

# WORKING PAPER

## CONFIDENTIAL

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STANFORD; CALIFORNIA - The Stanford Judicial Council met this afternoon in a packed chamber at the School of Law to debate the question of whether or not the current demonstration against SRI and the research being conducted at the Applied Electronics Laboratory constitutes a violation of the University Demonstrations Policy.

As the demonstrators had not sent word to the Council of their intention to be represented, counsel was appointed by the Judicial Council in the person of Richard Kuhns, former student and currently an attorney for the Office of Economic Opportunities.

Kuhns opened by asking for dismissal of the Council on the following grounds:

1. Council is unjustified in holding the hearing as there had not been sufficient time to prepare an adequate defense.
2. SJC has no jurisdiction over determining the rules violation as stated in the by-laws founding the SJC. Council cannot assume jurisdiction over matters other than student discipline(I:E: Rules violations); therefore, SJC is acting outside of jurisdiction.
3. That Professor Sprouse of the SJC should be disqualified from the hearing because of his association with SRI.
4. That the very vagueness of the campus demonstration policy makes it impossible to determine if a rules violation has indeed occurred.

After a short recess, all four points were disallowed by Professor Friedenthal. Defense counsel asked if students were to be granted amnesty for actions taken up to this point, Friedenthal replied: "That is not the question at this point".

Counsel offered to withdraw at this point as inadequate time had been allowed to build a defense. His offer was declined.

The first witness was called by the ~~SENATE~~ SJC; this was Charles Shoens, director of the Systems Technique Laboratory of the AEL. When asked to describe activities in and about the AEL since last Wednesday, he replied that students had broken and entered the building at approximately 10:30 on that night,

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and had completely occupied the halls, library and offices of the building. when he received notification that long distance phone calls were being placed from the phones in the building, he ordered all phone service to the laboratory shut off. He added that students had entered the print shop and that they were beginning to operate the printing equipment. Shoens said that legitimate employees of AEL were prevented from entering the building because of the sheer volume of the demonstrators in halls and offices. He was very up tight. He did add that he had witnessed no violent acts or intentional damage to the building or equipment. When asked if war research was being conducted in the building, he declined to answer but noted that there is non-war related research being conducted there. 'Have you asked students to move?' He replied 'Yes.']

Next called was Dr Rodney Edwards, staff member at STL who said he was in the building at the time of the demonstration. He said that he had talked with demonstrators until about 4:00 AM. He returned the next morning, used his office, but was asked to leave about 6:00 pm by an unidentified demonstrator. He offered no resistance, but left immediately. He returned each day and has noted that so far nothing is apparently missing from his office. When asked if he had made any attempt to work, he replied that he had, but that it had been extremely difficult because of the large number of people in the office.

The third witness called was Alexander Sawchuck, research assistant at AEL. He replied that when he asked students to leave his research area he was threatened with the statement: 'If you ask me to leave one more time, I'll kill you!' by one of the demonstrators. He added that a fist was waved in his face at this point, but that the would-be assailant abruptly left. He padlocked the door which has remained locked to this time.

Next called was Harry Hewitt, research associate at the AEL. He noted that personal items were missing from his desk, which had been pried open by an unidentified person. Among the missing items were a Minolta camera, his personal key ring and a check book. In addition, an AM-FM clock radio had disappeared. Under cross examination, he stated that he always keeps his check book in his desk drawer, that he had made no announcement to the demonstrators about his missing camera, and that there are about 40 keys available that will open the door to his office. He had stated that the door hinges had obviously been pried loose in order to gain access to the office. This was dismissed as speculation.

Next called was Michael Robins, Associate Controller of the University, who stated that he, along with professor James Gibbs, had been asked by provost James to walk through the building obtaining names of demonstrators for possible

prosecution. Most students refused to give their names. It was at this point that Defense objected to the testimony as being irrelevant to the issue being discussed. He was sustained by Professor Friedenthal. He said that his progress had not been hindered and that he saw no reason why work could not have been conducted in the AEL as of Monday morning.

Dorstein Lund, a student working as a research assistant in the AEL, said he saw other students, presumably demonstrators, opening doors with keys. He said he found his own door open which he knew had been locked just ten minutes before. Under cross-examination, he admitted that he did not know personally all the employees of the AEL, and that the person he observed could conceivably have been another employee, one that he did not know.

Counsel Kuhns asked at this time for a continuance in order to assemble rebuttal witnesses and to gain time to formulate a defense. This was overruled by Friedenthal, who felt that adequate time had been given (24 hours), and that he had had time to gather witnesses. Friedenthal: "Do you have witnesses at this time?" Kuhns: "Yes, one." After a short recess for consultation, Kuhns' motion for a continuance was denied.

Finally, Kuhns called a witness, Charles Granieri, a student who said that he had spent considerable time "in or about the area of the demonstration." He described the freedom to all persons to enter and leave the building and reaffirmed the principle of non-interference with classified files or property destruction. When asked if he was in the building, he stated "I choose not to answer that question." A motion by one of the SJC members for immunity from prosecution could be assured, in order to obtain complete testimony. This was disallowed by Professor Friedenthal. Granieri was dismissed.

Kuhns next called Jon Kramer to the stand. Jon, a student, said that he had been at the AEL almost continuously since it (the demonstration) began, and that he understood that by testifying, he waived the right to protection from self-incrimination. He re-affirmed Granieri's testimony, said that he had seen no violence or threats of violence, and that he had in no way tried to prevent AEL employees or University administrators from carrying on inspections or entering or leaving the building.

Kramer was followed by Martha Scott, another student, who stated that she had spent the week at AEL. She confirmed the previous student testimony, but added that she had personally stopped one other demonstrator from rifling a desk. She said that this had been an isolated incident.

Kuhna moved that Friedenthal grant a continuance until Thursday so that could present additional witnesses and have enough time to prepare a closing argument, but again he was overruled by Friedenthal.

After a short recess, Friedenthal said that:

1. There was no need for additional witnesses.
2. It is assumed that both classified and non-classified research was being ~~conducted~~ conducted at the AEL at the time of the alleged seizure.
3. That Kuhns is invited to present an argument against the current demonstration policy; that it does not apply in this instance.

Friedenthal announced a list of four decisions that the SJC could be expected to consider on the matter of the definition of "'disruption'" in this current instance:

1. There has been no violation to date, thus the administration would be so advised.
2. Given the evidence in the case, no decision could be arrived at at this time.
3. There has been a disruption; therefore, the SJC should gather judicial aid and proceed to prosecute those persons guilty of participating in the disruption.
4. There is a disruption, request that President Pitzer take summary action to assess interim penalties within the scope of SJC jurisdiction.

The meeting was ajourned at 7:15 to be reconvened at a time acceptable to all members of the SJC and to Kuhns (Probably Friday:-Ed.).

There was no definite action taken at today's meeting and no decisions as yet have been arrived at.

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Dan Cook  
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