

## The Riot of 1974

By Barbara Glakas

One event that was a mar on Herndon's history was a police incident and subsequent riot that occurred fifty years ago. It all started at a 7-Eleven convenience store at 1111 Elden Street in the late afternoon of August 22, 1974.

According to a September issue of the *Virginia News* newspaper, Officer John C. Mueller of the Fairfax County Police Department attempted to question a 26-year-old African American patron named Felix K. Rorls. Mueller was a 31-year-old White eight-year veteran of the Fairfax Police Department. Rorls was a Clifton resident who was a sanitation worker for Smith's Trash Service in Centreville and was living in the Herndon Garden apartments. The officer was trying to arrest Rorls for allegedly driving on an expired license when a scuffle ensued.

Darryl Smith, who then was a 24-year-old rookie on the Herndon Police force – and who was the first and only African American on the 13-man police force at the time - came in at about that moment. He explained,

“I was working the 4 p.m. shift and was on patrol in the area around 4:30 when I was flagged down by someone who said an officer needed help inside the 7-Eleven,” Smith said. “I pulled into the parking lot, saw a Fairfax County police car and a lady was yelling to me, ‘Hurry up! Hurry up!’ I entered the store and the young man and the officer were having a physical altercation. The next thing I heard was shots being fired.

“I was in the store when the shots were fired. Back then, Herndon and Fairfax County police shared the same radio frequency and immediately after the gunshots, the officer asked me to call his supervisor and ask him to come to the scene.”

The news reported:

“Rorls reportedly got ahold of Mueller's nightstick and began beating the officer. Mueller shot Rorls four times and the Clifton man was pronounced dead at Fairfax hospital.”

A blogger recalled watching a news story as follow-up events unfolded. Another witness also reported what he saw to the *Washington Post*. They recounted that Rorls and a group of friends entered the 7-Eleven to buy some milk. Officer Mueller entered the store behind Rorls and demanded to see Rorls's license. (Officials reported that Mueller had arrested Rorls twice before for driving without a valid license, in the previous February, for which Rorls had received a six-month suspended sentence on condition he never drive again). Rorls asked why he needed a license in a 7-Eleven. Both the blogger and a *Washington Post* witness recalled the same scenario:

“Mueller reportedly shoved Rorls into the glass [refrigerator case] and hit him with his night stick. Rorls proceeded to the register bleeding profusely, and tried to pay for the milk. Muller put his night stick down on the counter and tried to handcuff Rorls. Rorls grabbed the night stick and began beating Mueller, who fell down and drew his gun, firing four to five shots at Rorls. Mueller wept as he and Rorls went to the hospital for treatment, but Rorls died of his wounds.”

According to another *Washington Post* article, Ruby Holly, a 25-year-old cashier in the store and an eye witness to the event, testified in court at a civil trial, describing a similar scenario. She said that Rorls came onto the store with a friend, Robert Lee Carter, to buy milk. She said Mueller followed Rorls to the glass refrigerator cases in the rear of the store with his night stick drawn from his belt and demanded to see Rorls’s driver’s license. She testified that Rorls answered, “Wait until outside... or something like that.” She said Mueller continued to demand to see his license and was “jabbing [Rorls] with his night stick.” Holly said that Rorls “kept telling [Mueller] ‘You’re not going to arrest me. I haven’t done anything.’” Mueller then struck Rorls on the head with his night stick “...that was loud enough to be heard across the store.” She said Rorls did not produce the license. Mueller then pushed Rorls causing his head to go onto the glass case. Rorls and Mueller then retired to the cash register and Mueller laid his nightstick on the counter as Mueller attempted to handcuff Rorls. Rorls grabbed the nightstick, a scuffle broke out and shots were fired.

Another witness, Ralph Claggett, brother of the store manager, said, “When the cop asked him for it [the driver’s license], Rorls said, ‘Why do I need a driver’s license in a 7-Eleven?’ “

Three 7-Eleven employees who were interviewed said that during the scuffle, the police officer struck Rorls several times with the night stick and that Rorls did not fight back until Mueller attempted to handcuff him. Holly said, “the guy [Rorls] somehow got the night stick and started beating the cop on the head. He hit him at least twice that I saw.”

Mueller fired five shots which struck Rorls in the stomach and arm.

At the trial, Mueller’s attorney argued in his opening statements that as Rorls struck Mueller with the nightstick he said, “all right (you)... I’m going to kill you now,” arguing that Mueller drew his pistol and fired “to defend his own life.”

The blogger indicated that Rorls “had learning disabilities and had moved between various relatives as he grew up.” The *Washington Post* also reported that Rorls was the youngest of nine siblings. His parents had died in the 1950s. Rorls lived with various brothers and sisters in Virginia and Philadelphia during his youth as he attended special education classes.

The shooting of a Black resident by a White officer touched off a riot. After the shooting, as the forensic crews were processing the scene, a crowd of about 70 to 100 people initially gathered at the 7-Eleven and “began simmering about the Fairfax Police.” A retired Fairfax County police

officer later recalled that he had been “called out to what looked like the beginning of a full-fledged riot.” Not too much longer after that, a crowd of over 300 Black youths gathered at the nearby Dulles Park Shopping Center and began engaging in acts of vandalism - looting and throwing rocks and bottles filled with gasoline. About 75 police officers responded from the Fairfax County, Town of Herndon, and Virginia Park Police forces.

For hours the police worked to contain the violence at that shopping center, attempting to disperse the crowd and put out many small fires. They were met with a hail of rocks and bottles. Officers stationed on the roof were able to throw many bottles back to the ground; however, four of the fire bombs entered the shopping center’s ABC store and caused extensive damage. Smoke damaged the People’s Drug store and a fabric shop. The police contained the violence to the shopping center. There were no further arrests or injuries.

Another witness recalled:

“I remember this well... we had just moved to Herndon from New York... we had bought a Townhouse in Seasons 4 right across the field from the Dulles Park apartments. I don't think we were even there 2 weeks when this happened. I remember hearing the shots. I was at the gas station next door getting gas in my bike and the next thing you know it's cop central... well, I was 15 at the time with no license so I high tailed it home... and I still remember how scary that night was... firebombs, gun shots, and all the screaming ... I have to say that was probably the scariest night of my life.”

Smith said:

“It was intense there for a bit,” Smith said. “It was especially awkward for me, as both an African American and a police officer. I knew and grew up with many of the people who were rioting. That was very awkward, but it also helped me somewhat, because they knew me.”

Larry Pregrave – a long time Herndon area resident who also served on the Herndon Police Department at the time – was not on duty on the night when the initial event happened, but recalled when calls started to come in about an incident involving the shooting.

Pregrave recalled that when he went on duty the next day that “people were everywhere” on Elden Street in the vicinity of the 7-Eleven store and how it went on for hours. He recalled that windows of nearby stores were being broken and some places were looted. The police started working 12-hour shifts and they doubled up with the Fairfax County police and their Riot Squad.

Pregrave said the crowds went on for days, often waning during the day time but then the crowds would gather again at night. At one point, Pregrave recalled patrolling on foot around the Dulles Park Shopping Center. He noticed an overturned civilian car and then shortly

thereafter a man came around the corner holding a hammer. The man threw the hammer at Presgrave, who ducked and avoided getting hit. The man took off.

The officer in charge arranged a meeting with the leader of the rioters. The youth demanded to meet with Fairfax County Prosecutor, Robert Horan. The *Washington Post* reported that Horan came on the scene and negotiated a truce. The crowd demanded that Horan prosecute Mueller. Horan promised to examine the case. The mob then withdrew. The next night a small crowd gathered at the Dulles Park Apartments, but dispersed when the riot police withdrew.

Officer Mueller was put on administrative leave during the investigation but was eventually exonerated by a grand jury. As a result of the investigation of the shooting, Horan decided to turn the case over to the grand jury, "because there was such a distinct conflict by the eight witnesses" to the incident. On September 12, the grand jury handed down its decision of justifiable homicide, not finding enough evidence to support an indictment of murder or manslaughter. Horan said, "The officer was being beaten by Rorls... in fear of bodily harm." Mueller was returned to duty after the grand jury's findings. However, he was later taken to court in a civil suit.

Soon after, Herndon Mayor Gary Lopp and other county officials conducted a meeting at the Herndon fire station in which some Black citizens aired their grievances about police relations, about a 10:00 PM street curfew enforced against Blacks, and about the lack of adequate recreation and transportation in Herndon. According to Agnes Deviney, editor of the *Herndon Tribune*, the Mayor walked out of the meeting after an angry exchange with her. Lopp said he would not talk with the people unless they quieted down and stopped shouting. Deviney told Lopp to "sit down and shut up and listen." Lopp said he did not have to take that, and he left.

On September 10, over 100 people attended a Herndon Town Council meeting to get answers about why and how such a disturbance happened, an event that shocked the community. Some spoke of a climate of fear and distrust between the Black and White communities. Some spoke of justice unfairly applied. Some expressed frustration that the Fairfax County police were seemingly allowed to pre-empt the Town's own police force. The *Virginia News* reported that the meeting was confrontational between the Town's leaders and its citizens. Some citizens showed little willingness to identify the root causes of the riot, speaking of retribution instead of rebuilding.

One person asked why the county officials seemed to displace the Town's elected officials and police, wondering what authority the Fairfax County police had to come into Town. The Town Attorney indicated that the two police departments had equal jurisdiction. He said the Town was consulted and concurred on each action. Mayor Lopp added, "The incident involved a county man and county police." The Town Manager informed the audience that, "the Town Council members were appraised of the situation almost as quickly as I knew."

One major concern amongst the residents was why no arrests were made and why the damage to the shopping center was not prevented. When someone asked the Town Council if they were satisfied with the handling of the riot, the mayor responded that no one condoned the property damage, saying:

“We can’t really question the outcome when no loss of life, except for the original slaying victim, occurred. We all deplore the willful destruction of property and will do all we can to prevent it in the future.”

The Town Attorney indicated that the decision was made on the scene to contain and diffuse the violence rather than engage in a confrontation with the youth.

One former town council member who was present at the meeting harshly called for a grand jury investigation on the action of the officials on the scene, saying, “The disturbance was allowed by the officials and they ought to be investigated now.”

Rorl’s older brother, Thomas U. Rorls, later brought a \$2 million civil damage lawsuit against Mueller, in which he charged Mueller with using excessive force and making a false arrest. As a result of that lawsuit, the Rorls family settled the case for \$25,000. The Allstate Insurance Company, which provided liability insurance for County police officers agreed to pay \$20,000 of the settlement. The Fairfax County Board of Supervisors agreed to pay the balance of \$5,000. When Thomas Rorls was asked if he was satisfied with the out-of-court settlement, he said, “In a way I am. I think I got what I wanted; I got him.”

Presgrave recalled that a year later, on the anniversary of the riot, the Herndon Police Department started receiving anonymous calls, threatening to ramp up the activity again. But he said that never materialized.

Smith offered: “Back then police did not have much outreach to the public and I don’t think police were seen as people. They were just symbols of authority. Today in Herndon, and I think throughout the county, that has changed. It’s a different world now than it was then.”

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*About this column: “Remembering Herndon’s History” is a regular Herndon Patch feature offering stories and anecdotes about Herndon’s past. The articles are written by members of the Herndon Historical Society. Barbara Glakas is a member. A complete list of “Remembering Herndon’s History” columns is available on the Historical Society website at [www.herndonhistoricalsociety.org](http://www.herndonhistoricalsociety.org).*

*The Herndon Historical Society operates a small museum that focuses on local history. It is housed in the Herndon Depot in downtown Herndon on Lynn Street and is open every Sunday from noon until 3:00. Visit the Society’s website at [www.herndonhistoricalsociety.org](http://www.herndonhistoricalsociety.org), and the Historical Society’s Facebook page at <https://www.facebook.com/HerndonHistory> for more information.*

*Note: The Historical Society is seeking volunteers to help keep the museum open each Sunday. If you have an interest in local history and would like to help, contact [HerndonHistoricalSociety@gmail.com](mailto:HerndonHistoricalSociety@gmail.com).*