visiting from Baltimore, notes the faded Kress name on the Third and Main streets building where he and other Southern University students staged a sit-in in 1960 at a whites-only lunch counter. A demolition permit has been taken out on the building.

Kress

CONTINUED FROM PAGE 1A

during the Kress sit-in. "But it didn't matter if we'd died because we were on a mission."

On Wednesday, Johnson walked around the buildings at Third and Main streets. He smiled and pointed at the faded Kress name on a broken marquee.

"We found it," he said softly to himself. "Wonderful. It's wonderful to see it again."

Johnson said he had never really wanted to revisit the building, which he entered for the first and last time on the day of the sit-in. He changed his mind a few weeks ago after his sister, 78-year-old Sonia W. Jefferson of Baton Rouge, sent him a recent news report describing its possible demolition.

Johnson traveled to Baton Rouge this week after a visit to the Mississippi home of his 102-year-old mother.

He said losing Kress to the wrecking ball would be a blow to history that would deprive Louisiana and the nation of a symbol of racial progress of the past 40 years.

"I think it's wrong to tear down a piece of history," Johnson said. "It's like erasing a part of history and pretending that it never happened."

Developer Bob Dean's plans to destroy the building have sparked an outcry from preservationists and proponents of a revived downtown. Dean, who has revived many historic buildings in Baton Rouge and around the state, received a permit in September from the city-parish Department of Public Works to demolish Kress's and replace it with a surface parking lot.

A date for the demolition has not been set and Dean still must seek a permit that would allow for a temporary closure of traffic lanes, according to city-parish officials.

Dean has not spoken publicly about his plans for the building, which he bought in August for \$900,000, court records show. He did not return a Wednesday afternoon telephone call.

Johnson said he could envision the Kress building used as a museum that focuses on the city's important role in civil-rights history.

His visit to the site seemed to evoke vivid memories. He recalled entering Kress with another student, Marvin Robinson, through the main doors on the building's Third Street side. The rest of the group entered the building through doors to the rear and joined him and Robinson at

the counter, he said.

The police paddy wagon was waiting on the Main Street side of the building after the arrest, he said.

Johnson said the group had synchronized their watches so that they would enter the building at noon sharp. Johnson said he had to rely on other members of the group for the time because he did not own a watch.

"It didn't matter . . .," said the soft-spoken Johnson, a Mississippi native who grew up in a house without electricity or indoor plumbing.

He also said the group of students had not mentioned their plans to anyone out of fear that word would get out and their plans would be derailed.

His sister said she learned of the sit-in during the hours after it happened when her younger brother called her from jail. It was her birthday and she was cooking in her kitchen, Jefferson said.

"I was frightened, of course," she said.

Her younger brother was living with her at the time, "but that day he didn't come home."

Johnson and the other students were released the evening of March 28 after supporters posted bail, he said.

Johnson was expelled from Southern's law school as a result of the sit-in. He received his law degree from Howard University and eventually settled in Baltimore, where he worked as a city circuit court judge.

Other members of the original student group are scattered across the country and include lawyers, a real estate developer and a university administrator.

The Kress building started as two structures but has since merged into one. The Welsh & Levy building was built in 1885 at Main and Third streets. The "L" shaped Kress building, built in 1910, wraps around it.

The building's would-be saviors got a symbolic boost this week when the Downtown Development District's seven-member board voted unanimously on Tuesday to ask Dean to reconsider his plans.

Downtown planners say tearing down Kress and putting another parking lot on Third would hurt their efforts to bring new life to the city's historic center.

Parking is scarce in some parts of downtown, in part because of construction of a new arts center near the Old State Capitol.

Retirement Roast for Judge Johnson

By R.B. Jones

It was billed as a retirement roast for Judge Kenneth Lavon Johnson, but it was more of a loving tribute. Last Friday, judges, elected officials, correctional officers, law enforcement officers, courtroom clerks and friends and family members, gathered at the Holiday Inn to salute Judge Johnson for his career as a civil rights attorney, judge and mentor to young attorneys.

The event was organized by Judge Johnson's former law clerks, two of whom, Lynn K. Stewart and Emanuel Brown are currently judges, his former secretary and his former courtroom clerk.

Chief Judge of the Court of Special Appeals Robert Bell saluted Judge Johnson whom he assisted as a young lawyer on a landmark lawsuit against the Baltimore City Police Department that allowed women to join and resulted in the promotion of 55 black sergeants. "Human rights define what Judge Johnson is all about. Doing what is right is what he is all about. He taught me a lot about the law and he taught me colorful language such as calling someone "a lard hog."

Newly appointed Circuit Court Judge Lynn Stewart, former Evening Sun Editorial Page director Ray Jenkins, Attorney Jill Carter, Attorney James B. Butler,



(From left to right) Jill P. Carter, Esq., Jennifer L. Johnson, Esq., Ray Jenkins, Judge Kenneth Johnson, Judge Emanuel Brown, and James B. Butler, Esq. at the retirement roast for Judge Johnson.

Photo: R.B. Jones

and Courtroom Clerk Kay Merrill all saluted Judge Johnson for his mentorship, compassion and favorite sayings grounded in his Mississippi heritage.

Judge Johnson was characterized by former law clerk Anjanette Dixon as a long-term rebel who challenged an unjust system throughout his life. "Judge Johnson was kicked out of Southern University Law School for engaging in sit-ins. His lawsuit went all the way to the Supreme Court and he won. Even when he was on the bench, he upset the

system for the sake of human rights and justice. He is always a rebel when it comes to injustice," she said.

Judge Johnson savored the lighthearted, but highly laudatory event. He characterized his career simply. "I raised a little sand over the years, but you have to be standing in sand to raise it. When I came to Baltimore in the 1970's I thought it was up north. When I came here I found out it was just like Mississippi except that the accent was different. Things needed to change and that's what I

tried to do."

After the event's program ended Judge Johnson reflected on his career and current events that affect civil rights. "It was great to see so many people that I worked with come out for me. I am regrouping and thinking about what I am going to do now that I have left the bench. I feel bad about the attacks on affirmative action because I was one of the attorneys on the case for the Justice Department that established affirmative action.

"If we aren't careful, we will go back to the way things were in the fifties, except that the advances of white women will not be turned back. They have benefited more than anyone from the civil rights movement. I am happy for them. In the suit I won against the city police department we got 55 black sergeants promoted and we got 125 women on the force, 90% of them white women. I just want more inclusion of others."

Judge Johnson served on the Circuit Court from 1982-2001. Prior to that he won numerous civil rights lawsuits against the Baltimore City Police Department, the Fire department and Bethlehem Steel for discrimination. Before that he worked for the US Justice Department and the Judge Advocate Office of the US

KENNETH L. JOHNSON BALLOT
for "Justice-Swift, Firm and Fair"

Judge of the Circuit Court, Supreme Bench

Democratic Ballot

12D

**KENNETH L.
JOHNSON**

Republican Ballot


13F

**KENNETH L.
JOHNSON**

Baltimore City

COMMITTEE TO ELECT KENNETH L. JOHNSON

Auth.: Jacqueline A. Handy, Treasurer



**KENNETH L. JOHNSON SPEAKS TO BALTIMORE CITY'S CRIMINAL JUSTICE
SYSTEM**

I firmly believe that there is a direct relation between poverty, discrimination and crime. I do not believe that being required to live in poverty is any excuse or justification for a person to commit a crime. The victims of crimes have often also been victims of poverty to the same or greater extent than the criminal who is committing the crime.

We have obligations to make every effort to put an end to the crimes that are occurring and destroying our community. In the process of our struggle against crime we cannot ignore the causes of crime.

We must break the cycle of crime. There should be only one yardstick to measure all criminal conduct and all criminals must be held strictly accountable for their criminal conduct. After a person has been convicted of a serious crime by a judge or jury, then that person should be held accountable by being given a sentence suitable to the crime. The sentence should be served to its full extent without parole, except in highly unusual circumstances. If the criminal justice system sends out the message to the criminal that he or she will be given a prompt and fair trial and that if conviction results, the punishment will be swift, firm and certain. I believe that would be a valuable deterrent to criminal conduct.

"I believe strict criminal laws, swiftly, firmly and equally enforced, can help reduce crime. I also believe that progressive penal system that educates as well as incarcerates can reduce the numbers of persons who commit crimes."

"We can break the cycle of crime where it starts by dealing with offenders."

"I take exception to those who would give license to every citizen to kill needlessly and indiscriminately. There must be a swift and fair trial and if a conviction results therefrom, the punishment must be certain and firm."

JOHNSON will bring to the **SUPREME BENCH** a fresh and vigorous approach to the problems and issues of criminal justice in Baltimore City.

JOHNSON will bring to the **SUPREME BENCH** a record of proven expertise in Criminal, Constitutional, and Civil Law.

JOHNSON will bring to the **SUPREME BENCH** a spirit of dedication to restoring justice to the criminal justice system.

**The SUPREME BENCH OF
Baltimore
NEEDS**

**KENNETH L.
JOHNSON**



JUSTICE WITH DIGNITY, FAIRNESS

I have been a trial lawyer for 20 years. I have not been on the sidelines. I have been a member of the Board of Directors for the Council of Equal Business Opportunity; I have been a member of the Board of the Maryland Food Committee and I have been a member of the Baltimore Chapter of the National Organization for Women since 1972. I am also a member of the NAACP.

While I am aware that commitment to social causes such as better business opportunities for minorities or equal rights for women are not qualifications for a judge; I believe that a good judge is an integral part of the community he or she serves.

I served as a captain in the U.S. Army and served in Southeast Asia, for three years, during the Vietnam War. I have been both a prosecuting and a defense attorney. I will bring to the Supreme Bench an added depth of knowledge, experience; and, a strong sense of commitment to providing justice with dignity, fairness, and firmness.

I believe that the fear of crime, both real and perceived, which is strangling our community today must be defeated. Faith in our judicial system must be restored. We must elect judges who will insist on punishment for the perpetrators of crime and justice for the victims.

Elect me to the Supreme Bench and you can have confidence in my court room: To the criminal, I will provide justice, swift and firm. To the victim, I offer compassion, understanding and justice. And to the witness, I promise consideration and concern.

I need volunteers who have three (3) hours per week to give to the campaign to elect me, Kenneth L. Johnson, to the Supreme Bench. Please call 338-0700 or stop in at our Headquarters, 2533 St. Paul Street.

COMMUNITY SERVICE AWARDS

Distinguished Service Citation in Recognition of Outstanding Community Service as Champion for Human Rights — Awarded in 1974 by Baltimore Frontier Club.

Public Spirit Award for Outstanding Leadership and Unique Sensitivity to the Needs of the Community — Awarded in 1979 by F.O.R.

Maryland Seventh Congressional District Award — Awarded in 1981 by The Honorable Parren J. Mitchell, Congressman.

Outstanding Service to Humanity and the Rights of Mankind — Awarded in 1981 by the Vulcan Blazers of Baltimore City.

Outstanding Service to the Community Award — Awarded in 1982 by the Vanguard Justice Society.

KENNETH L. JOHNSON

SUPREME BENCH
JUDGE

Democrats PULL LEVER 12D	Republicans PULL LEVER 13F
---------------------------------------	---

On September 14

164

Vote For ^{8:30}

KENNETH L. JOHNSON

SUPREME BENCH
JUDGE
BALTIMORE CITY

Democrats
PULL LEVER **12D**

Republicans
PULL LEVER **13F**

*“Justice - swift,
firm, & fair”*

COMMITTEE TO ELECT KENNETH L. JOHNSON
Auth.: Jacqueline A. Handy, Treas.

(Paid Political Advertisement)

(Paid Political Advertisement)

**Be A Part Of History...
Elect**



Georgia Goslee

Pull Lever 10E

And

Ken Johnson

Pull Lever 11D

For

Baltimore Supreme

Bench Judges

Authority: Cephus Murrell, Treasurer



Bill Hughes

The Billy Club

ONE OF THE UNDERLYING causes of the American colonies' revolt against England was the insulting fact that the mother country insisted on making, "the judiciary in the colonies quite independent of the colonists or their legislatures," as one historian put it.

In the State of Maryland, a populist-leaning legislature has consistently rebuffed all efforts of do-gooders, elitist egg-heads and the establishment media to end the popular election of judges at the circuit court level after their appointment by the governor with the consent of the State Senate. The 8th judicial circuit is known simply as the Supreme Bench of Baltimore City. This year there are eight candidates for the three open seats on that prestigious court. The three incumbents are Judges John Carroll Byrnes, James A. Perrott and Peter D. Ward. All three incumbents are highly qualified but two of them could suffer from the "Figinski syndrome" and taste defeat at the polls. Figinski was former Supreme Bench Judge, M. Albert "Big Al" Figinski of east Baltimore. Despite wide experience in the political arena, an earned reputation as a legal scholar, the backing of all the major old line organizations and the endorsement of *The Sun*, Figinski went down to a bitter loss in the '78 election.

There is some kind of creative dynamic associated with the democratic process of the people directly electing their own judges. It's as if, for that fleeting moment, the sovereignty of the people becomes real and embraces and dominates the entire body politic. And somehow, the judicial candidates, in their need to survive the litmus test of public approval, become more humanized and genuinely humbled in the leveling election process. I suppose the Latins said it best with their



CITY PAPER/ENGINEER BISHOP

phrase *vox populi, vox deo*. (The voice of the people is the voice of God.) The truth is that the damn thing works.

Over the years in this city, maverick lawyers have played havoc with the so-called sitting judge principle by defeating incumbents. Their names are firmly etched in the roster of legal pop-heroes. They include the likes of the late jurist Ed Harlan, supreme bench judges Paul Dorf, Willie Murphy and James Murphy. And also a man whose name has come to symbolize resistance to the unacceptable status quo, Federal Court Judge Joseph Howard. In this election, two new names may be added to that celebrated list. They are Tom Ward and Ken Johnson.

When the history of the civil rights movement is finally written, black attorney Ken Johnson's name will rank among the select. Johnson has won more significant discrimination cases in Maryland for individual clients (both blacks and women) in the last decade than Jim "Pancakes" Palmer has won baseball games. He will have solid support in the black and progressive communities and he might possibly secure an endorsement from the *Sunpapers*. It is not certain that all three incumbents will be endorsed by the establishment flagship. Johnson will be a winner and finish in the third position.

Tom Ward has been down this election road on three disappointing occasions. This time he

should end up with a smile on his Irish face. From his strong base at the Mount Royal Democratic Club, Ward received over 90,000 votes in his losing 1978 bid. His citywide support will be even stronger this year. Ward will get the second slot.

Sitting judge John Carroll Byrnes should top the list of vote-getters. This guy is an indefatigable campaigner whose 10 years in the State Senate from northeast Baltimore reflect a record of service demonstrably in the public's interest. Even Common Cause of Md. has honored Byrnes as an "outstanding leader." Byrnes gets one *mea culpa* from me.

Judge James A. Perrott, a graduate of the Yale Law School and a 17-year court veteran, is definitely in trouble in this campaign, but through no fault of his own. Perrott is a fine man with an unblemished record, but the bruising ordeal of the electoral process is tough business even for the youngest of its participants. Perrott, an early favorite in the race, is fading fast in the home stretch. The other incumbent is Judge Peter D. Ward, who, surprisingly, is coming on strong as a campaigner. He may be helped by the popular candidacy of Tom Ward. Judge Ward, formerly an experienced criminal lawyer, will battle attorney Ken Johnson for the third spot, but at this writing, I have to give the edge to Johnson.

Georgia Goslee, a black attorney and former host of the WJZ-TV *Sunday Live* program should make a good showing but not enough to win. The other judicial candidates are Alonzo P. Hairston, another black lawyer, who will do well on the Republican side of the ballot, and attorney Stephen L. Miles, who filed late for the office and barring a miracle will finish last in the contest.

We came out Schmoking on Sept. 14 —
let's do it again for Georgia and Ken on Nov. 2



I submit to my colleagues that I... On another note, the issue...

For the most part, the crowd reacted favorably when anti-Pomerleau speakers biased the Commissioner.

Opposing witnesses assailed Pomerleau's alleged illegal investigatory practices, reports of brutality in black neighborhoods and the small percentage of black officers on the force.

They cited a 1975 state Senate investigating committee heard testimony from witnesses who claimed Pomerleau had authorized illegal wiretaps on politicians, including Rep. Parren J. Mitchell, D-Md., and Judge Joseph Howard.

Witnesses favorable to the re-appointment praised the Commissioner's revitalization

The committee also heard testimony relating to charges that police officers obtained credit information on private citizens.

George Beall, former U.S. Attorney for Maryland, was the first witness to praise Commissioner Pomerleau.

"The Commissioner was very cooperative with the federal prosecutors in Baltimore. When he came to this city in 1972 he asked the Justice Department to investigate his own department.

"He is a man of integrity, innovations and cooperative spirit. I endorse Commissioner Pomerleau with enthusiasm," Beale said.

Fourth District Councilman Michael Mitchell asked Beall, in light of the Senate committee report,

There is inevitably a delicate balance between investigating lawbreakers and encroachment of civil liberties. Invasions of privacy do happen but you have to sacrifice privacy to get information on law breakers," Beall said.

Deputy Police Commissioner Bishop Robinson, the highest ranking black law enforcement official in the state, testified in support of the re-appointment.

Recalling the discriminatory practices of the police department when he began as an officer 26 years ago, Robinson said "the doors began to open up (for blacks) when Pomerleau took over as commissioner."

Robinson also said the Commissioner has promoted policies to foster effective community