

## John M. Manos American Inn of Court

**O**n March 13, 2018, the John M. Manos American Inn of Court in Cleveland, Ohio, presented a program titled “Kent State, May 4, 1970: The Shots Heard Around the World and its Legal Aftermath.” The program was part of the Manos Inn’s focus on significant cases tried in the Northern District of Ohio federal court.

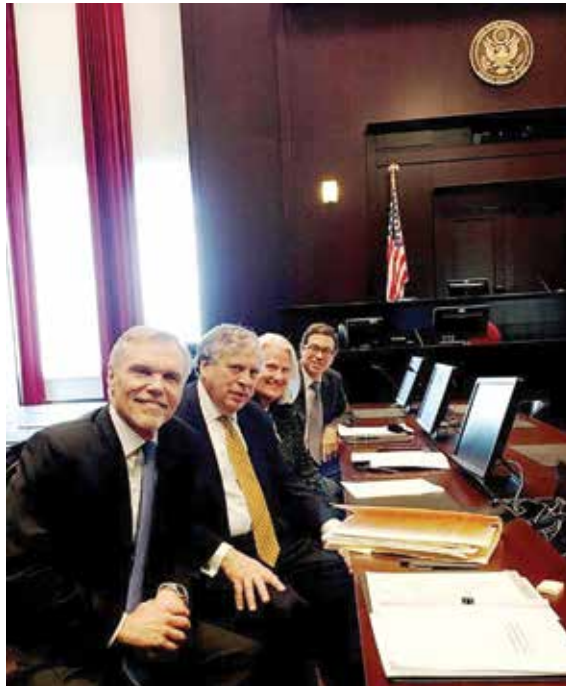
The presentation highlighted the events surrounding the shooting at Kent State University on May 4, 1970, one of the defining early events of the Vietnam War protests, and the legal proceedings following in its wake, both civil and criminal. In early 1974, members of the Ohio National Guard were charged with violations of 18 U.S.C. [section] 242, willfully depriving a person of a right or privilege protected by the Constitution or laws of the United States, for firing numerous gunshots into a group of student protesters, resulting in the death of four students and injuring a number of others. That case ended in an acquittal. In 1975, a civil suit followed, ending in a settlement in 1979, accompanied by a statement of regret from the National Guardsmen.

The events were recalled by four speakers who experienced critical parts of these events first-hand:

Carter Strang, a freshman student at Kent State in May 1970, who witnessed the campus events in the days leading up to the shooting, including the initial protests, the burning of the campus ROTC building, the arrival of the Ohio National Guard, the later arrival of Ohio Governor James Rhodes, and finally the events of the day on May 4. The presentation included sound clips taken that day, a film of the key moments, and numerous photographs of the events.

Michael Diamant, who as a young lawyer was part of the legal team representing the Ohio National Guard. His presentation described the National Guard’s arrival on campus, how they interacted peacefully with the students over the weekend preceding the shooting, and the information learned about the May 4 events through interviews of the National Guardsmen who admitted to firing shots that day.

Ann Rowland who, as a law student at Case Western Reserve School of Law, was one of six law students hired by the legal team defending



*Presenters at the John M. Manos American Inn of Court’s program on the May 4, 1970 Kent State University shooting, are, from left to right, Carter E. Strang, Michael H. Diamant, Ann C. Rowland, and Mark I. Wallach.*

the National Guard to help interview witnesses who saw the events. She recalled responding to a newspaper advertisement seeking students who might want to assist in the then-unidentified case. The law students’ role was to interview student witnesses who attended the campus events.

Mark Wallach, who in September 1974 was a law clerk to Chief Judge Frank Battisti, who oversaw the criminal trial of the National Guardsmen. He described the trial as involving a dichotomy between defense counsel, some of whom centered their case on showing a lack of “intent” by the National Guardsmen to deprive others of Constitutional rights, and other defense counsel presenting a defense of justification for the shooting.

The program provided an enlightening first-hand view of “the day the Vietnam War came home,” an event that shook both Northeast Ohio and the country as a whole, as well as a unique perspective of the legal aftermath of this important day in United States history. ♦