

Union organizer awaits judge's ruling

By JOHN NEEDHAM

In an unusual move, Criminal Court Judge Royal S. Radin reserved until Dec. 26 a decision in the trial of Leamon Hood, union organizer for Council 50 of the American Federation of State, County and Municipal Employees.

Hood was issued a summons Nov. 27 at Willowbrook State School, where he is representative for 900 employees of Local 1184. The summons accused him of criminal trespassing and obstructing a state administrator.

Hood's arrest came just before a strike by Council 50 at four state hospitals ended. The strike, which began Nov. 16, had affected to Creedmoor, Rockland, Bronx and Manhattan State Hospitals.

Council 50 members struck for recognition by the state government as a bargaining

agent for mental hygiene employees. Two officials of the council were later convicted of violating the Taylor Law, which prohibits strike by public employees.

Harold Margosian, Willowbrook personnel director, pressed the charges against Hood, charging that he failed to leave a supervisor's office in the laundry building when ordered to do so.

Hood countered that he was there to settle a grievance at the request of an employee and that he would not leave until he received a guarantee that the matter would be investigated.

The trial began Wednesday but only Margosian, the first prosecution witness, was heard. Thursday the case was adjourned when Jerome Neuberger, the assistant district attorney, told the judge he was too ill to continue.

The trial resumed yesterday

following a heated argument between Neuberger and Judge Radin. The district attorney said the judge told him the case would be adjourned until Dec. 23 and that he had told prosecution witnesses they did not have to appear.

Radin told Neuberger he was reading into the record remarks made in private, and said he had no recollection of an adjournment.

Neuberger asked Radin to disqualify himself on the grounds the judge was "prejudiced."

Radin denied the motion and gave the district attorney one hour to produce his witnesses, stating that if they did not appear by 4 p.m. he would dismiss the charges against Hood.

The three witnesses appeared, however, and testified. The defense contention was that Hood entered the office of

Marie Van Tyne, laundry manager at Willowbrook, on legitimate union business.

George Price testified for the defense that he asked Mrs. Van Tyne for a grievance manual for union employees but that she refused to give it to him. He said he then asked Hood to help him.

Mrs. Van Tyne denied receiving a request from anyone for the manual until Hood approached her.

Further testimony revealed that the Willowbrook administration informed Hood he was not to be on the grounds of the institution or in the buildings without receiving prior permission. It was stated, however, that Hood had visited buildings on previous occasions without permission, had been warned to leave but would not. No action was taken against Hood on those occasions.

Hood was arrested once before at Willowbrook, on May

2, also on a charge of criminal trespassing. The administration later withdrew the complaint.

Judge Radin expressed the hope Wednesday that the problems between the union and Willowbrook could be resolved on a labor-management basis, rather than through a criminal proceeding. Defense attorneys said yesterday, however, that Dr. Jack Hammond, head of the school, would take no action until the court proceedings were finished.

Normally a judge delivers a verdict as soon as a trial is completed. Yesterday's action thus came as a surprise to court personnel.

Some observers expressed the opinion that Judge Radin may still hope that the matter can be settled out of court before he reaches his decision.