

CORE - Congress of Racial Equality  
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FOR IMMEDIATE RELEASE

CORE CHALLENGES GRAND JURY FINDING

New York, N.Y., August 30, 1965 -- The finding of the Grand Jury investigation into the death of Nelson Erby, shot by Patrolman Sheldon Liebowitz, was challenged by CORE in an amicus curiae brief filed before the state Supreme Court, (Kings County . CORE counsel George Schiffer contended that since Erby did not commit disorderly conduct, Patrolman Liebowitz's actions were unjustified. Further, that as the arrest for disorderly conduct was unlawful, Erby had by law a right to resist it with reasonable force, and that even if Erby had been guilty of disorderly conduct, Liebowitz was not justified in the killing.

Because of its belief that the Grand Jury's report was not supported by the weight of the evidence, CORE has urged the court not to accept the report. CORE counsel Schiffer has requested that the Court either return the matter to the Grand Jury for further investigation, or have the report sealed and not be granted the dignity and status of a public record.

Rather than supporting the exoneration of Liebowitz, the CORE brief states that the evidence presented before the Grand Jury warranted an indictment of Liebowitz.

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