

Mr. ERLBORN. No questions.

Chairman PERKINS. Mr. Gurney?

Mr. GURNEY. Thank you, Mr. Chairman.

I want to thank Mr. Shriver for congratulating our Governor—

Mr. SHRIVER. I praised him before at the White House in front of 59 other Governors—not that I approve of everything he does or he approves of everything I do.

Mr. GURNEY. Incidentally, I did catch that on the “Today” program myself and I thought it was good and apparently those people have worked well in Tampa.

While we are on that subject, since the 1967 riot business I guess has started, to the regret of all of us, let me ask Mr. Johnson, does your Legal Branch involve themselves in any of these riot matters? In other words, if some person gets involved with the law in these riots, do you help them?

Mr. JOHNSON. We look upon our program, one of the major purposes of our program is to offer a viable alternative to violence in the streets, to offer justice in the courts as an alternative.

I can think of an instance in Cleveland, Ohio, that happened recently in which a legal services program became involved in a potential riot. This was a case where a policeman shot and killed a young Negro youth. It is one of those situations that has created riots many times, and it happened in the Hough area where there were riots last year.

The legal services office in the Hough area had established so much rapport with the neighborhood, instead of rioting, about 20 of the youths who might have been leaders in this kind of thing came to the office and spent almost all night talking to the legal services officer, who convinced them there was legal recourse.

If there is police brutality, there is something that can be done about it either in the courts or before police review boards and the proper course is not violence, not rioting, but to let the legal services work for you.

That legal counsel is representing some of those youths who contended there was police brutality in that instance.

Mr. GURNEY. I thought your department handled civil cases only. Did I hear that correctly?

Mr. JOHNSON. No; that is not correct.

Mr. GURNEY. Criminal cases, also?

Mr. JOHNSON. Misdemeanors and juvenile offender cases, but generally not felony matters.

Mr. GURNEY. Let's take a specific example then. Suppose you have a riot in X City and some people involved in the riot are arrested and thrown in jail. How does your agency work in such a matter, such an instance?

Mr. JOHNSON. There are at least two ways a legal services project might get involved in such a situation. When the persons who had been arrested for rioting came to the court for arraignment, it is entirely possible that the court might appoint a legal services lawyer to represent the persons, assuming that the charge is a misdemeanor and not a felony.

Mr. GURNEY. Has this been done before?