

May 12, 1972

United States Attorney John O. Olson
United States Court House
Madison, Wisconsin 53701

Dear Mr. Olson:

I am enclosing an open letter to you signed by a considerable majority of the faculty members of the University of Wisconsin Law School. The written statements of policemen's conduct referred to in the letter are, to my knowledge, now in the possession of attorneys representing students charged as a result of the incident on Wednesday. If you have any questions about this matter, please feel free to contact me.

Sincerely,

William C. Whitford
Professor of Law

WCW:mbs

Enclosure

To: U.S. Attorney John Olson

We are faculty members at the University of Wisconsin Law School. We note that, as a result of the confrontation of law students and the police in front of the U.S. Post Office (Monona Avenue) on Wednesday, May 10, 1972, several law students have been charged with disorderly conduct, and there are good prospects that one or two other law students will be charged with battery on a police officer.

As a group we cannot express any opinion about the validity of these charges. As lawyers, however, we revere one of the basic axioms of our Constitution: equal protection before the law. A large number of responsible students and faculty at the Law School have made written statements testifying to numerous unprovoked assaults by federal and local police officials on participants in the demonstration. Just as battery on a police official by a civilian is a criminal offense, so is unprovoked battery on a civilian by a police official a criminal offense. These batteries by police officers are alleged to have occurred on federal property. They are, thus, if they occurred, either violations of the federal criminal statutes protecting citizens' civil rights, or federal offenses under the same "assimilated crimes" statute (18 U.S.C. §13) under which a number of our students have been charged.

The newspapers report that you have indicated all charges of police misconduct can be made to the Federal Bureau of Investigation. Police misconduct is among the serious crimes in a free and democratic society. Moreover, in times like these it is specially important that law enforcement agencies appear to be acting in an even handed and fair manner. In the name of equal protection of the law, therefore, we call on you personally to insure that the many charges of police assault that have been made are thoroughly investigated and, where appropriate, vigorously prosecuted.

William C. Whitford

Jed E. Egan

Robert B. Suter

James B. MacDonnell

Marygold S. Delli

Joseph P. Handler

James E. Egan

Willard Hurst

Erin H. Helstad

Samuel Mermin

Samuel L. Egan

Allen K. Egan

George Bunn

James E. Egan

John E. Egan

John C. Egan

William A. Egan

Allen Egan

Thomas C. Heller

Neil K. Egan

August Eckhardt

Frank J. Remington

Walter B. Ransford

Abner Brodie

William E. Rize

Edward E. Egan

W. W. Egan

John B. Egan

Note: Not all members of the Faculty were present when this letter was being circulated for signature. Consequently, it should not be assumed that a failure to sign meant the faculty member refused to sign.