

Special commission accuses officials of gross negligence in MOVE tragedy

By LEE LINDER
Associated Press Writer

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PHILADELPHIA -- The special commission investigating the violent MOVE confrontation last week unanimously recommended that a grand jury be impaneled to consider criminal charges, although it did not specify individuals for grand jury consideration, and condemned Mayor W. Wilson Goode and his top aides for their handling of the tragedy.

The report, although it did not recommend that a grand jury consider criminal charges against the mayor, accuses Goode and other officials of gross negligence in the May 13, 1985, siege of the radical group's headquarters which left 11 people dead and sparked a fire that raced through the west Philadelphia neighborhood. Sixty-one houses were destroyed.

Harsh Findings

The request for a grand jury investigation was the harshest of the 31 findings and conclusions reached by the 11-member panel appointed by the mayor. The 70-page report released last week was substantially the same as a draft that was leaked to the media the previous weekend.

Goode and former Managing Director Leo Brooks, former Police Commissioner Gregore Sam-bor and Fire Commissioner William Richmond were accused of being "grossly negligent," particularly in regard to the deaths of five children of MOVE members.

The children's deaths "appear to be unjustified homicides which should be investigated" by a grand jury, the commission said. However, the report did not specify any individuals for possible investigation.

A High Cost

Only two MOVE members, a woman and a boy, escaped, and dozens of other homes were damaged in the conflagration that began when police dropped a bomb on the fortified MOVE townhouse. The fire already has cost the city more than \$15 million as it rebuilds the houses and pays for losses of property.

"Dropping a bomb on an occupied rowhouse

should have been rejected out of hand by the mayor, the managing director, the police commissioner and the fire commissioner," said commission members, calling the action "reckless, ill-conceived and hastily approved."

District Attorney Ronald Castille, whose office would prosecute, has said he wants to study the report before taking any action about a grand jury.

analysis. "A homicide caused by an intentional act cannot be excused as accidental even if death was not intended."

The commission charged Goode and his aides with "a reckless disregard for life and property" and said the mayor "abdicated his responsibilities" during the siege, in which police fired more than 10,000 bullets.

prejudice, "consciously or unconsciously," influenced the tragic event. The 10 commission members said it wouldn't have occurred if "the MOVE house had been situated in a comparable white neighborhood."

Kauffman also disagreed that evidence showed police used excessive force in trying to force MOVE members out, or that the gunfire prevented MOVE members from exiting.

Running The City

Goode, in an appearance on WPVI-TV's "AM Philadelphia" show before the report was released, said he was not "overly concerned about the grand jury" prospect. "My concern is to run the city," he said.

He refused to respond to specifics in the report, saying, "I'm not ready for it now." He said he planned to address the city on television and to hold a press conference on all aspects of the report.

He also said he planned to make some recommendations at the press conference based on the commission's findings.

Although the commission found that "the managing director told the mayor, in a conversation overheard by two other people, that the police would drop the explosives from a helicopter," Goode said the report did not contradict his testimony that he was essentially unaware of the plan.

"They don't disagree with my version," he said of the report, contending that it only reflected "different points of view."

Still Seeking Re-Election

Goode repeated that he wouldn't resign and wouldn't change his plans to seek re-election to a second four-year term in 1987.

Goode, a Democrat, is the city's first black mayor.

The report contains only the summation and recommendations reached after five weeks of hearings last fall. A more comprehensive report, possibly 1,000 pages long, is expected to be released before the summer.

Panel: Racism played a role in the disaster

By The Associated Press

PHILADELPHIA -- MOVE commission members had varying opinions on the role of racism in the May 13, 1985, disaster, but even Mayor W. Wilson Goode admitted that it might have played a part.

In a report issued last Thursday, the MOVE commission speculated that the assault, aimed at black cult members in a black middle-class neighborhood, would not have occurred in a white neighborhood.

On live television 15 minutes before the report was issued, Goode said that the commission had not accused his administration of blatant racism. But, he said, it would be hard to deny that "racism might have had a part in the final outcome."

Commission Chairman William H. Brown III also said the panel never meant to accuse anyone in the Goode administration of being racist. Instead, he said, the commission concluded that a similar assault "would not have happened in a comparable white neighborhood."

Brown cited the firing of 10,000 rounds of police ammunition into a home containing six children, the throwing of explosive, the bombing of a row house in a residential area and the decision to "allow that fire to burn and to use the fire as a tactical weapon."

The chairman said that no one would have been allowed to even build a bunker atop a house in a white neighborhood.

"I don't view this as being racist," Goode said. "I think what happened was a tragedy who had to make the decision to go into consideration and to the fact that there is a black neighborhood in that house."

Commission member Charles Lillie, a former state Supreme Court justice, disagreed, saying the "tragic events of May 13" were "purely and simply by incompetence. The kind of decisions know no racial boundaries."

The commission report said the "gross made in the city in the handling of the MOVE house" was "the sad fact exists that racism and justice remain in our society."

"Accordingly, black and white must recognize that the disaster was caused both public and private, may consciously or unconsciously be influenced by race, socioeconomic conditions and lack of political power."

Commission member Charles Lillie, who is black, referring to "institutional racism" that goes beyond the fact that you have a black mayor and a black managing director.

Then-Managing Director Leo A. Brooks resigned shortly after the MOVE siege, citing personal reasons.

An Inexcusable Act

"Dropping the bomb was discussed, rehearsed and planned, therefore, it was an intentional act," wrote commission member Charles Bowser in his

One Man Disagreed

Commission member Bruce Kauffman, a former Pennsylvania Supreme Court justice, disagreed with the other 10 members, who alleged that racial

Hairston

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have sold well in England, where he has made several concert appearances. Hairston said he has made as many as two trips to England in a month's time and finds the music there "hotter and more exciting" than in the States.

Hairston's latest album, "Genie," was recorded in 1984 and released in seven countries, but it only recently debuted in America. A song from that LP, "On the Shelf," is rising fast on the R&B charts.

You work for what you get in the music business, Hairston said -- and it's very much a business.

"It was really hard for me along the way," he said. "I've been having to prove myself in order for big labels to take notice. It's a glamorous business but it is also very stressful and very hard. It's 100 percent business and you've got to remember that because it's the only way you can survive."

Hairston feels as comfortable performing pop music as he does R&B and enjoys mellow ballads as much as he does dance music. When asked about his all-time favorite singer, he answered without hesitation.

"Elvis Presley, no doubt," he said. "He was so bad. He was just it. Nobody was as bad as he was."

Hairston also lists Luther Vandross, Diana Ross and Dionne Warwick among his favorite living performers. Vandross, he said, sang background on his first album.

Having performed at some of New York's most fashionable night spots, including Studio 54, Hairston has crossed paths with several top entertainers, but he seems unfazed by their fame.

"I feel right at home," he said matter-of-factly. "They're just like you and me. They like to have fun just like we do, but they have to be a little more careful."

Hairston's production company, Curtess Productions, was included in the Atlantic deal and still will help produce most of Hairston's songs. He will go into

the studio to record songs for his first album on the new label at the end of this month. Hairston said he will record half of the album in Los Angeles and the other half in New York. He promised, however, that he will always remember where home is.

"I'll be spending a lot of time going back and forth from coast to coast," he said, "but Winston-Salem is my home and I'm going to keep a place here."

In an industry where only a relative handful of singers achieve even a measure of stardom, Hairston said he realizes he's among a fortunate few.

"Not everybody makes it to the top," he said. "There are millionaires in the business who still have not been signed with a major label. It took a lot of work for me to get here and I've been through a lot. But it finally all came together. I think I'm going to do fine."

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