

Earlier, Judge Edward M. Curran, told a Senate Judiciary subcommittee that his efforts to cut the backlog of criminal jury cases would be nearly nullified by the riot.

Curran said U.S. Atty. David Bress has estimated that a special grand jury now hearing riot cases would indict in about 400 of more than 800 cases in which one or more persons are charged by police with felonies.

The additional caseload would bring the current backlog of 700 cases back up to 1,100—the same number the District Court had last October when more judges were placed on criminal trials in what Judge Curran described as a “crash program” to cut the backlog.

Curran said he will assign three judges to a special “emergency calendar” to hear the riot cases which, he said, could be disposed of at a rate of two cases per judge per day.

Both Judge Curran and Sen. Joseph D. Tydings, D-Md., who presided at the subcommittee meeting, agreed that the District’s current Bail Reform Act “needs tightening up.” Under the act, a judge cannot consider the potential danger a defendant poses to the community as a factor in setting bail.

Curran said that he felt the ultimate solution for court backlogs in the District would be to set up a new Superior Court of Criminal Jurisdiction to try felony cases. The court, he proposed, would require 11 judges.

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JUDGE IN RIOT CASES CRITICIZES DISTRICT

(By Donald Hirzel)

A judge criticized District officials yesterday for what he termed their failure in the early stages of the April riot to order police to make arrests and enforce the law.

Judge Alfred Burka made the comment in the Court of General Sessions at the conclusion of the first group sentencing of persons arrested in connection with the riot. Burka has scheduled group sentencings for various dates this month.

Some defendants have been sentenced on riot-connected charges by other judges, but this was a group sentencing.

“I have questioned several police officers,” Burka said, “and there is no doubt in my mind they operated with implicit or implied orders not to make arrests.”

He added that there appeared to be no effort to instill in the public mind the idea that looters would be arrested and prosecuted, and he referred to the fact that seven persons sentenced by him yesterday said they had no fear of arrest when they went into the streets.

He also condemned those who took part in the rioting, declaring: “People we were depending upon to uphold law in the District were involved in the disorder and very few of them were caught.”

PROBLEM FOR JUDGES

Burka said judges are greatly concerned about sentencing rioters because so many of the defendants have no previous police records and are family men with steady jobs.

“If we don’t send them to jail, it is a sign to everyone with a clean record that he is entitled to one free ruling, but if I do . . .”

His words trailed off, and then he looked at the last man in the group he sentenced yesterday and said: “Here is a man with a wife and four children and another on the way who is working steadily to support his family . . .” Again his voice trailed off in the middle of the sentence.

He then sentenced the man, Nathaniel Dodds, 51, of the 1100 block of 10th Street NW, to a suspended 360-day jail term and placed him on probation for a year for attempted burglary II (looting).

Dodds is in a sense both typical and untypical of the rioter.

WATCHED THE PEOPLE

He told the court he is a dishwasher and makes \$58 a week. He came here from Mississippi 15 years ago after serving a six-month jail term there in 1935 for manslaughter.