

“The Hub Pawnshop Shootout”

The scene at Fifth Avenue and F Street was like an episode of violence from a western movie or four hours of street fighting from a war. Only the uniforms were wrong—and the “enemy” was a single gunman.

--San Diego Union, April 9, 1965

About 10:00 on the rainy morning of April 8, 1965, 28-year-old Robert Anderson entered a pawnshop at the corner of Fifth Ave. and F Street and asked to see a rifle. Store manager Louis Richards, 61, handed the young man a 30.06 Remington and began writing up a bill of sale. But Anderson surprised the manager by grabbing a box of ammunition and quickly loading the rifle.

“If you want it take it,” Richards said. Instead, Anderson raised the gun and fired, fatally wounding Richards. A second store employee, Theodore Swienty, 63, raced upstairs and hid in a small room. While Anderson searched for Swienty, the police arrived and surrounded the pawnshop.

The four-hour shoot-out at the Hub Jewelry & Loan Co. at 771 Fifth Ave. would be the biggest gun battle ever seen in downtown San Diego. In the aftermath the police would create the city’s first SWAT (Special Weapons and Tactics) team. Significantly, “People v. Anderson,” would lead to a landmark decision by the state Supreme Court in 1972 that banned the death penalty in California.

The gunman, Robert Page Anderson, was part-time janitor with a history of drug abuse and scuffles with the law. Raised by his aged grandmother after his parents abandoned him, he was recalled as “a nice little kid” by a neighbor. But others remembered young Anderson for his volatile temper.

As more than 60 policemen armed with shotguns and service revolvers took positions facing the pawnshop, Anderson hurriedly loaded guns taken from the store’s huge weapons inventory. “He’s got all the guns in the world in that pawnshop,” a policeman grumbled, “and the place is probably loaded with ammunition.”

To break open windows for tear gas shells the police hurled Coke bottles from the cover of a beverage truck parked in the middle of Fifth Ave. Tear gas was then fired into the store but high winds blew most of the fumes back into a swelling crowd of onlookers.

Reporters from the *Union* and *Evening Tribune* covered the action, crouched in the doorway of the Hi-Life Bar on F Street. Robert Crandall, editor of the San Diego *Independent*, moved close to the scene but fell with an apparent heart attack. A *Union* photographer and a policeman dragged Crandall away and tried to revive him but he would be pronounced dead at the hospital.

Shortly before noon, the police borrowed an armored car and backed it up close to the store. Firing shotguns and a submachine gun from the rear of the vehicle, they raked the store from floor to ceiling. Apparently unhurt, Anderson responded with small arms fire.

About 1:15 it began raining heavily. Hundreds of wet spectators continued to gawk at the action. A mailman, oblivious to the scene, walked down F Street, delivering his mail. Two officers

grabbed the man and hustled him away. City meter maids ignored the action and continued to write overtime parking tickets on cars.



Policemen carefully approached the entrance to the shop.

At 1:30, a policeman with a bull-horn warned Anderson that grenades would be fired if he didn't drop his weapons and come out. Minutes later a Navy gunner's mate, Frank Morales, lobbed a concussion grenade into the store. Fire and glass spewed from the windows. The policemen charged into the building.

Anderson was nowhere in sight. "He upstairs," a patrolman yelled, when Anderson began firing down on the officers. Morales threw a second grenade into a mezzanine above the shop.

Sgt. Allen D. Brown worked his way up a smoke-filled stairway. He met Anderson face to face in a dark corridor. The gunman had a revolver in his hand but he had loaded it with the wrong ammunition. His gun clicked twice, but misfired. Brown emptied his shotgun and downed Anderson.

The sergeant found Theodore Swienty hiding under a bed, in severe shock. He helped the clerk out of the store and then returned to the wounded Anderson. The gunman had been shot in the abdomen and both arms, and appeared to be dying. Taken to the County Hospital, he would recover after extensive surgery.

At his trial, Anderson offered little for his defense, claiming at first that a "masked man" had entered the shop and killed the manager. Later he would say that Richards and Swienty had uttered racial slurs when he—a young black man--entered the shop to pawn a diamond ring. "They talked kind of funny like they didn't want to serve me."

A jury of six men and six women deliberated nine hours before convicting Anderson of the first-degree murder of Lewis Richards, and the attempted murders of Theodore Swienty and Sgt. Allen Brown. He was sentenced to die in the gas chamber but in the next seven years he would survive three dates with the executioner.

For his last appeal the American Civil Liberties Union pressed the argument that capital punishment violated the state Constitution’s prohibition of “cruel and unusual punishment.” In a historic ruling delivered on February 18, 1972, the California Supreme Court struck down the death sentence statute, declaring it “incompatible with the dignity of man and the judicial process.”

The death sentences of Anderson and 105 other condemned prisoners—including killers such as Charles Manson and Sirhan Sirhan--were lifted and commuted to life in prison. The death penalty statute in California would later be restored by constitutional amendment.

Robert Page Anderson was released on parole in 1976 after serving eleven years at San Quentin. He moved to Seattle, earned a community college degree, and at last report was living alone in a tiny apartment on a Social Security pension. The site of the Hub pawnshop shootout at Fifth and F is now a Starbucks coffeehouse.



Police officers converged on Fifth Avenue as a gunman fired shots from the Hub Jewelry & Loan Company. *Photos courtesy San Diego Police Museum*

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