

A REPORT ON THE DISTURBANCES AT
UCSB AND ISLA VISTA
1968-70

SUBMITTED TO THE
**PRESIDENT'S COMMISSION ON
CAMPUS UNREST**

AT THE REQUEST OF JOSEPH RHODES, JR.

“excellent...the best report we have
received regarding the causes of
unrest at any University
campus in this country.”

Joseph Rhodes, Jr.
Presidential Commissioner
Harvard Fellow

Written and Edited by:
Robert A. Potter
James J. Sullivan

September 25, 1970

Introduction to this Electronic Edition

It's been five years since Robert A. "Bob" Potter passed away. I was fortunate to be one of his many friends. Through the years I watched him find the light in dark moments, provide clarity amid complexity, and express courage when threatened with violence. The author of over 30 plays and a leader in many human rights and

anti-war campaigns, he was truly a man for all seasons and those he touched will miss him forever. For more information about Bob, read <http://www.independent.com/obits/2010/jul/28/bob-potter/>

Before he died, I promised him I would add "The Campus by the Sea Where the Bank Burned Down", which he co-authored with James J. Sullivan, to my historical website centered on Isla Vista. The site already features his June 10, 2003 speech in Isla Vista's Perfect Park at the inauguration of the monument to the worldwide peace movement during the Vietnam War era. Bob was the chairman of the committee that raised \$25,000 to construct the monument.

The original pagination of what was known around Isla Vista as our own "Little Red Book" is maintained. Thank you to Linly Lu for saving me the stress of typing up the document. Typos that appeared in the original text are maintained as is its formatting; however any other mistakes are my own.

Carmen Lodise
Spring 2015

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Forward

The Campus by the Sea Where the Bank Burned Down is a report submitted to the Presidential Commission on Campus Unrest concerning events at the University of California, Santa Barbara and Isla Vista 1968-1970. Joseph Rhodes, Jr., the Presidential Commissioner who originally requested its preparation after hearings in Isla Vista, has called it, “excellent...the best report we have received regarding the causes of unrest at any University campus in this country.”

The report, prepared by a team of researchers and written and edited by UCSB Professors Robert A. Potter and James J. Sullivan, is primarily factual in emphasis. It examines the elements which combined at Santa Barbara – the campus, its students, its faculty and administration, the youth community of Isla Vista, law enforcement agencies, local and state government, national and international events – to produce an explosive situation.

Among the events examined in some detail are the controversy over the dismissal of Professor William Allen, culminating in the burning of the Isla Vista branch of Bank of America, the circumstances leading up to the death of UCSB student Kevin Moran (in which previously unpublished facts are brought to light), and the community-police confrontations of June, 1970 in which more than 600 residents of Isla Vista were arrested.

On the basis of this analysis the report projects the likely course of future events in Isla Vista, and presents recommendations for prompt action by the Federal government to deal with the urgent root causes of unrest at UCSB and at campuses across the country. In an immediate sense, the report is the history of what happened on one previously quiet campus; in a larger sense, it is a sobering case study with implications of students, police, faculty, politicians, administrators, and community leaders anywhere in America.

September 25, 1970.

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- I. Campus Protests and the Vietnam War by Robert B. Smith, Sociology Department, University of California, Santa Barbara.
- J. Testimony of the Citizen's Commission on Civil Disorders, Santa Barbara, from (1) Dr. Homer Swander, (2) Robert Blakemore, and (3) Mr. James E. Johnson and Miss Cynthia F. George.
- K. "Isla Vista Viewed From Behind a Badge" written by a Santa Barbara County Deputy Sheriff for the Santa Barbara News Press (8/22/70).
- I. Santa Barbara News Press – a collection of relevant articles.

I. UNIVERSITY OF CALIFORNIA, SANTA BARBARA

"When we came here four years ago, it was known as 'the campus by the sea'; now it's known as 'the campus where the bank burned down'."

Student Speaker at UCSB
Commencement, 1970

In 1954 Santa Barbara College, a small liberal arts college with a total enrollment of 1,587, moved from downtown Santa Barbara to a new campus ten miles up the Pacific coast, a former marine air station, adjacent to the Santa Barbara Airport and a rural settlement known as Isla Vista. There the University of California, Santa Barbara (as it was officially designated in 1958) took its place in the California system of higher education. Its public image, from the beginning, was one of a 'party' school, populated chiefly by surfers and blonde California beach girls. In reality it was also an ambitious research institution, eager to expand enrollment at the maximum possible rate, to finance the construction of badly-needed facilities.

The growth of UCSB in the intervening years has been by any standard unusually rapid; it is most vividly reflected in the statistics of enrollment:

YEAR	ENROLLMENT
1954	1,587
1958	2,722
1963	5,938
1967	12,201
1970	14,000 est.

In 1958 the enrollment had already nearly doubled the 1954 figure. It had doubled again by 1963 and again by 1967. The planned enrollment for 1970-71 is nine times the 1954 figure. During this period, on a campus now expanded to 850 acres, the University has embarked on an accelerated construction program which has yielded to date 39 major buildings (exclusive of student housing) as well as a 14,000-seat football stadium. The proliferation of classroom, office, and laboratory buildings has been almost as dramatic as that of student enrollment, with four major new buildings completed in 1966 alone, and five in 1968.

Despite these changes in the environment, UCSB students were, as late as the opening of classes in 1968, still perceived as happy and fortunate inhabitants of a campus by the sea. With the exception of a moderate, well-dressed, coats-and-ties march to Sacramento in 1967, (urging reconsideration of the firing of Clark Kerr and University budget cuts by Governor Reagan) the campus had been peaceful and politically inactive.

The transformation of 'the campus by the sea' to 'the campus where the bank burned down' is the subject of this report. It has been a complex process with many causes -- unexpected as well as obvious, external as well as internal. One factor of crucial and perhaps primary importance has been the impact of accelerated growth on the circumstances of student life at UCSB.

In the years 1954-1970, land, building and student enrollment have grown at relatively equivalent rates. What is missing in the curve is student housing. Despite the fact that the University is some two miles from residential Goleta, and ten miles from the city of Santa Barbara, it provides on-campus housing for only 2,600 students, in addition to 250

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university-operated apartments for married students a mile from campus. Yet the University catalogue boasts that 95 percent of Santa Barbara's 14,000 students live "away from home and within two miles of the campus center, a situation unique in the university system." Most of these students, in fact, live in the approximately one square mile of privately owned land — Isla Vista — immediately adjacent to the campus. *

*A map of UCSB – Isla Vista is inside the back cover.

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II. ISLA VISTA

Isla Vista is an area of some 340 acres, bordered by the University campus on three sides and the Pacific Ocean on the fourth. During the 10 1/2 month school year, this relatively small area has almost 13,000 residents, approximately 9,000 of them UCSB students. The community is not a part of any municipal corporation and as such, the County of Santa Barbara is its primary governmental agency.

There are fewer than 100 single unit family dwellings in the entire Isla Vista community today, and while a few non-University families live in apartment units, 79.6% of the area's residents are between 15 and 24 years of age. The majority of these young people are University students, although as many as 1,000 to 1,500 young non-students reside in Isla Vista, as is common in communities bordering college campuses. A small proportion of these youthful non-students -- probably fewer than 100 except during the summer months -- are unemployed or irregularly employed transients, or, to use the language of the media, "hippies". During the past three

summers, the so called “hippie” population has swelled to as many as several hundred persons at any given time between early June and late September. The seasonal influx indicates that many of these summer visitors are students elsewhere during the school year.

Isla Vista’s accelerated growth has produced several of the basic problems underlying the present difficulties in the community. As the University began its most rapid period of growth during the 1960’s, land speculators made quick and substantial profits in the area by building low cost apartment units for rental to University students.

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Because of the initial shortage of on-campus housing, early speculators were almost certain to enjoy high occupancy rates on their property, due to the problems and expense of commuting from Santa Barbara or Goleta.

In 1962, speculators influenced the Santa Barbara County Board of Supervisors to discontinue the architectural review guidelines established under the D-design provision of the County Planning Commission. In the following year, construction of low cost apartment units in Isla Vista increased 250%, and much of this construction was sub-standard by previous measurements.

Though there are obvious and substantial differences, Isla Vista residents in the resulting community now face many problems usually associated with the urban ghetto. Some of these characteristics include a transient population, absentee property ownership, inadequate street lighting, lack of sidewalks, crime and health problems—the County Sheriff’s Office estimates 4,000 continuous drug users presently in Isla Vista—and in general, an almost complete lack of community facilities. Isla Vista has no police or fire department, no city parks, no city council. Students living in Isla Vista for nine or ten months out of the year have been persistently discouraged from registering to vote by the County Clerk, on the grounds that they allegedly maintain a home address at their parents’ residence. Thus even the significant percentage of students over 21 have no voice in the governance of the area in which they live. The result is a community with a multitude of problems, the foremost of which is a lack of effective self-government.

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III. CHRONOLOGY OF EVENTS

A. BLACK STUDENTS UNION – INCIDENTS OF 1968-69.

1968

Sept. 20 E.O.P. program (scholarships for minority students) inaugurated. First significant minority enrollment at UCSB. (Eldridge Cleaver controversy at Berkeley; Max Rafferty campaign for U.S. Senator.)

Oct. 1 12 Black Athletes meet with Chancellor to complain of treatment.

- Oct. 7 BSU protests treatment of Black Athletes at noon Rally. Issue referred to a Faculty Administration Committee by Chancellor
- Oct. 14 NORTH HALL TAKEOVER: 16 Black students occupy classroom building and computer center. Outside police alerted but not called in, campus police withdrew from scene. Chancellor Cheadle meets with representatives, rejects one demand; seven others are revised and mutually agreed upon. Suspended disciplinary sentences given all students involved. Building cleared by end of the day. Damage minimal. Campus now committed to increased minority enrollment and faculty, and elimination of institutional racism.
- Oct. 18 Reagan and Rafferty at stormy Santa Cruz Regents meeting demands Regents take over total control of UC.
- Oct. 19 Max Rafferty campaigns in Santa Barbara, calls blacks who took over North Hall “jackbooted stormtroopers,” raps Chancellor’s “rather strange decision” to negotiate; labels settlement “ridiculous.”
- Oct. 21 Ronald Reagan campaigns in Santa Barbara, claims Chancellor “capitulated to threats of force”; is cheered for statements that “Administrators have no right to negotiate with students.” Chancellor issues call for more minority faculty: Cleaver fails to show for speaking engagement on campus.
- Oct. 22-25 Violent pro-Cleaver demonstrations at Berkeley; no disorder at UCSB for remainder of quarter. Recruiting of minority faculty begins.

1969

- Jan. 10 BSU Rally supporting Valley State Black students.
- Jan. 17 Santa Barbara Sheriffs attempt to seize tape recording of Rally from Campus Radio station; Geology Professor Donald Weaver files obscenity charges against Rashidi Ali, student speaker at Rally.
- Jan. 20 Weaver drops charges. “United Front” formed by BSU, SDS, and UMAS (Mexican American Student Association) demanding implementation of promised increases in minority enrollment and faculty.
- Jan. 21 Two members of BUS arrested by Santa Barbara Sheriffs on suspicion of burglary. Chancellor begins negotiations with United Front.

Jan. 28	Santa Barbara Oil Spill.
Feb. 3	Seven BSU Leaders arrested by Santa Barbara Sheriffs in early morning raid on their Isla Vista apartment, which is searched on pretext of eviction notice for non-payment of rent. All charged with burglary, receiving stolen property, possession of narcotics, possession of marijuana and narcotics paraphernalia.
Feb. 4	1,200 UCSB students rally at county courthouse in support of BSU leaders.
Feb. 7	Prominent black athlete evicted from apartment by Isla Vista Realty.
Feb. 11	Mabel Schultz, of I.V. Realty, charges in newspaper interview that “our major defaulting tenants are E.O.P.’ers.”
Feb. 17	United Front breaks off negotiations with Chancellor. Students seize university center (Student Union), convert it into “New Free University”; Chancellor adopts wait and see attitude.
Feb. 24	Regents adopts new rules on student discipline; two week interim suspensions may be given alleged participants in disorders.
Feb. 26	I.V. Realtors issue new tighter rent contracts for 1969-1970.
Feb. 28	Los Angeles County Sheriff Peter Pitchess, interviewed on local television, urges “good guys” to go into University Center and “clean this thing out.”
Mar. 7	First reports of gun fire in Isla Vista.
Apr. 3	Two Congressmen call for FBI probe of New Free University because of alleged Guerilla Warfare course (never given.)
Apr. 11	New regulations announced by President Hitch: Chancellors “may” call in police if disorder threatens. Bomb explodes at UCSB faculty club: caretaker killed. (Note: the person or persons responsible have never, as of the date of this report, been identified.)
Apr. 18	Chancellor defends actions on “New Free University” before Regents. Regents deprive Chancellors of final authority over tenure faculty appointments.
May	“New Free University” dies for lack of student interest.
May 19	People’s Park controversy at Berkeley; demonstrator shot.

- May 23 United Front strike ineffective at UCSB. Chancellor calls convocation, sends telegram urging prompt removal of troops and police from Berkeley campus.
- May 27 School year ends quietly. El Gaucho, summarizing year of new activism at UCSB, quotes J. F. Kennedy, “those who make peaceful revolution impossible make violent revolution inevitable.” (Note: In June 1969, after a lengthy preliminary hearing, the BSU leaders were ordered to stand trial. The case has still not come to trial, however, as of the date of this report.)

B. THE BILL ALLEN CONTROVERSY, “ISLA VISTA I,” BANK BURNING

- June 1 William Allen, Assistant Professor, informed by Anthropology Department his contract will not be renewed after 1969-1970.
- June 11 19 Anthropology Graduate students sign letter denouncing Allen dismissal, call for undergraduate support.
- Nov. 7 Rally of Graduate Student Association, BSU, MECHA (Mexican American students), supports Bill Allen.
- Nov. 12 El Gaucho calls for Open Hearing on Allen’s case: petition circulation begins.
- Nov. 17 Associated Students Legislative Council supports open hearing.
- Nov. 19 Allen dismissal confirmed by Anthropology department.
- Nov. 25 Associated Students Legislative Council votes to withdraw its funds from Bank of America, citing “strings” attached to Bank of America student loans, and connection with farm labor exploiting agribusiness.
- Dec. 5 Bank of America branch manager sends open letter to El Gaucho rebutting charges.
- Dec. 11 Academic Senate votes to admit students as observers.
- Dec. 17 Tom Hayden, of Chicago 7, speaks on campus (during week end recess in the Conspiracy Trial.)
- 1970
- Jan. 20 El Gaucho announces 6,000 students have signed petition favoring open hearing for Allen. Chancellor Cheadle away on official visit to Europe and Africa.

Jan. 23 Petitions with 7,776 signatures presented to Anthropology Department.

Jan. 26 Acting Chancellor Buchanan announces there will be no open hearing.

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Jan. 28 Anti-oil demonstration in Santa Barbara, on anniversary of Oil Spill.

Jan. 29 Massive campus rally in support of Allen, organized by Radical Union, BSU, New University Conference. Dean of Men allegedly hits student with bullhorn during Administration Building Rally. Windows broken by Campus Police, later by demonstrators. Subsequently building cordoned off by demonstrators.

Jan. 30 Acting Chancellor rejects compromise proposal for a Faculty-Student-Administration review committee on Allen case. 300 Police deployed on campus to clear Administration building area, Faculty club “liberated” – no violent confrontations.

Feb. 2 Nineteen students arrested as alleged ringleaders of the demonstrations; also suspended from school and banned from campus. Most are Radical Union members.

Feb. 3 Academic Senate votes against Open hearing and Review Committee proposals. Police disperse demonstrators.

Feb. 4 Allen dismissal appeal rejected by Academic Senate Committee on Privilege and Tenure. Police leave campus.

Feb. 5 Strike called, but most classes meet. Acting Chancellor initiates disciplinary measures against Allen for unprofessional conduct.

Feb. 8 Chancellor Cheadle returns from trip.

Feb. 11 Chancellor reaffirms actions taken in his absence, but promises greater student role on personnel decisions.

Feb. 12 Allen demonstration on campus. One policeman felled, two students clubbed.

Feb. 18 Chicago 7 Conspiracy Trial ends.

Feb. 20 Regents vote to impose tuition at UC in addition to present fees, beginning Fall 1970.

Feb. 24 “Santa Barbara 19” in court to set trial date. Two activists arrested in Isla Vista, sparking rock throwing melee, police car set afire, attacks on Bank and Realty offices.

- Feb. 25 William Kunstler, Chicago 7 lawyer speaks on Campus. Heavy police presence in Isla Vista. Ex-student arrested and beaten in aftermath. Protest rally, crowd attacks Realty offices and Bank again. Police routed. BANK OF AMERICA BURNED DOWN.
- Feb. 26 Reagan flies to Santa Barbara, calls Bank burners “cowardly little bums”. Bloody night street fighting in Isla Vista, Police forced to withdraw. National Guard called in. 36 arrests.

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- Feb. 27 Dusk to dawn Curfew put into effect. Groups of three or less allowed on street on legitimate business. Others dispersed. 97 arrested. Violence subsides.

C. “ISLA VISTA II” AND THE DEATH OF KEVIN MORAN

- Mar. 2 Recrimination over Bank burning; reports of police misconduct; Bank of America announces a \$25,000 reward in nationwide advertisements. Mayor Yorty speaks in Santa Barbara; blames Kuntsler, “Outside agitators” and “Communist conspirators”.
- Mar. 4 6,000 signatures gathered on Anti-Violence petition. Cheadle appoints Vice Chancellor Varley to full-time work on Isla Vista.
- Mar. 6 Cost of “Isla Vista Riots” to taxpayers estimated at \$257,000 by County Administrative officers. Santa Barbara City Councilman calls for Cheadle’s resignation.
- Mar. 9 Temporary Bank of America reopens.
- Mar. 10 Isla Vista Community Council organized.
- Mar. 11 Reagan speaks in Santa Barbara; issues calls for campus crackdown. 19 arrested as Police disperse demonstrators.
- Mar. 20 Regents pass stringent new disciplinary rules (amending those passed April 11, 1969.) Chancellors now “shall” declare emergency and call in outside police in event of disruptions.
- Apr. 6 Cheadle bans speech by Jerry Rubin, scheduled for April 16, on grounds it would “seriously threaten the welfare of the University.”
- Apr. 7 Reagan, speaking to Growers Convention on campus disorders says, “If it’s to be a bloodbath, let it be now.” Advises Administrators to “bite the bullet.”
- Apr. 9 Unidentified man found dead on Isla Vista beach.

- Apr. 15 Vietnam Moratorium. First student police encounter session in Isla Vista. Violent demonstrations in Berkeley.
- Apr. 16 Rubin fails to show. Nancy Rubin addresses rally, together with Stu Albert (Berkeley radical) who calls for “rip off of pigs.” Rally at Perfect Park; Dean harassed. New bank and realty offices attacked; bank defended and fires extinguished by anti-violence students. Without warning, POLICE FIRE TEAR GAS AND BIRDSHOT INTO CROWD in dispersal tactic, using dump trucks, dubbed “Operation Wagontrain,” Six students wounded.

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- Apr. 17 Evening crowds in street; curfew imposed, but not enforced; fires set; bank attacked by crowd of 300. As riot police arrive in force, anti-violence students attempt to defend bank. KEVIN MORAN KILLED. Heavy sniper fire reported. Campus radio station shut down by police orders. Police issued shotguns and rifles, and electronic surveillance equipment.
- Apr. 18 Moran death blamed on snipers; dusk to dawn curfew; Isla Vista sealed off; heavy police patrols; reports of beatings and apartments broken into.
- Apr. 19 Crowd dispersed with tear gas. Student wounded with birdshot by Police on campus. Isla Vista subdued and occupied by 300 Sheriffs and Highway Patrolmen.
- Apr. 20 Relaxed curfew; bomb dismantled; peace returns. “Isla Vista II” ends with one dead, six wounded by birdshot, 90 arrests. Reagan blames Moran’s death on those who “take the law into their own hands.” Sheriff admits Policeman’s rifle accidentally discharged at time of Moran’s death.
- Apr. 22 “Earth Day” ecology events. Memorial service for Kevin Moran.

D. “ISLA VISTA III” AND THE PERFECT PARK MASS ARREST

- Apr. 28 Bank of America announces it will rebuild I.V. branch. District Attorney Minier criticizes University at Republican meeting, but commends “new hard line” Administration is allegedly taking.
- May 1 Cambodian invasion announced.
- May 4 Kent State killings.

- May 5 IVCC elections held. Santa Barbara County Supervisors defeat proposed Isla Vista Vagrancy Ordinance. Anti-Cambodia campus rally; march on ROTC Building; disruption of classes and some damage, call for strike.
- May 6 “Hard Strike” in effect; many buildings and classrooms padlocked. Reagan closes UC for 4 days. Demonstrators block freeway near campus.
- May 7-9 “Illegal” rally on campus by 2,500 students and faculty. Anti-Cambodia marches in Goleta and Santa Barbara.
- May 11-14 “Soft Strike”; National crisis courses; many classes meet off campus; convocation. Radical Union disbands.
- May 13 Coroner’s Jury Inquest; shooting of Kevin Moran ruled accidental. No demonstrations.
- May 15 Jackson State Killings. Regents take Angela Davis case out of Chancellor’s hands.

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- May 19 Morning classes cancelled for Jackson State Convocation. Santa Barbara Grand Jury recommends UCSB Administrators take firm hand with student newspaper and radio station; urges Police reforms in Isla Vista; including faculty and clergy observers in event of further disorders.
- May 27 IVCC endorses candidates for Sheriff and Judge. Jerry Rubin invited to speak May 29; Chancellor does not impose ban.
- May 28 County Supervisor Grant accused of zoning improprieties, recall begins.
- May 29 Threatened “hard hat” picketing of Rubin speech averted by joint student administration community efforts. Rubin speaks on campus, generally rated a flop.
- June 3 News that 17 INDICTED FOR BURNING OF BANK leaks out prematurely; list includes 2 IVCC elected members; Sheriff raid Isla Vista apartments looking for those indicted.
- June 4 Demonstrators at Bank and realty offices; fires; windows broken. Anti-violence students prevent major damage.
- June 5 Campus rally; 15 pages of petitions gained accepting complicity in Bank burning. “Some in” disruption force bank to close earl. Confrontations at Bank between pro and anti-violence groups. Major damage prevented. Police not present in force. Pressure for crackdown by State officials reported.

- June 6 Tom Hayden speaks on Campus during afternoon. 9:30 p.m. curfew defied by small groups; 200 riot police enter the area; sporadic fires, rock and bottle throwing; 32 arrests.
- June 7 Rock concert at Community Fair, on the outskirts of Isla Vista, allowed to extend past 7:30 curfew, then abruptly terminated at 9:30 p.m. on Sheriff's orders, whereupon crowd of up to 1,000 persons march to Bank. Unguarded Bank nearly set afire, crowd dispersed with tear gas. Disorders spread to residential area. 29 arrests.
- June 8 Strict curfew declared for 7:30 p.m.; Los Angeles Sheriff's Special Enforcement Bureau called in. Heavy sweeps of entire Isla Vista area; sporadic confrontations. 86 arrests.
- June 9 L.A. Sheriffs enforce curfew with search teams. Quiet on the streets, but arrests made throughout Isla Vista for curfew violations. Many reports of beatings, illegal entry, by police officers. 142 arrests.
- June 10 Sit in protest in Perfect Park, in violation of 7:30 p.m. curfew, to protest the presence of police and already publicized instances of police misconduct. Many protestors arrested in park until night fall, when heavy gas used to disperse remainder of crowd. More sweep actions, further arrests; many reports of jail brutality. 375 arrests.

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- June 11 Supervisors call for National Guard to replace riot police. University officials demand Governor Reagan modify curfew, remove outside officers. LA Sheriffs withdrawn. The curfew is relaxed (7:30 p.m. for the immediate Bank of America, Perfect Park areas only; elsewhere 11:00p.m.). Police-student confrontations greatly reduced; 3 arrests.
- June 12 After conferring with H.E. Ellingwood, Governor Reagan's representative, County Officials announce the curfew is totally lifted. Police remain in reduced numbers in the Bank of America area. No confrontations – "peace" has been restored. Total arrests during "Isla Vista III": 667.
- Judge Joseph Lodge dismisses charges against those arrested at the Perfect Park sit in. Public outcry over police misconduct reports.

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IV. SUMMARY OF ISSUES AT UCSB

A. CAMPUS ISSUES: INTERACTION OF STUDENTS -- FACULTY -- ADMINISTRATION

The “Campus by the Sea” had from its beginnings been an unusual combination of academic elements. Its students, though drawn from the upper 12% of California high school graduates, gave the appearance of being more leisure oriented and less academically motivated than students on other UC campuses. The faculty, for its part, was split between a cadre of older professors from the earlier liberal arts college days and an infusion of young research-oriented Ph.D.s from major graduate schools who were expected to determine the institution's future. The administration, preoccupied with building programs, looked confidently ahead to the day when UCSB would match Berkeley and UCLA in prestige, enrollment, and academic diversification.

By 1968, when UCSB had already become the third largest UC campus in terms of enrollment, it was clear that these diverse elements were in the process of changing. But these changes did not bring a harmonious evolution into a prestigious major university, as had been hoped. Instead, they brought students, faculty and administration increasingly into conflict, mutual distrust, and finally confrontation.

The Students

Perhaps the most dramatic visible change came in the orientation and life style of the students. With each year they gave less the appearance of surfers and beach girls, but on the other hand they did not turn out to be campus career oriented academic consumers either. Instead, they were increasingly a student body of social rebels, middle class by origin but rejecting middle class values, troubled by an incomprehensible war, a strangely rich and deteriorating society, and an uncertain future.

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They placed the blame for this social illness on the politicians, the military and industrial establishment, and on the educational system. Administration and faculty, who might have been able to agree in principle with some of the attacks on politics and the establishment, could never understand why they, and their educational system, were suddenly on trial. They could not imagine why the students, for whom campuses like UCSB had been lavishly prepared, had weighed the system in the balance and found it wanting.

College students of a generation ago would be surprised to find, if they examined the workings of present day student government, how far it has evolved from the Spring Prom and panty raid preoccupations of the fifties. No longer dominated by fraternity and sorority groups, these organizations now spend their time and considerable funds mainly in what can only be described as political action.

The 1968-9 school year had been highlighted by the emergence of various quasi-political organizations including the Black Student Union, the United Mexican American Students (later known as MECHA), and the United Front, a coalition of radical and minority students. At the end of the year the UCSB Student Body elected a slate of representatives to the Associated Students Legislative Council, and Associated Students executive officers, who were far more inclined to political activism than its leaders of years past. The new Legislative Council began adopting resolutions on major off-campus political issues — local and national. It also took an activist role in the main campus issue of the year, the agitation for an open hearing in the Bill Allen case (November 17, 1969). It subsequently voted to remove all student government funds from the Bank of America (November 25), and to endorse an “Open Letter” in which the GSA (Graduate Student Association) accused Chancellor Cheadle of a conflict of interests

in his support of the proposed freeway through the Goleta Slough (October 16). The GSA itself had only been officially established by the graduate student body at the beginning of the 1969-70 school year, but it quickly became involved in the controversial political issues.

The Associated Student Government at UCSB is an elaborate body composed of an executive branch of three major elected officers, an elected legislative council of fourteen voting members, a judicial board of five appointed officers, and 35 committees and boards led by student appointees and including student members numbering in the hundreds. The two largest of these boards, in 1969-70 were deeply involved in social and political issues. The Community Affairs Board dealt with all student volunteer services in Isla Vista, Goleta, and Santa Barbara, it sponsored tutorial programs, cultural, recreational and educational activities, and student community dialogue (notably during the Cambodian crisis). The activities of this board were supported by the participation of almost 2,000 student volunteers.

The Communications Board coordinates the activities of the more than 350 students who work in the various campus communications media, in the 24 hour FM radio station, KCSB, the yearbook La Cumbre, individual topical publications, and the campus daily newspaper, El Gaucho.

The student newspaper El Gaucho took increasingly activist, and in some cases radical positions during the year — perhaps partially in response to a need generated by increased student political awareness for a medium through which student criticisms of the on- and off-campus establishment could be expressed. This new role caused a certain amount of criticism of El Gaucho by faculty and many students. In response, El Gaucho printed a re-statement of its editorial policy:

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Throughout the quarter, we have been making certain assumptions about what students find important and interesting. We made clear at the very beginning of the quarter that we would emphasize three main issues: ecology, education, and community. More specifically, we have assumed that students are interested most in the slough/freeway issue, in student power, in the Moratorium, in the oil problem, in Isla Vista We may be mistaken about what the majority of students are interested in, but so may “Concerned Campus Community,” the group which is accusing El Gaucho of misrepresentation and unfairness. (December 1, 1969)

As the Allen controversy grew in intensity, the charge was often heard, especially from faculty members, that El Gaucho and the student government had largely “created” the issue, which otherwise could have been resolved quietly and without undue fuss.

In response to the violence of “Isla Vista II,” the Chancellor's office began to issue a series of mimeographed press releases for wide distribution on campus which strongly indicate the extent to which the administration felt that there had been a lack of objective news reporting. On April 21, the “UCSB Bulletin” defended the administration's role, undertaken at the request of Sheriff Webster in taking KCSB (the campus radio station) off the air during the early morning of April 18. The Sheriff's Office had asked for the action because on-the-scene broadcast reports were disclosing police movements and aiding demonstrators and “snipers.” The April 20 Bulletin gave a brief chronology of the events of the disturbances, “... presented in the

hope of cutting through the mass of rumors, allegations and deliberate untruths which becloud an understanding of what has happened.” Yet the first sentence of this Bulletin deplores the “callous slaying by an unknown person”^{*} of Kevin Moran, and the account of events itself, filled with reported incidents of sniper activity (which later proved to be nonexistent - see “Events Leading up to the Death of Kevin Moran”) appears to

^{*}In addition, Chancellor Cheadle’s April 18 statement says: “I hope that the shock of that senseless killing will awaken those who have participated in the violence of the past few days to the horror they have created.”

be composed largely of information supplied by the County Sheriff.

The 1969-70 school year saw the formation of various unofficial student organizations which sought to influence campus events. Coming into prominence during the Allen controversy was a loose organization called the “Radical Union,” which some persons have explained as replacing the defunct and never large UCSB SDS group. The RU had no organizational officers or procedures; decisions were voted upon by whichever “members” happened to be present at a meeting, and these were implemented through “collectives” of persons who volunteered at the time. “Membership” was determined only by participation in meetings. On January 12 in a letter to the El Gaucho a “member” of the RU defined it as “seeking something concrete in regard to self-determination at UCSB,” and defended its loose structure because it does not need to “represent the people” but rather to bring discontented individuals together. A February 11 statement called for unification of student power resources, and warned of the danger of acceding to offered “appeasements” such as Task Forces and promises to increase representation on committees. “We believe that strikes and convocation moratoriums are valuable educational tools, but the victory of our movement depends upon our ability to synthesize the educational forums with concrete displays of our determination on the issues.”

The RU voted to support and helped organize the student strikes in support of Allen which resulted in the Administration Building being cordoned off and 300 police being called in, January 29-30. Many of the 19 persons indicted following that demonstration were RU members – although this fact must be qualified by knowledge of the loose nature of such membership – and charges of these having been “political arrests” caused a continuing active discontent over the incident. Later in the year a “Strike Committee” was formed in response to the Cambodia crisis, a group

which initially promoted a “hard strike” which would shut all classes down, and ended up approving “educational activities” such as the National Crisis courses which were set up. This organization also appears to have been a loosely organized group which came together in response to shared goals and opinions.

During the 1969-70 school year the two most significant issues that involved student demands for increased representation in campus affairs were the administration's support of a freeway over part of the Goleta Slough and student support to keep open hearings on Anthropology Professor Bill Allen's case. Out of the Bill Allen controversy came, on June 2, 1970, the report to the Chancellor of the “Task Force for Broadening Participation in Departmental Governance” which he had commissioned earlier, which calls for “substantially broadened

involvement of all segments of the Community together in decision-making for the University.” Student agitation for an open hearing for Bill Allen brought the new student activism into direct conflict with established institutions of Faculty and Administration power. After two sit-ins, the students were allowed to observe Academic Senate meetings, but they found the privilege quite hollow. Actions by the Academic Senate, which rejected an open hearing and proposed a commission of half students to review the case, were labeled by an El Gaucho editorial as a "masterful job of obstructionism" (February 4). Faculty spokesmen claimed that students now sat on nearly all University Committees, but students replied that “participation in student committees working within the (academic) Senate has been almost negligible” (January 7). The petition presented to the Anthropology Department signed by 7,776 persons requesting an “open hearing” into Allen's termination, was ignored by the Department; when students turned to the Administration an open hearing was called “impossible” because, in matters of hiring and firing,

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the Department's decision was the primary consideration and, in any event, rest on professional peers and the Administration.” This response was labeled “paternalistic” by an El Gaucho editorial (January 29). The breakdown in communication brought more demonstrations and ultimately outside police to campus. A February 3 editorial, entitled “The police state: it's here,” observed :

Non-negotiable demands; physical force; coercion; terrorism. All of these are being perpetrated here at UCSB — by Ronald Reagan, Charles Hitch, and (Vice-chancellor) Russell Buchanan — against the students.

It can't go on much longer. It's up to all of us to determine whether it will end in injury or mass arrest of students or in the silencing of legitimate criticism.

A profound change in student posture, of the kind indicated above, would probably have caused problems under the best of coalitions, with the most unified and involved of faculties and the most farsighted and confident of administrations. Unfortunately, few of these conditions appear to have been present in decisive quantities during the turbulent year of 1969-70.

The Faculty

Power to supervise instruction and research, determine curriculum and award degrees is delegated by the University Board of Regents to the Academic Senate, composed of all faculty members of professional rank. Assistant Professors, Associate Professors, and Full Professors. Most faculty, with the exception of proven and established scholars in their field, are hired at the rank of Assistant Professor. Though they may be released earlier, all Assistant Professors must be promoted to the tenured rank of Associate Professor within seven years or else released. Advancement to tenure in the UC system has, until very recently, depended almost exclusively on the Professors’ record of publication and research. Though lip service was paid to teaching and other factors, the University of California has build its reputation by demanding that its Professors

(at least those of Junior rank) literally "publish or perish." The predominate voice in determinations of promotion has always belonged to the tenured professors of the various departments, though the Administration holds an official power of review of all cases. The power of promotion is thus the power of academic life and death and it is jealously guarded by those who possess it.

1969-70 was the year in which those who have not historically had access to this power - non-tenured faculty and students - began to demand a significant share of it. The Bill Allen case was not the only campus battle fought over this issue (there were others, almost equally bitter, fought behind the scenes, notably in the embattled English Department) but the Allen case served to split an already divided faculty into two hostile camps.

To an interesting extent, support or opposition to Allen tended to divide along historical and generational lines. Faculty of the pre-university liberal arts college generation - who tended to occupy most of the positions of power in the Academic Senate - almost to a man fought the idea of an open hearing, or any other device which might weaken tenured faculty prerogatives in hiring and firing. On the other hand, younger faculty - those whom the Administration had once counted on to raise the campus to the status of a first rank major university - tended to side with Allen, at least in the initial stages of the conflict. Where the students perceived the Allen case in terms of politics and life style, faculty judged it to be a test case of tenured professional power, and reacted accordingly.

This rather shortsighted response to the situation - quite expectable from the point of view of the faculty - utterly confounded the students and perhaps forced the hand of the administration. Facing the anger of its

entrenched faculty at any sign of compromise, and feeling the presence of official political forces demanding a firm line against student demonstrators, the Administration took the road of least resistance, and found that it led to chaos.

The faculty, for its part, remained detached from the implications of its choosing up of sides. Students listened in amazement to the procedural tangles of their Professors in Academic Senate debate, as broadcast over the student radio station, meanwhile, outside the meeting hall, campus police were dispersing student demonstrators, and the Allen case was proceeding on its way toward the streets of Isla Vista.

Only a handful of UCSB professors actually live in Isla Vista; most find houses for their families in the upper middle class residential areas of Santa Barbara and commute to their faculty parking lots by Volkswagen or sportscar. Indeed there is no incentive for them to do otherwise, since residential housing in Isla Vista is scarce, generally substandard, and overpriced. Thus cut off, physically, from the community in which most of their students live, the members of the Academic Senate have never played a significant role in Isla Vista, except in the sense that they have been actively not-involved in it.

When trouble came to the campus in 1969, then, the faculty were insufficiently united or involved to be of much assistance to anyone. The larger issues of the Allen case seemingly escaped their control and when the Bank burned down, most of them were as puzzled (if not necessarily as angry) as the other upper middle class residents of Santa Barbara.

Later in the year, as the causes of the trouble became more evident, some members of the faculty made attempts to gain minimal control over events. A few began to work with those groups of moderate students who

opposed violence, and joined them in attempting to prevent damage to the bank during "Isla Vista II." Others joined such groups as the Faculty and Clergy Observers Program, endeavoring to discourage acts of violence by police as well as demonstrators during "Isla Vista III." One Professor Jon Wheatley, was elected to the Isla Vista Community Council. Twenty-five UCSB faculty members went to jail for their convictions by joining the Perfect Park sit-in, to protest police misconduct and the stringent curfew. There are, however, some 700 Academic Senate members at UCSB.

The view of the UC faculty held by many Californians -- that it is a den full of radical activists -- is belied by the facts in the case of UCSB. One has only to consult the continuous denunciations of the faculty in the 1969-70 El Gaucho to gauge how far from accurate this myth has become. These professors nevertheless found themselves singled out for punitive treatment by the State Legislation because of their alleged role in fomenting campus violence. In the 1970 budget Professors were the only state employees not given a 5% cost of living salary increase; in the prevailing inflationary situation the result amounted to a pay cut. In reality, most UCSB faculty have shunned any involvement whatever with student political agitation. Those faculty who have become involved, however "radical" they might be ideologically or in public repute, have virtually without exception exercised a restraining influence on student impetuosity. A case in point is Sociology Professor Richard Flacks, known to Santa Barbara newspaper readers as a wild SDS organizer and potential Pyromaniac" (in the phrase of Governor Reagan), and known on campus as a softspoken, highly intelligent and unusually effective teacher of strong convictions, responsible in his actions. The most obvious failing of the faculty, then, is not radicalism but non-involvement. There are many historical causes for this attitude, including the well-documented

tendency of professors to conceive of their careers in terms of their academic discipline rather than the campus on which they currently practice it. Many trends in current student behavior, beginning but not ending with resorts to violence, deeply disturb the preponderance of the faculty. Liberals, by and large, in politics, they are predominately academic conservatives. Only in rare moments of emergency, such as the Cambodian crisis, are they stirred toward collective action.

In this single instance, large numbers of UCSB faculty joined the students in denouncing the invasion, encouraging them to undertake legitimate political action, and working to keep the University functioning. A series of ad hoc "National Crises" courses for academic credit, taught by volunteer faculty, were quickly organized and approved by the Academic Senate. Flexible measures were instituted at the department level, and in individual courses, to turn the thrust of student feeling to educational advantage. Nearly all factions of the faculty in that rare moment discovered a common purpose, and it would seem that if such a purpose could be found in dealing with the fundamental problems which the University faces, the faculty could be a vital and perhaps determining force in campus affairs. On the record of 1969-70, however, the faculty must be rated a negative factor - a cause of, rather than a cure for, campus disorder at UCSB.

The Administration

The real losers on campus in recent years, at least by their own account, have been Administrators. The public has become familiar with their problems by watching (not without some slight enjoyment, one must suspect) an unending procession of college presidents across the country falling from their undermined positions.

On the UCSB campus, however, there has been a remarkable continuation

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of leadership. Chancellor Vernon Cheadle has held his position since 1962. When he assumed his duties he retained most of the high level members of the previous administration. There have been very few changes in his staff in the past eight years. Cheadle has occasionally antagonized conservatives by his flexibility in matters such as the BSU seizure of North Hall, and liberals by his decision to ban a controversial speaker, Jerry Rubin, from the campus. Despite this, he presently holds the respect and support of a substantial majority of the faculty, according to most observers.

Nevertheless, the Chancellor can hardly be imagined to be a happy man. His authority has been seriously reduced in recent years. His relations with students have frequently been strained. The Santa Barbara community views him with considerable suspicion. And most unhappily of all, he is a man whose ideas for UCSB seem destined never to be carried out.

In 1962, universities were a growth industry, and few administrators can have gambled so heavily on growth as did Cheadle. His goal was the transformation of a small liberal arts school of modest reputation into a large university campus of the first rank, in the shortest possible span of time. The master plan for university growth which showed a slower rate of development for UCSB, and a lower ceiling of enrollments, was on two occasions modified upward. Enrollments soared (see figures in section I) and the bets (including an enormous capital investment in campus facilities, the massive recruitment of new faculty, and the temporary student housing problem in Isla Vista) were placed.

At a crucial moment, in 1966, came a change in the political wind. A governor generally compliant to the wishes of the University was defeated for re-election. A new governor took office, proposed university budget cuts 30%, and quickly secured the resignation of the University

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President. To established campuses, such as Berkeley and UCLA, these measures seemed an affront; to newly opened campuses, such as Santa Cruz, they brought the compulsory mixed blessing of a slower growth rate; but to a proliferating campus like Santa Barbara, the effects were immediately damaging and ultimately disastrous.

The Reagan era of budget cuts, compounded by the failure of University Bond Issues in the elections of 1968 and 1970, forced a drastic cutback in capital investment for new construction. The problem was further exacerbated by a substantial decline in Federal support of organized research during the same period. As a result, UCSB never made (and barring a drastic change in the future seems never likely to make) the anticipated transition to a research and graduate campus with diversified professional schools. It remained, as of 1969-70, an essentially undergraduate institution (10,878 undergraduates, 1,813 graduates) with only two professional schools (Engineering and Education).

Thus, while the Cheadle Administration wrestled with problems of high finance and research support, the student body, which had been enrolled in such numbers as a means to an end, rapidly became an end in itself. Many observers will credit Cheadle with doing his best, at least in the early stages, to react positively to student activism. After the BSU incidents of 1968, the Chancellor made a genuine and relatively successful effort to motivate academic departments to hire qualified minority faculty. The potentially disastrous takeover of the University Center in 1969 for a "New Free University" was, again, handled with shrewdness and intelligence in the opinion of many. Others credited it partially to good luck.

Somewhere early in 1969-70 the Administration's luck (and some would say skill) began to run short. The adamant position taken by Acting Chancellor Buchanan on the Allen case was not characteristic of previous

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responses by the Cheadle Administration. It was perhaps unfortunate that Cheadle himself was out of the country at the time emotions began to rise on this issue. It is also true that pressure from the Santa Barbara community as well as from politicians in Sacramento (Governor Reagan having gained effective control of the Board of Regents by 1969) made flexibility an increasingly difficult policy to pursue. In any event, flexibility was not pursued, and confrontation politics came to the Santa Barbara campus, and subsequently to Isla Vista.

The summary rejection of the petition for an open hearing in the Allen case brought on a crisis in Administration-Student relations. Approximately 2/3 of the students interviewed in the Smith survey felt the Administration had been "unresponsive to the petition," and felt Allen was justified in seeking to have his firing reversed. The attitudes of activist students may be gathered from a January 26 El Gaucho editorial:

The Administration's handling of this affair has demonstrated that they have moved from the point of rational discourse to one of executive fiat. Students at this point have exhausted all the legitimate channels that are open to them. Since the Administration has done nothing to include students in decision-making that really matters, it is not surprising that the students are not satisfied with the decisions made by those at the top. This pre-emptory response will not do.

When events deteriorated in Isla Vista, Cheadle acknowledged that "somehow we've failed." He appointed Vice Chancellor Varley to work exclusively on the problems of Isla Vista and urged the appointment of a commission to study the University's role in Isla Vista. But at the time the Administration gradually began to act in greater conformity the desires of Santa Barbara County Officials. Speaking in Executive Session to the Regents on March 19, Cheadle began his summary of campus disciplinary measures as follows:

The disciplinary measures we are taking are not likely to prevent agitation by radicals against us because it seems clear

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that we are in the guerilla attack stage and revolutionaries or radicals who perpetrate these attacks are not easily apprehended.

On April 6, Cheadle refused permission for “Yippie” Jerry Rubin to speak on campus. The response of county officials to this and similar actions is indicated in the following El Gaucho report of May 5:

Santa Barbara District Attorney David Minier last week applauded the UCSB Administration for finally taking a “hard line” approach against student demonstrators, and urged citizens who agree to give their support.

He encouraged his audience, persons at a luncheon of the Republican Gals Club, to “let the Administration know we like their new position and expect thorn to keep it up.” He added that there has been a lenient attitude “far too long” on the part of the public.

The image of the Administration in the eyes of public officials improved to the point where substantial salary increases (from 5% to 17%) could be designated for UCSB Administrative Personnel, at a time when university professors were being punitively denied a cost of living increase, and the State Legislature was threatening to cut off funds for the Academic Senate.

When “Isla Vista III” broke out, the Administration (according to informed sources) made numerous attempts behind the scenes to make use of its new-found prestige with local officials. Its apparent attempts to secure a reduction in police presence and modification of the curfew were not heeded. It was not until the Chancellor’s office issued a secret ultimatum to the Governor’s office that action was taken on the requests. Publically, however, the Administration made only limited and guarded comment, and students and faculty (who knew nothing of the behind the scenes negotiations) assumed that the Administration had abandoned all hope and abdicated its authority to Sheriff Webster. It was the final irony of a tragic academic year.

B. LIFE IN THE STUDENT COMMUNITY—ISLA VISTA

Housing

In 1958, when UCSB was officially declared a campus of the University of California, its ultimate enrollment was projected to be 10,000 students. A report by prestigious Los Angeles planning firm of Pereria and Luckman, commissioned by the University Regents prior to this decision, recommended that Isla Vista be immediately designated an urban renewal district, that it be replanned as a master plan community, and that the UCSB administration “guide and assist in the development of such a vital, well balanced community...” With the rapid growth of the campus, however, these projections were soon revised upward. As enrollment soared, the burden of student housing fell much more completely and more quickly on Isla Vista than had been anticipated.

In 1964, a few months after the Isla Vista Sanitary District’s sewer lines had overflowed from unanticipated overloading, a particularly controversial high density rezoning application came before the Board of Supervisors. The County Planning Department, which opposed the application, prepared a report which stated, in part that there was “already housing capacity in Isla Vista under existing zoning for twice the number of students the University now estimates will live off-campus when ultimate enrollment of 15,000 is reached [that

decision had been made in 1963], and more than what would be required 24 years from now if the University increases to 27,500..." In its argument for denial of the rezoning, the county staff stated: "It is the opinion

of the staff, the present R-4 (apartment) standards encourage second-rate construction with too little space around the buildings and with totally inadequate parking space. Many of the apartment buildings which are only a few years old are deteriorating and, we are told, cannot compete with the better units when demand falls off. We believe the area is headed for a crisis. . . ."

UCSB Chancellor Cheadle wrote a letter to the County Board of Supervisors in which he agreed that there was insufficient evidence to support more R-4 zoning. A member of the Chancellor's staff subsequently wrote a letter to the Supervisors requesting that Cheadle's letter be stricken from the record because, "Neither the Chancellor nor the staff on this campus wish to interfere with the private affairs of any developer in this area."¹ Despite the problems of the housing situation in Isla Vista, county officials do not acknowledge any major mistakes in planning. When interviewed in the Santa Barbara News Press on May 10, 1970, (even after the disturbances of "Isla Vista I" and "II") Supervisors and Planning Directors were virtually unanimous in defending their past actions in approving variances and heavy-density housing patterns. A former Planning Director explained, "Variances are inevitable when attempts are made to develop old subdivisions and the price of land skyrockets." As an instance of such skyrocketing land values, the same report cited a parcel of land 200' by 400' on El Colegio Road in Isla Vista which sold for \$1200 in 1952 and later for \$240,000.

Over the past decade the only organized opposition to high density building in Isla Vista has come from individuals who own homes in Isla Vista. These homeowners have circulated petitions, appeared at hearings, and have hired attorneys to represent them. They have on occasion thwarted the

¹ Quoted by Bonnie Davis Adams, "The Davis Rezoning" Isla Vista Probe, May-June 1970, p. 4.

attempts of developers to acquire high density zoning changes. The students, by contrast, have been relatively uninvolved in and unaware of zoning issues. The student newspaper, El Gaucho, has rarely, if ever, reported on such matters.

Student complaints about housing have typically been concerned with more mundane issues such as the cleaning or breakage deposit required by the rental agencies. Published complaints of this nature appeared as early as 1963 in the Santa Barbara News Press, when students demanded that the amount of the deposit be reduced. In recent years, students have increasingly complained that the rental agencies refuse to return cleaning deposits at all, even when students leave the apartments far cleaner than they found them. The problem is a continuing one. This summer, a reporter for the Isla Vista Probe accompanied two students who wanted to rent an apartment for next fall. The rental agency, Embarcadero Company, told the students that they would have to pay a \$50.00 cleaning deposit. The two students and the reporter inspected the apartment and found it to be filthy, but the rental agency considered the apartment ready for occupancy.

Nevertheless, as in some ghetto areas, disorder has brought action in its wake. During the spring quarter of 1970, the UCSB Housing Office set up a grievance committee for the first time to handle disputes regarding the

return of the deposits. Joan Mortell, the UCSB Housing Supervisor, stated in a July 19 interview in the Santa Barbara News Press that “some good has come from the riots in Isla Vista . . . students and landlords have leaned over backwards this summer to avoid disagreements that have divided them in the past.”

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Further student complaints about housing concern high rent, lack of privacy, noise, and the refusal of rental agencies to make repairs. One reporter for the Isla Vista Probe, investigating these complaints, observed unrepaired holes in front doors; lack of screens on windows; dirt imbedded in furniture; half-inch gaps between doors and floors; uneven floors; total lack of insulation in walls between apartments; cracking and crumbling plaster; peeling paint—especially in the bathrooms; exploding hot water heaters; exploding stoves; and new foundations that crumbled at the pressure of an index finger.

Apartments in Isla Vista are rented on the basis of how many persons occupy them. For example, 2 bedroom apartments located at 760 Embarcadero del Norte rent for \$200.00 per month when occupied by 3 students and for 248.88 per month when occupied by 4 students. Preliminary findings of a study currently being conducted by the Isla Vista Probe indicate 1) the average per unit apartment construction cost in Isla Vista appears to be at least \$1,000.00 lower than in Santa Barbara and Goleta; 2) the amount of money charged for modest accommodations in Isla Vista is equal to and/or exceeds the amount charged for luxury apartments in Santa Barbara; 3) the current market value of rental property in Santa Barbara and Goleta averages 7 times gross yearly rents. When a formula* is liberalized to allow Isla Vista landlords to collect 12 months worth of rent in 9 months, it appears according to this survey that students renting in Isla Vista are required to pay approximately 25% above the prevailing rate in Santa Barbara.

*Fair market value as determined by either 1) classified ads or 2) assessed valuation is divided by 7 years to determine annual rent. This is divided by the number of units and then by twelve months. The resultant fair rent per unit per month is then compared to the actual rent per month per unit.

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In summary, the combination of inadequate planning and questionable property management has produced what seems to many a deplorable housing situation for University students at UCSB. The selective attack on realty management companies, especially during "Isla Vista I" supports the contention that the relationship between the residents of these dwellings and the management is a major factor in the continuing unrest in Isla Vista.

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Participation in Local Government

Isla Vista, as an unincorporated area, is governed by the Santa Barbara County Board of Supervisors. Prior to 1970, very few students living in Isla Vista were registered to vote, the campus newspaper customarily paid

little or no attention to local government, and few students had even heard the name of Daniel Grant, their 3rd District County Supervisor.

When students did seek to register with the County Clerk, they were frequently turned away and advised to register in their parents' precincts. When one couple attempted to register in Isla Vista in 1965, they told the deputy registrar that their local address and their permanent address were the same. The deputy registrar advised them that even if their school records showed their permanent address as Isla Vista, their registration might be refused because they were students—and by implication non-residents.

In early 1970, student deputy registrars began a voter registration drive in Isla Vista. In order to avoid possible disqualification of Isla Vista registrations, some students filled in the occupation section of the registration form with their part time or summer employment.

Between February and June voter registration in Isla Vista increased by 1,317 to a total of 3,714 -- an increase of 54%. The effect of this increase was quickly evident; an Isla Vista Community Council-backed candidate for Sheriff ran third in the County voting, in a field of seven. The Santa Barbara News Press reported the consensus of political observers that a controversial school bond measure had been carried by the Isla Vista vote in the June primary. A local taxpayer association, which had opposed the

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measure, subsequently protested the Isla Vista registrations and precipitated a legal controversy over whether or not students with permanent addresses elsewhere ought to be allowed to register to vote in Isla Vista. To date, this controversy has not been resolved.

In the absence of an official city government the formation of an Isla Vista Community Council began in the fall of 1969. The organizers envisioned this organization as an informal but representative committee, a group that would provide continuity of action, and that might eventually work for incorporation of Isla Vista. The IVCC began operation in May 1970 when 11 representatives were elected by Isla Vista residents, 8 by individual precincts and 3 at large. Most of the candidates for IVCC seats promised to work for the incorporation of Isla Vista. The group elected in May included 7 students (one under suspension at the time of his election), a UCSB librarian, a campus minister, a professor, and a University employee. Two of the members, Gregory Knell and Walter Chesnavich, were among those subsequently indicted by the County Grand Jury on alleged charges in connection with the burning of the Bank of America.

Since its inception, the council has endorsed candidates, appointed commissions and committees to advise and inform it, and has attempted to quell violence in the community. The political makeup of the group was summarized by the Santa Barbara News Press on May 17, 1970, as “left of the Establishment center, but not ‘far out’”. It is notable, for example, that Professor William Allen was an unsuccessful candidate for one of the IVCC seats. The community credibility and legitimacy of the Council was quickly demonstrated in the June primary election when Isla Vista citizens overwhelmingly voted for IVCC endorsed candidates and ballot measures.

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Members of the Isla Vista Association, a homeowners' organization, have long regarded the district's county supervisor, Daniel G. Grant, as unnecessarily sympathetic to real estate speculation in Isla Vista. Research into

rezoning and zoning variance files in the County Planning Department indicated that Supervisor Grant had consistently argued on behalf of the developers regardless of community protests over rezonings.

In May, the Isla Vista newspaper Probe, published a long detailed article on the relationship of Supervisor Grant with the development of Isla Vista. Within a few days of its publication, a recall campaign against Supervisor Grant began. IVCC and the Isla Vista Association had subsequently endorsed the recall effort, and the petition is presently being circulated.

Recent developments thus indicate that the students want a voice in the government of their community, whether it is the university or the larger community. For many, voter registration difficulties heightened the frustration inherent in their perceived exclusion from campus governance. The disorders of "Isla Vista I", "II". and "III" may be seen as a negative response to these frustrations; IVCC as a positive response.

Drugs and Crime

As elsewhere in the country, use of marijuana and other illegal drugs has increased among UCSB students in recent years. A recent survey indicates that the percentage of students who have smoked marijuana rose at UCSB from 21% in 1967, to 47% in 1968-69, to 66% in 1969-70 (Robert B. Smith, "Campus Protests and the Vietnam War," Table 13).

Comprehensive data on drug usage in the Isla Vista community is not available at this time. The relationship between drug use and the development of local campus unrest accordingly cannot be fully determined. It is clear, however, that present drug laws coupled with widespread marijuana usage creates an increasing tolerance for violations of the law. There is, on the part of authorities from the Santa Barbara County Addiction Research Center and of various local professionals who work with community drug abuse problems, general agreement about certain facets of the drug situation in Isla Vista:

(1) With the exception of cocaine, most of the dangerous drugs used in other parts of the country are readily available in Isla Vista, at least "seasonally." Seasonally is to be understood as follows: If a large quantity of marijuana is confiscated at the border it becomes "seasonally" unavailable; simultaneously, "reds" or other pills become "seasonally" available as a substitute.

(2) A large majority of the young people living in the Isla Vista area have used some type of illegal drug, or are now using such.

(3) There is a marked difference in drug usage between students on the one hand, and "street people," transients and other non-students in the area on the other hand. Continued or frequent use of addictive

drugs (heroin and barbiturates) is far more prevalent among the non-students than among the students.

Regarding the connection between drug use and periods of campus unrest in the area, an additional generalization can be made at this time. The use of marijuana and approval of its use are so widespread among the students and other young non-students in the area that enforcement of the law against its use has become a major factor in developing among these young persons a feeling of alienation from the "establishment." As is

frequently pointed out, the result is a public attitude of tolerance for illegal acts very similar to that which prevailed during Prohibition.

Students often express dissatisfaction with what they call “ghetto policing” in Isla Vista. Police are thought to consider Isla Vista residents suspect by definition. It is widely believed that police stop known radicals either in cars or walking, to check identification and shake them down for drugs. (For a detailed, first-person account of such practices see the Testimony of Rashidi Ali Johnson before the Santa Barbara Citizen's Commission On Civil Disorders in Appendix J.) Such investigations are considered political harassment because, given the widespread usage of marijuana, selective enforcement raises obvious questions of motivation.

Just how widespread these checks and shakedowns are, is difficult to document. However, the crucial fact is that students believe they occur very frequently and this belief justified or not, leads to further disrespect for police. This lack of respect is exacerbated by the reports that heroin dealers are widely known to the police, but are not arrested. (The apparent rationale is that in the absence of an effective local drug clinic, arrests of dealers would only produce higher heroin prices, and a resultant wave of desperate robberies.) The student community clearly supports

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crackdowns on hard drug dealers and the use of hard drugs. It is the “pot bust” that they oppose. Police respond that this attitude is, in itself, a call for selective law enforcement.

As mentioned above, an aspect associated with hard drug use is the resultant need by addicts for money to support their habit. Burglaries reported in Isla Vista in 1969 were four times those reported in 1965.

An article entitled “Burglar's Paradise—I.V. Leads the County” in the Isla Vista Viewpoint (August 28, 1970) states that

“Reported burglaries from residences and businesses from January to July number 128. Since the first of August there have been 27 cases, with seven occurring last Monday. This compares with 166 reported burglaries for the time period January through September of 1969.”

Figures for narcotics arrests show a rise from three in 1965 to 114 in 1969. The rise in narcotics arrests presumably reflects the rise in narcotics use which is cited as a cause for the increase in burglaries. Estimates of the number of heroin addicts in Isla Vista vary, but all agree that the number is “excessive”

though estimation is difficult, most sources agree that there are between 100 and 150 users in I.V. alone. . . . County Mental Health Services officials believe that heroin users and addicts number close to 1,000 county-wide.

—from a special report, “Heroin in
Isla Vista”, El Gaucho, May 8, 1970.

Perhaps the most startling change in Isla Vista crime statistics has occurred in reported assaults. In 1965 there were 12 reports, 37 in 1968, 39 in 1969. In 1970 there were 21 for January and February alone. On April a

week before “Isla Vista II,” an unidentified man was found dead on the beach. A month after “Isla Vista III” on July 4, 1970 three youths sleeping on the same campus beach were attacked; two were killed and one

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remains in critical condition. No arrests have been made. Such increases in crimes against defenseless persons aroused further animosity toward the police. To quote an Isla Vista resident, “Why don't they protect the community instead of arresting some guy for blowing pot?”

A recent response to these events has been the formation in the Isla Vista community of a volunteer “People's Patrol” to monitor daily police activities and to provide “internal security in Isla Vista.” The major underlying causes that brought the patrol into existence in the summer of 1970 is the gulf of mistrust and suspicion between police and students. For example, in the investigations of the above beach murders the police publicly pleaded for people with information to come forward. The two detectives investigating the case promised to refrain from drug investigations of witnesses unless drugs were flaunted in front of them. But Isla Vistans remain suspicious. The Isla Vista Viewpoint reported on August 28 that “. . . [burglary] victims are reluctant to become involved with police and assume that nothing can be done anyway.”

In summary, crime and drugs are a serious problem in Isla Vista, as in most urban and campus-fringe areas. However, the belief that police are more concerned with I.D. checks and drugs arrests (“pot” in particular) rather than crime prevention have contributed to further distrust of police— a distrust recognized in public statements by police officers. (See “A View from Behind the Badge” Appendix K.) In the wake of the disturbances of 1970, Santa Barbara County received a federal grant to institute a walking police patrol unit in Isla Vista. Whether this new program will alleviate or exacerbate the situation remains to be seen, but the community seems disposed to favor such a system, if it is aimed at preventing crime rather than harassing students for their appearance and “life style”.

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C. National and International Issues

The Vietnam War

One result of the United States' involvement in the Vietnam war appears to be the questioning, on the part of UCSB and other students, of the legitimacy of the federal government. The previously-cited campus survey by Sociologist Robert B. Smith showed that 60% of the UCSB students interviewed felt that “America is an imperialist nation,” and that the United States was in Vietnam not to protect freedom, but in pursuit of imperialistic economic and political interests. Smith's major conclusion is that students who become militant over the issue of Vietnam are likely to express their militancy in increasing support for, and even participation in, acts of violence such as the burning of the Bank of America.

The belief in the illegitimacy of the federal government has been heightened by the feeling, held by 64% of the students in the same survey, that: “Political action today is most difficult. Furthermore, the students believe

the major parties are controlled by the Establishment and the result is a form of political bankruptcy.” The issue of legitimacy is involved in what the students view as a refusal on the part of the Nixon and Johnson Administrations even to listen to their petitions, mass meetings, marches, and other peaceful forms of protest. The statement by President Nixon that he would not be moved by such demonstrations as the November 1969 moratorium is often quoted by students preaching violence.

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Analogously, the UCSB University Administration's adamant refusal to consider student demands in the Bill Allen case confirmed in many minds that no one was listening. Thus 55% in the survey felt that “the UCSB Administration and Academic Senate have been unresponsive to the requests for participation in the government of the University.” Student opinion at UCSB has now reached the disturbing point at which 47% of the students interviewed agree with this statement:

When grievances pile high and most of the leaders represent established authority, then violence may be the only effective response.

Only 36% disagreed.

The students' attitude towards the war has led to conflict with the national government in regard to draft laws. In many cases a normal law-abiding young citizen's first serious consideration of the possibility of deliberately violating the law has come in terms of resisting the draft. A man cannot logically hold a very firm respect for his federal government when he is forced to consider breaking a federal law in order to maintain his own moral beliefs. Ironically, the inequities of the draft system have served to lessen the legitimacy of federal law even the student, more often than not, has benefited from them. It would appear that the problem of the draft is a unifying force for students across the country because it is a burden shared by virtually every male 18-25 years of age, as well as by his girlfriend or wife. The brotherhood created by this common burden, in conjunction with shared moral beliefs, appears to have been the major source of the solidarity apparent at UCSB, and on hundreds of campuses across the country, after the invasion of Cambodia and the shootings at Jackson and Kent State.

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National Social Issues

The mass media (primarily television) have added a new dimension to classroom education; it is not at all uncommon for a student to walk out of a class dealing with ethnic problems, only to turn on a television set and watch the riots in Newark or a news report about the shootings at Jackson State in Mississippi. This would seem to have a powerful effect upon many college students, most of whom (at UCSB) have been raised in predominantly white, middle-class neighborhoods; many of whom have not ever seen a black ghetto such as in Watts or Oakland. The result is a heightened concern for social issues, a new feeling of involvement.

National issues have has an impact on actions and attitudes at UCSB. For example, the Chicago Seven trial and Bobby Scale's gagging in the courtroom apparently represented to many students (particularly after they

had heard the statements of participants and read transcripts from the trial) an intolerable restriction of free speech and dissent. The trial was perceived by many students as a manifestation of systemic injustice, directly related to other aspects of "the system." Thus, the Smith survey indicates that only 6% of the students at UCSB felt that "the Chicago Seven had a fair trial."

Students have viewed much of the conflict between the police and the Black Panther Party as another instance of repression by the government. Students have come to regard in the same context the problems of Chicanos, Indians and other minorities, and the "system" that apparently keeps many of these people in poverty and ignorance. White college students

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at UCSB perceive that nonviolent protest has not stopped systematic racial discrimination, for example, even though civil rights bills have been passed. Many accuse the University of complicity in perpetuating what they see as a discriminatory system of economics and job opportunity as well as involvement in war-related research. Due partially to their experience in the Allen case, for instance, many now believe that the possibility to remedy this situation through normal channels is quite small.

In this way the students' frustration with the "system" at UCSB is apparently increased and confirmed by the repression of minority peoples and of dissent in America. Many are beginning to view themselves as a "minority" ethnic group with its own value and culture, systematically detected and discriminated against by the dominant middle class culture. Thus, what began as efforts and protests over social issues aimed largely at helping other minority groups, are now perceived as efforts to defend their own identities and values and their right to protest when these identities and values come under attack. "The student as Nigger" is a phrase that was widely employed and understood in Isla Vista during the past year, and many view the experience as fundamentally educational. A story frequently repeated by students concerned a girl who was approached by an elderly black man in a discount store in Santa Barbara, during "Isla Vista III". He demanded to know if she lived in Isla Vista. She admitted that she did, and he asked pointedly if things were really as bad as reported in the papers. When she answered that they were, he replied, "Good. Now you know."

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Ecology

The ecology issue has become prominent in student thinking over the last two years. Students typically ascribe environmental pollution to difficulties inherent in what is called "establishment thinking." The Smith survey at UCSB found that 54% agreed and only 14% disagreed with the statement that:

The profit motive and the needs of America's capitalistic economy are largely responsible for the urban ghettos, the pollution of the environment, and the war in Vietnam.

In the same survey 75% agreed to the truth of the statement that "the country is destroying itself, and that drastic action must be taken to avert catastrophe." On January 28, 1970, hundreds of students sat-in at a local

wharf area to commemorate the first anniversary of the Santa Barbara oil spill. When surveyed later, 88% of the UCSB students interviewed said that they “approved of such confrontation against oil companies.”

The prevalent attitude is inherent in the following paragraph from El Gaucho, UCSB student newspaper:

Ecology is broadly defined as the interrelationships of living things: their interaction and interdependence with the environment, if we take an ecological stance, then we must view our world as an integrated whole, composed of complex relationships between the economic, political, psychic and physical spheres of life. We can no longer fragment or separate issues in these areas from one another, as the environmental crisis demonstrates. The profit motive of capitalism and its need for unlimited consumption requires rape of our natural resources, as well as the political and cultural imperialism of U.S. corporations which exploit the resources of Third world nations. Furthermore, competition for land, wealth, and material status not only destroys

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physical environment but it is reflected in the way in which we treat our fellow man. As Barry Weisberg puts it, “The exploitation of man by man and nature by man are merely two side of the same coin.” (EG, June 5, 1970.)

The controversy over proposed construction of a campus-freeway link through the wildlife sanctuary of the Goleta slough, as recommended by the University administration, brought ecological and political issues together. In response to the question, “Do you feel that the (University) administration has been responsive or unresponsive to student requests not to destroy the Goleta Slough?” 64% of the students answered “unresponsive;” 14% answered “responsive.” Administrator-student dialogue on the issue produced no immediate results. The university continued to recommend the construction of the freeway.

Students circulated petitions, sent letters to newspapers and to the Administration, presented their views to committees, and tried other normal channels of political change—with little apparent effect. Frustration relative to this issue (as to others) can be correlated to students’ later willingness to engage in more forceful way of making their views known. Though the anti-freeway movement appeared to the students to have been ineffective, it was ultimately and ironically victorious. Budget cuts by the state legislature, motivated in part by the public response to campus unrest, sufficiently slowed the growth rate at UCSB to the point that the freeway could no longer be statistically justified. In consequence, the project was abandoned.

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The Bank of America

The well-publicized damage inflicted on the Isla Vista branch of the Bank of America raises inevitable questions about student attitudes toward the Bank of America -- both the corporation as a whole and the local branch in particular. It is apparent, in the first place, that the bank had been the focus of persistent student criticism before it was burned to the ground on February 25, 1970.

The Isla Vista branch building was the largest building in Isla Vista, situated prominently in the “loop area” business district; it rose high above empty fields on two sides and streets on the other two sides. It was conspicuous in a community which otherwise featured nothing more imposing than small neighborhood stores. It was the only bank in the Isla Vista area. Thus it was easy enough to see the bank as a citadel of “big business” and as an “establishment institution” in an area which otherwise lacks such ideological landmarks.

During the fall of 1969 the Bank of America came under student criticism for its alleged involvement with financing Vietnam war interests, and its major role in financing of the controversial California agricultural industry. An underground publication entitled Bank of America: A Second Check (printed and circulated in Isla Vista after the Bank burning) argued that “the bank was involved in the defense industry” (p. 24); that it had financed lucrative Boeing defense contracts; that the president of Lytton Industries (a prime defense contractor) is on the Bank of America board, and that three of the bank’s directors also sit on the Board of the defense-oriented Stanford Research Institute. The fact that the Bank had recently opened a Saigon branch suggested to the authors of this publication that “If the Bank of

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America is not profiting from the war, it is not from lack of trying.” (p. 27).

The same publication noted that the bank “finances over half of the agriculture in the State, and until recently (it) . . . controlled much massive holding of prime land as the Kern County Land Company” (p. 13). The Bank was accused of playing at least an indirect part in opposing the Delano Grape Strike and other efforts in unionize Farm Workers.

As an apparent gesture against the Bank's support of California growers in the Grape Strike, the Associated Students Legislative Council of UCSB voted on November 25, 1969 to withdraw all Associated Students' funds from the Bank of America. They cited “the bank's financial backing of the growers in the San Joaquin Valley and its involvement with the University's tremendous agri-business research. . .” (El Gaucho, November 26, 1969). The Manager of the Isla Vista Branch, in a letter to El Gaucho, December 5, 1969, commented that the Bank regretted the loss of the account. He responded to the “agri-business” charge with the observation that the bank has always been “involved in the welfare of agriculture as an essential food industry.” In reply to the Manager's letter two members of the Associated Students Legislative Council wrote,

The issue here is not one of banking service. . . The issue is: do we, as students, wish to financially support an institution which is perpetuating racism, poverty, injustice and war (as the reserve bank for the Army in Vietnam)? We want no part of it and we will be active in the attempt to get UCSB's eleven million out of your coffers (El Gaucho, December 12, 1969).

Another student letter on the issue, captioned by the newspaper “B of A: a piggy bank,” alleged that “banks exist to make profits for themselves. Any song-and-dance about service is a mealy-mouthed rationalization, or at best a very minor consideration” (El Gaucho, January 7, 1970).

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The Smith Survey of student attitudes found a 60% approval of the Student Government's withdrawal of funds from the Bank of America. On the other hand, a petition circulated just after the burning of the bank, deploring the violence of the act, gathered 6,000 signatures. Yet many who disapproved the burning expressed a distaste for the bank and urged that it not be rebuilt.

The bank has thus become an ambiguous symbol of aspects of American foreign policy and domestic economy which a large number of students feel to be objectionable. The ideological objections to the bank (coupled with its isolated presence in a community which is otherwise without establishment trappings) may go a long way toward explaining how a bank building became a primary target of violence during "Isla Vista I."

Some remarks by a student leader, published just after the burning, indicate the complexity of the underlying tensions in Isla Vista at that time:

He listed the lack of voting power, crime and constant police harassment as the prime causes of increasing tension. . . . Denial of access to channels of authority was stated as the second major area of student tension. The student commented that "If you say you believe in peaceful protest you will go to jail. . . ." This leads, he feels, to chaos and disorganization and forces students to strike out at "objects of oppression such as the Bank of America, the police, and reality companies." (El Gaucho, February 26, 1970).

The Bank of America's massive advertising campaign, in the wake of the burning, further alienated student opinion. Its characterization of Isla Vista as "a normal American suburban community" was widely ridiculed and resented, and Bank officials later admitted that the campaign had been a failure. The temporary Isla Vista Bank of America which was erected near the site came under attack during "Isla Vista II." Kevin Moran, one of a group attempting to protect the Bank, was struck with a police bullet

and died on the steps of the temporary branch. The attacks recurred during "Isla Vista III," when the temporary branch was nearly destroyed on June 7, and (in what many termed an unfortunate decision) converted into the main Sheriff's Command Post and booking area during the subsequent days of the Curfew.

A new, expanded branch bank is now being erected in Isla Vista with stone facing and an elaborate sprinkler system. Though the building gives the appearance of being attack- and fire-proof, the troubles of the Bank of America in Isla Vista do not seem to be over. A new survey of Isla Vista residents completed in August 1970 by Patrick Allison of the Emotional Studies Institute posed the question, "What are your current feeling(s) concerning the Isla Vista Branch of the Bank of America?" The largest number (36%) chose the following response: "It is an establishment institution which by its very nature will never be sensitive to the needs of the community." Almost as many (35%) preferred a more moderate, but still critical, response. "It is a necessary community institution. However, its employees need to go through a re-education program or be hired from community residents so that Bank policies would better fit community needs." At least 75% of those polled felt that the bank had only a 50-50 chance of survival in Isla Vista. (Isla Vista Viewpoint, August 14, 1970).

V. UCSB AND THE OUTSIDE COMMUNITY

A. STATEMENTS OF PROMINENT PUBLIC SPEAKERS

Statements made by public figures outside the student community, both in and out of government, have in some cases had a profound effect on the situation at UCSB and Isla Vista. In some cases they were, or appeared to be, genuinely inflammatory. In other cases they were, seized on by news media, and identified as the supposed “cause” of later events. The examples cited below, made from various political viewpoints, show how “public” campus affairs became at UCSB in the period 1968-1970. In many cases these quotations are taken directly from El Gaucho, the student newspaper.

October 19 and 21, 1968. In reference to the October 14 take-over of North Hall on the UCSB campus. Max Rafferty (campaigning in Santa Barbara) called the blacks responsible, “jackbooted storm troopers.” Rafferty called Chancellor Cheadle’s negotiation with the students a “rather strange decision” and called the settlement that had been reached “ridiculous” (EG, October 21, 1968). Governor Reagan, referring to the same incident two days later in a Santa Barbara campaign speech, claimed that Cheadle had “capitulated to threats of force,” and was cheered for his statement that “Administrators have no right to negotiate with students” (El Gaucho, October 21, 1968).

June 19, 1969. Governor Reagan, ex-officio President of the UC Board of Regents, spoke regarding the Heyns plan for the disposition of a piece of land then called “People's Park.” He called the plan “a concession to the people who took the land by force.” The Governor

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said that if the plan were accepted, “we wouldn't be able to show our face to the people of California” (El Gaucho, June 20, 1969). The final decision of the Regents was summarized in the following way by Frederick Dutton, also a member of the Board: “It was our side that engaged in overkill. We're driving the moderates over to the radicals. The center is shrinking. . . . There are just as many provocateurs at this table as there were out in the community.” (El Gaucho, June 20, 1969).

August 27, 1969. Leland Stewart, Santa Barbara County Road Commissioner, in response to the question of why the trees bordering El Colegio Road had been cut down the day after concerned students were assured the trees would stand unharmed for another year, said, “We wanted to clean up this situation before you could file your petition and create the kind of opposition you people did to the [Freeway] Project.” (El Gaucho, October 1969).

February 24, 1970. State Senator Robert Lagomarsino (R., Ventura) made the following statement regarding a forthcoming speech by William Kunstler at UCSB: “There is still a great deal of unrest on campus concerning

the dismissal of Professor William Allen. This is not the time to bring in someone, especially one not connected with the University, whose only purpose, it seem to me, is to stir up trouble.” (El Gaucho, February 25, 1970).

February 25, 1970. Preceding the speech given by Kunstler, Nancy Rubin said, “There is no justice in the courtrooms, and we may have to take to the streets.”

William Kunstler, speaking after Mrs. Rubin, said, “It is better to conspire to create a world where black and white can live together, where men and women are equal and poor people abolished perhaps by elimination

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of property as a private concept, than to destroy minds in the universities and beat heads with night sticks.”

“I have never thought that picayune violence . . . is a good tactic — but on the other hand, I cannot bring myself to be bitter about it and condemn it. “If resistance is not, heeded, then it can lead to revolution. I hope the government is listening to what is being said. Fill the streets so they can see you.”

Mr. Kunstler claimed that Federal anti-riot laws were designed “to enable the government to pick out people at random and lump them as a conspiracy.” The attorney also said that the idea behind the Chicago trial “was to set an example of what could happen to you if you become involved in the social movement.” (El Gaucho, February 26, 1970).

February 26, 1970. Santa Barbara District Attorney, David Minier, made the following comment regarding the Allen controversy: “It would be a grave miscarriage of justice for us to prosecute the 19 ringleaders and allow the primary agitator, Allen himself, to go unpunished” (Santa Barbara News Press, February 26, 1970).

February 26, 1970. Governor Reagan came to Santa Barbara and made the following statement in response to the burning of the Bank of America building: “I can promise full protection of the state, as this cannot be allowed to continue. I will not let this get out of hand as it was in other communities. . . . so help me God, we will provide everything that needs providing....

“I wouldn't be surprised if the reports later showed outside agitators.

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“I was happy to hear that there were students on the other side tried to halt the burning of the bank. These appear to me to be far more typical of the students. The rest are cowardly, little bums who have been doing what they have.”

In the same statement the Governor said Kunstler was “just a middle-aged delinquent” (El Gaucho, February 27, 1970).

When questioned on his use of the term “bums,” the Governor remarked, “Give me time and I will give you a stronger term.” (Santa Barbara News Press, February 26, 1970).

February 26, 1970. County Supervisors Beattie and Tunnell delivered the following statements to UCSB Chancellor Cheadle:

Beattie: "The time has come when we must stand up and be counted. We cannot stand idly by and see our properties destroyed by kooks. We need more cooperation from the University."

Tunnell: "It is almost unanimous among the people I have talked to that you must expel those responsible for such activities or the entire University is going to blow up."

(Santa Barbara News Press, February 27, 1970).

February 26, 1970. Vice President Spiro T. Agnew at the National Governors Conference. He described the greatest threat to the U.S. Government as, "Not the war in Vietnam, nor inflation, nor the environment . . . it is: Will the government of this country remain in the hands of its elected officials or will it descend to the street?" Mr. Agnew said this assessment was not based on "fear of the kooks and demagogues themselves, but in the current respectability." Never in our history have we paid so much attention to so many odd characters. . . Twenty-five years ago, the action of such societal misfits would have brought the establishments

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running after them with butterfly nets rather than television cameras."

"It is in this inordinate attention to the bizarre, this preoccupation with the dramatic, this rationalization of the ridiculous, that we threaten the progress of our nation."

The Vice President referred to the Chicago 7 as "oddballs." In commenting on how to cope with extremists he said, "Most of them need treatment more than publicity." (Santa Barbara News Press, February 27, 1970).

March 2, 1970. Los Angeles Mayor Sam Yorty spoke in Santa Barbara. He posed the following question: "What system is Kunstler for if he is against the present one?" He went on to discuss "outside agitators and communist conspirators," whom he held responsible for the Isla Vista disturbances, and he claimed that "students and young people just don't understand that political freedom is dependent on the free enterprise system." (El Gaucho, March 3, 1970).

April 8, 1970. Governor Reagan spoke to a California Growers Convention meeting in Yosemite National Park. "Appeasement is not the answer. . . if it's to be a bloodbath, let it be now. . . . There are growing signs that the good kids have had it up to here. They are losing patience. Any way you can shorten their patience, do it," Reagan urged. "There comes a moment when we must 'bite the bullet' so to speak, or take action when it is necessary to do so. Alumni of embroiled campuses should urge Administrators to 'bite the bullet' now." (Santa Barbara News Press, April 9, 1970).

April 13, 1970. County Supervisor Beattie, speaking during the debate over whether or not a permit would be granted to allow Jerry

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Rubin to speak in Isla Vista, commented that Isla Vista residents had a responsibility to demonstrate respect for law and order before they should be allowed the “privilege of freedom of speech” (El Gaucho, April 14, 1970).

April 16, 1970. Nancy Rubin, appearing in place of her banned husband at UCSB, told the crowd, “all property is theft. . . . We've got to fight for everything.” Stu Albert, Berkeley radical appearing with her, called for the “rip off of pigs” (El Gaucho, April 17, 1970).

April 20, 1970. In a discussion of the use of guns by police during “Isla Vista II,” Santa Barbara Sheriff James Webster was asked about an incident in which a shotgun was fired at a student who placed a trash can lid over a tear gas grenade in front of a campus dorm. The Sheriff defended the use of the shotgun by saying that “the officer was reacting in what he thought was the best interest of the situation.”

April 20, 1970. Governor Reagan made a statement regarding the fatal shooting of Kevin Moran which was originally printed in Charles McCabe's column of the San Francisco Chronicle, April 23, 1970. McCabe wrote,

Without knowing whether a cop or a militant fired the shot that killed the young man, Mr. Reagan asked committee students and teachers to believe “ . . . this is the end—no more attending rallies, no more even supporting with expressions of sympathy, those who have resorted to this kind of violence.”

The governor, in a superb example of doublethink and doubletalk, tried to turn his unfortunate April 7 remarks about bloodbaths away from himself and onto the student militants. Is there anyone who would suggest that we haven't been subjected to a bloodbath for these last three or four years I think we have.”

One wonders, sometimes, whether Governor Reagan wants peace on our campuses, or wants some kind of war. The first will not do much to re-elect him. The second will. (El Gaucho, April 27, 1970.)

May 3, 1970. Santa Barbara County Supervisor Tunnell made the following statement in calling for more stringent vagrancy laws to rid Isla Vista of “street people”: such laws, he said, would “give the sheriff a tool, even though they (those vagrants arrests) may be turned loose eventually, we will have accomplished something and attracted attention to it. . . . The burden of proof that such an ordinance would be illegal should be placed on the vagrants. (El Gaucho, May 4, 1970).

May 12, 1970. Governor Reagan, commenting on student dissent over Cambodia, said that “any student who wants to spend time in political dissent rather than in getting an education should drop out” (Santa Barbara News Press, May 13, 1970).

May 13, 1970. U.C. President Hitch made the following statement in response to the Governor's remarks of the preceding day: "However intended, those statements were taken as indication of not only disinterest and unwillingness to listen, but also of contempt" (Santa Barbara News Press, May 14, 1970).

May 15, 1970. Governor Reagan said that "to permit our campuses to become havens for political action, ultimately could transform great academies into little more than finishing schools for mobocracy" (Santa Barbara News Press, May 15, 1970).

May 21, 1970. U.S. Attorney General John Mitchell issued a statement which included the following statement on police behavior during disorders:

One can realize the provocations which often accompany civil disorders, but trained law enforcement personnel have a responsibility to keep their cool and to utilize only such minimum force as is necessary to protect the safety of the general public, the bystanders, and themselves (Santa Barbara News Press, May 22, 1970.)

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June 11, 1970. Supervisor George Clyde, referring to police conduct during "Isla Vista III," stated that "Undoubtedly there have been actions that have been wrong. It was inevitable that it would occur in this situation" (Santa Barbara News Press, June 11, 1970).

June 11, 1970. James Lindsay, a volunteer prosecution attorney assisting the Santa Barbara courts, resigned his position, stating, "It is indeed unfortunate that the lawlessness of some officers of Southern California cast a shadow on the good efforts of our own local officers." He added that "The criminal conduct of a few young people is of lesser significance in comparison with official unlawfulness conducted behind the badge of an officer" (Santa Barbara News Press, June 12, 1970).

June 20, 1970. Sheriff Webster, commenting on local efforts to provide impartial observers during crises, quoted an earlier statement made by J. Edgar Hoover:

Police-watchers and self-styled law enforcement reforms have no place in our society. Their altruistic mouthings are a front and a sham, for they have already prejudged law enforcement as an enemy to their nihilistic cause. Their real objective is to intimidate and harass citizens. They care nothing about public protection and orderly due process. They seek special privileges which place them above the law and commit abuses which encroach on the rights of others. (Santa Barbara News Press, June 21, 1970).

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B. LOCAL GOVERNMENT ATTITUDES

Many students apparently believe that the attitudes and actions of government officials reflect a bias against students. It would appear that such student beliefs have been strengthened by recent events in Isla Vista. (See Appendix J: Dr. Swander's students' essays). Many instances are cited of local governmental decisions which adversely affected students, or gave that appearance.

It is often contended that governmental actions against students (such as Grand Jury indictments) and decisions against student interest (such as zoning variances in Isla Vista) are "politically motivated". It appears that a considerable number of students are sympathetic to this interpretation of such events, and more students apparently are becoming sympathetic to it all the time. It would seem that local officials fully recognize the economic advantages of having the University in Santa Barbara, but find it difficult to relate the interests of their constituents to those of the University and of Isla Vista. The following instances are indicative of the continuing difficulties.

1. January 30, 1970. The UCSB administrators found it necessary for the first time to call in outside police forces during demonstrations in support of Professor William Allen. The encounter on the UCSB campus between the police and the students on this occasion was (with only minor exceptions) completely non-violent. Nevertheless, on February 2, 1970, 19 students and student leaders were arrested on warrants secured by the District Attorney's Office based on pictures taken during these demonstrations. Those arrested were immediately suspended from school

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and barred from campus, and thus put in the position of facing both University and civil discipline.

Those arrested were not released on "O.R." (their own recognizance) but instead were held for bails ranging from \$1,000 to \$4,000. The imposition of high bails — \$1,250 per misdemeanor with a multiplication of charges to produce a very high total — was an almost universal practice in such cases until June 8, 1970*, even though the District Attorney's published guidelines gave the ranking officer in charge of a civil disorder the right to release arrested persons on "O.R."

After booking, C.D.O. (ranking officer) may order any or all arrestees released O.R. under 840

(b) (3) P.C., upon written agreement to appear in Court; C.D.O. may require as a further condition of O.R. release that the arrestee promise not to return to the disturbance scene.

[Bulletin of the Santa Barbara County District Attorney's Office. June 19, 1969, (No. 24/A) p. 4]

As a result, many students judged the arrests to be "political".

2. July 19, 1969. Political statements are a part of the official Bulletin of the Santa Barbara County District Attorney's Office. The issue of July 19, 1969, (No. 24/B) contains the following introduction by District Attorney David Minier:

The Warren Court has now passed into history. However, in what some consider a last gesture of defiance to increasing criticism, the Court last month handed down a final decision which drastically affects law enforcement. In Chimel v. California, the Supreme Court swept away the long established right of peace officers to make reasonable searches incident to lawful arrest. This right was restated by the Supreme Court itself in 1950, shortly before Earl Warren became Chief Justice.

In our opinion, of all the controversial Warren Court decisions in the field of criminal law, the Chimel decision will impede law enforcement the most.

As we stated in this Bulletin thirteen months ago, “history alone will judge the Court’s current attitude towards law enforcement. There increasing indications, however, that its judgment will indeed be a harsh one.” Now, with the Warren Court itself a matter of history, we look to the future with cautious optimism.

*When Judge Joseph Lodge reduced bail for simple curfew violation from \$1,250 to \$65 during the “Isla Vista III” disturbances.

The District Attorney's apparent satisfaction with the passing of the Warren Court reveals an attitude regarding rights of the accused individual, an attitude sure to influence all public officers, for whose information the Bulletin is prepared. In the following five months the District Attorney's Office relied on secret Grand Jury indictments to secure felony complaints against alleged rioters for individual actions during the January events, with disastrous consequences (see #9 below).

3. February 26, 1970. At a special meeting of the Board of Supervisors, held in response to the bank burning of the previous night. Supervisor Beattie observed that, “We can't stand idly by and see our properties destroyed by kooks.” Among those who attended this meeting were Jack Schwarts and Mable Schultz (well-known real estate figures in Isla Vista) and Governor Reagan, whose response to concerned property owners was, “So help me God, we will provide martial law if it needs that to stop this from going on!” [County Recorder's File #13, Civil Defense and Disorders: Isla Vista]

After this meeting, a Special Executive Session was held; Assemblyman MacGillivray wanted to know, “if the students couldn't be suspended and then let them prove they did not participate. . .” Chancellor Cheadle came under attack by Supervisor Tunnell. The product of this meeting was the following resolution:

“It is ordered that the County of Santa Barbara hereby officially requests Chancellor Cheadle to take disciplinary action by suspension of any member of the student body at UCSB who is arrested for participation in any illegal activity connected with public disturbances at the University and its environs.” [File #13, Civil Defense and Disorders: Isla Vista]

4. March 19, 1970. Supervisor George Clyde, representing the County Board of Supervisors made a statement before the Educational Policy

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Committee of the Board of Regents of the University. He expressed concern over the polarization within the Santa Barbara community resulting from the disturbances and destruction caused by students. He complained of a lack of cooperation on the part of University officials both before and during the disturbances. Clyde accused the University administrators of failing to lead and/or be involved in the development of the Goleta area. He complained further that administrators were not considering suspensions of students in cases off-campus arrests as a means of preventing further disturbances. While he gave recognition to the economic and intellectual advantages of having the University in Santa Barbara, the central concern of the Supervisor was with the economic problems resulting from the disturbances.

5. March 20, 1970. The Board of Regents of the University adopted Governor Reagan's proposed resolutions related to periods of emergency. The regulations deprived the local University officials of all flexibility in disciplining students, faculty members, or employees who violate regulations during a state of emergency related to a campus disturbance. The result was to place authority for an increasing number of crucial decisions on campus matters in the hands of civil officials.

When a state of emergency is declared to exist by the State or Chancellor, interim suspension shall be imposed on any student. . . .(Emphasis added. Source: File #13, Civil Defense and Disorders: Isla Vista, January to May, 1970)

6. April 13 1970. At a regular board meeting, the County Supervisors denied a request to allow Jerry Rubin to speak at Del Playa Park in Isla Vista after he had been denied the use of University facilities. It was this denial which apparently precipitated "Isla Vista II", the serious civil disturbance of 1970 in the area, bringing death

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to one student and birdshot injuries to several others. In the hearing request was denied, attitudes hostile to students were openly expressed by the supervisors:

Supervisor Tunnell asked Miss Bennis (Chairman of the Associated Students Lecture Committee which was seeking approval of Rubin's speaking) if she personally advocated the overthrow of the United States government. [File #13, Civil Defense and Disorders: Isla Vista]

7. April 27, 1970. At a regular board meeting the supervisors debated a "vacancy resolution" to help control Isla Vista problems. The measure failed on a split vote, partly because of constitutional problems, and partly because

of wide indications of non-support for the proposal in Isla Vista. A large audience of Isla Vista residents filled the hall. Supervisor Tunnell, though admitting possible legal difficulties, declared that:

...the burden of proof should be put to them (the arrestees) to show that the ordinance is illegal, and the Sheriff should be given some tools to work with and take some corrective measures in Isla Vista. [File #13, Civil Defense and Disorders: Isla Vista]

8. April 30, 1970. Chancellor Cheadle, responding to a suggestion by the UCSB Academic Senate, requested the Santa Barbara County Grand Jury to “investigate recent disturbances in Isla Vista and recommend means of improving services to the community.” The Grand Jury held two days of hearing in Isla Vista and on May 19, 1970, issued a Special Report (see Appendix C for the complete report). The UCSB administrators were to “undertake more responsibility” in such matters as control of reporting by the campus newspaper and radio station, and replanning of Isla Vista. The other recommendations, made to the Board of Supervisors and Sheriff's department, included the assignment of specially trained walking patrols to Isla Vista; the development of a park and a community center; the establishment of a health center; the discontinuation of the use

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of plastic hand ties as handcuffs, and, if possible, of tear gas in event of a disturbance; and the assignment of faculty and clergy observers at booking, holding and jailing locations, if trouble occurs again. Daily communication between the UCSB administration, the Isla Vista Community Council, and the Sheriff's Department was also recommended. That such recommendations were considered necessary is evidence of official concern over previous Isla Vista incidents.

9. June 3, 1970. On this date the existence became known in Isla Vista of Secret Grand Jury indictments of 17 individuals charged with the burning of the bank in February. The indictments had been made on evidence presented by the District Attorney. Student anger increased when it became clear that two of those indicted had been in jail at the time they were alleged to have burned the bank. This “unforgivable botch” (in the words of the Santa Barbara News Press editorial of June 11) seemed to many students a political act. The news of these indictments brought angry crowds into the streets, by general agreement triggering “Isla Vista III”, the third major civil disorder of 1970 in the area. Ultimately, 11 of the 17 were brought to trial on arson and other charges; the trial currently is in progress.

10. June 6-12, 1970. When “Isla Vista III” broke out Faculty and Clergy volunteered to implement the Grand Jury's recommendation for observers. Representatives of a quickly-organized Faculty and Clergy Observers group had numerous conversations with Supervisors Clyde, Grant, and Callahan, and with Sheriff Webster, as well as others, all aimed at gaining the support and approval of these officials for the observer program.

The Sheriff and other law enforcement officers took the position that, under the various ordinances then in effect, they had no authority

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to allow observers. They recommended that the case should be presented to the County Board of Supervisors. Conversations with various members of the County Board of Supervisors were similarly unproductive: their response was that the responsibility to allow observers was strictly in the hands of the local law enforcement officials. After being repeatedly pressed by members of this organization and others, the officials finally admitted that the Board of Supervisors probably could compel, or at least strongly recommend, acceptance of the observer program—which, however, they refused to do, out of fear of possible legal liability to the County in case of injury to observers.

Unable to secure official cooperation, the group fell back upon the alternative of placing faculty, clergy, and other observers in various apartments around Isla Vista.

Before “Isla Vista III” had run its course, 667 persons had been arrested; on June 10, approximately 302 persons from the crowd of over a thousand who were protesting the curfew and police practices in a peaceful sit-in in Perfect Park were arrested. The charges against these arrestees were dismissed on June 12 by Judge Joseph Lodge.

Judge Lodge said those arrested in the incident “have already incurred sufficient punishment for an orderly peaceful demonstration.” He also pointed out that many of them still were confined in jail although repeated attempts have been made by friends and relatives to bail them out. “I also noted that the Sheriff leveled three charges against each of the demonstrators... ‘curfew violation, unlawful assembly, and refusal to disperse,’” Judge Lodge said. “This served to hike the amount of bail needed for release.”

Santa Barbara News Press, June 12, 1970

At the request of District Attorney Minier, the judge was removed from any further Isla Vista cases.

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Some observers have concluded from the various instances of official actions and decisions described that an unfortunate lack of sensitivity to student community problems exists in Santa Barbara local government; others have found it tempting to see here a systematic pattern of repression. Few would find very much encouragement for the future in the current relations between the UCSB student community and local government.

The apparent lack of sensitivity to the requests and needs of student; by local government seems parallel in many students minds with that shown the students by the University administration and Academic Senate on the issues of open hearings for Professor Allen and student participation in university governance. The ‘system’ gives the unfortunate and perhaps unjustified appearance of being deaf to student needs, and even openly hostile.

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VI. CLOSE-UP ON THE MAJOR EVENTS

A. THE ALLEN DEMONSTRATIONS

January 23, 1970 - The Petition for an Open Hearing is Presented.

Agitation for an open hearing on the termination of Assistant Professor William Allen began as early as June 1969. It was charged, by Anthropology graduate students and others, that Allen was being fired for his radical political beliefs and for his permissive life style. Circulation of a petition demanding the hearing began on November 12.

By January 23, 1970 the number of signatures on the petition had increased to 7,776, and the petition was presented to the Anthropology Department. The Vice Chancellor for Academic Affairs, Russell A. Buchanan, responded to the petition because Chancellor Cheadle was absent on an official visit to Europe and Africa. Buchanan's answer was flatly negative. He denied the charge that Allen's political beliefs had been a factor in the decision, and stated that even though students were being asked to participate at all levels of campus activities, in academic personnel matters the decisions could be made only by professional peers and the Administration.

January 29 - Rally. January 28 was the first anniversary of the Santa Barbara oil spill. To commemorate this event, about 75 demonstrating students, including Bill Allen, staged a "wharf-in" at Stearn's Wharf in the Santa Barbara Harbor, sleeping on the pier that evening and preventing its use by the oil companies to whom the wharf was leased. The same demonstrators participated in a noon rally on campus the following day previously scheduled and sponsored by spokesmen for the 7,776 students who had signed the petition, by the black student union, and the faculty New University Conference, an organization of radical professors. It was decided at the rally to review the demand for an open hearing into Allen's

case, and in addition to ask for wide student participation in University governance.

After the noon rally crowds of demonstrators sealed off the entrance of the Administration Building, preventing people from entering. Both police and the demonstrators remained non-violent, and in public announcements and speeches, student leaders often stressed the importance of non-violence, as the crowd waited for word from the Administration that the petition had been reconsidered.

Approximately an hour later, Robert N. Evans, Associate Dean of Students, was let out of a side door by campus police and the crowd anticipated an announcement concerning the petition. The Dean, using a bull-horn, informed the crowd that their assemblage was illegal and that the area would have to be cleared immediately. While he was speaking, Joseph Melchione, an El Gaucho photographer, stood up in front of the Dean, and, under rather ambiguous circumstances, a struggle ensued. Dean Evans later claimed to have been attacked; students deny this occurrence. Melchione suffered minor injuries from being struck with the bull-horn held by Dean Evans.

Police charged from the Administration building in spontaneous response to the scuffle; the police reported breaking windows in the process of opening the doors. A few students were injured in the charge, and subsequently students broke other windows, and one ex-student was arrested.

During the remainder of the afternoon, later into the night, and the next morning there were attempts to reach a negotiated settlement. A compromise proposal, calling for a binding but confidential investigation of the Allen case by a select Faculty-Student-Administration Committee was rejected by Acting Chancellor Buchanan.

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January 30 - The Crisis. After the January 29 charge by the campus police (and the subsequent arrest) some 50 or more persons within the crowd decided to stay and keep the building closed until the Chancellor's office conceded to an open hearing on the termination of Dr. William Allen. The sound system of the demonstrators was made available for use by anyone who wanted to speak - as had been true most of the afternoon. Allen himself addressed the crowd, as he did on many occasions during the controversy. Plans for an all night vigil were made. With the exception of some jeering directed towards private security guards (armed only with batons) who had been brought into the Administration Building for the night, there was no trouble.

On the morning of the 30th, about 7:00 a.m., the crowd had once again grown to between 80 and 100 persons, proclaiming its intentions to keep the Administration Building closed. When personnel began to enter the building from the rear doors, the majority of the crowd formed was to circle the rear of the building. Access to the building was allowed to campus police and Administrators, but not to general employees. Theodore Harder, University Registrar, informed arriving personnel to go to Robertson gym where they would be given directions. No concerted effort was made by the police, security guards or the Administration to open the building.

At approximately 8:50 a.m. Dean Evans and some security guards attempted to open a pathway through the 20 to 30 persons blocking the entrance, with little success. There was an interval of pushing and shoving, at which point the security guards and Administrators went back into the building. Tension rose throughout the morning as the crowd around the Administration Building grew to about 1,500 persons. The building remained inoperative as the crowd ignored Chief Lowe's warnings that all

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would be subject to arrest.

During the morning, campus police had reported to Acting Chancellor Buchanan their inability to maintain free access to and from the entrance to the Administration Building; Buchanan proceeded to ask the Sheriff to insure the "... safety and security of personnel and property at the University of California, Santa Barbara." Buchanan referred to State Penal Code (Section 647 [c]): "Every person who willfully and maliciously obstructs the free movements of any person on any street, sidewalk, or other public place, or on any ... is guilty of a misdemeanor." In consequence, on Friday afternoon, approximately 300 California Highway Patrolmen and Sheriff's Deputies from Santa Barbara and surrounding counties were deployed on campus. Nearing the Administration building, the police formed a skirmish line and then moved forward with billy clubs at the ready. Several times the students retreated, regrouped, and reformed around the Administration Building. In their attempts to disperse the students the police used a minimum of force and the students remained non-violent. Ultimately police secured the entrance to the building.

February 2 - Renewed Confrontation. During a demonstration-free weekend, a Sunday rally was held in Perfect Park to plan further protests for Monday, but emphasizing a peaceful approach. Interviewed by El Gaucho, Buchanan made his position clear: “Frankly, I can't think of any compromise as far as the Allen case is concerned.” On Monday demonstrators re-grouped before the police lines which now encircled the Administration Building. At this rally it was announced that warrants had been issued for the arrest of nineteen students and student leaders, many of whom had publicly advocated non-violence during the protests, for their participation in Friday’s demonstration. At the same time they were barred from campus

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and suspended by the University. “Double Jeopardy,” the alleged political nature of the arrests, and the demands for amnesty would soon become major issues in the controversy.

Although the police had established control over the grounds near the Administration Building, scattered demonstration activities continued. Only once was a direct confrontation threatened, but marching students stopped just short of the police line, and there was no violence. A final attempt at negotiations began, including radical and moderate students and faculty, administrators, and University legal counsel. No progress was achieved in these negotiations and the negotiations were terminated as reports reached the meeting that students had “liberated” the Faculty Club.

The following colloquy between two professors is perhaps indicative of the prevailing mood. The first, a liberal Assistant Professor urged that the students be granted “some kind of symbolic victory. Otherwise they're likely to go out and burn down a building.” His colleague, an academic Senate leader responded “If they burn buildings, we'll shoot them. There’s a principle involved, it's like the Japanese attack on Pearl Harbor. You have to draw the line somewhere.”

February 3-11 - The Crisis Resolved. On Tuesday, February 3, the Academic Senate voted against open hearings in personnel matters and also against the tripartite committee of students, faculty and administrators bound to confidentiality that would study Allen’s case. The proceedings were broadcast live by KCSB, and outside the hall some 300 demonstrators clashed with police.

On Wednesday, February 5, an estimated 2,000 demonstrators staged a serpentine march across campus, calling for a strike. The Anthropology Department released a statement of charges against Allen, rebutting student

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claims. The statement contained sufficient evidence of professional grounds for the firing (including very limited publication and low scores on teaching evaluation by students) to sway moderate student opinion against the strike. On Thursday, February 6, the Acting Chancellor announced that he was instituting proceedings against Allen for unprofessional conduct during the demonstrations; the strike, despite a rally featuring Angela Davis of UCLA, proved ineffective.

Chancellor Cheadle returned to Santa Barbara on Sunday, and on February 11 issued a statement fully supporting the decisions made by Acting Chancellor Buchanan in his absence. Two weeks later came “Isla Vista I” and the burning of the Bank of America.

B. “ISLA VISTA I” - THE BURNING OF THE BANK

February 24, 1970 - The Trigger On this afternoon Lefty Bryant, a well known black activist, and an unidentified person were standing in front of the Campus Cue pool hall in Isla Vista. Two sheriff patrol cars pulled up to arrest them: a half an hour before, one car had stopped to talk with the two. A crowd gathered; vocal protests were heard; a brief scuffle ensued during which Bryant's companion fled, the patrol car's keys were removed, and a front tire slashed. Bryant was taken away in the other car; police reinforcements faced an enlarged and angry crowd; gasoline was poured on a tire of the disabled vehicle and ignited.

James Trotter, known for his active role during recent campus issues, was singled out of the crowd for arrest. In full view of the crowd he was knocked to the ground and beaten as he struggled. Those involved felt that such arrests were examples of “selective law enforcement”. Bryant in fact was found not to be the man wanted for questioning about a recent burglary. That night, windows were broken in realty offices and later at the Bank of America building.

February 25 - The Burning of the Bank. Anticipating possible trouble after a scheduled on-campus speech by William Kunstler, heavy police were deployed in Isla Vista in the afternoon. A rock attack upon police occurred at 5:30 p.m. when a car patrol officer, who was almost immediately aided by four additional cars, arrested former student Richard Underwood for carrying a fire bomb (which proved to have been an almost empty bottle of wine). Increasingly large crowds of residents and students gathered in the business area, throwing rocks at police cars. A patrol car was set afire and burned fiercely.

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Businesses, and soon the bank building, were targets of rock throwing. Around 8 p.m. a burning trash dumpster was rolled into the bank; at times rioters entered the building, inflicting damage (NOTE: Determinations of fact about certain of these events are under question in the arson trial currently being conducted). Close to 9:00 sheriffs deputies attempted to sweep through the area to clear the rioters, but they and reinforcements arriving an hour later were held at bay by rock-throwing attacks. The crowd of rioters (estimated by now to be about 1,500) gained “control” of the area by 9:30, and police remained on the outskirts, sealing the community off from in-and-out going traffic, except pedestrian traffic from the campus. Large trash dumpsters were rolled into the streets to block police movements. Police were not present when, at about 12:30 a.m. a gasoline-soaked pile of paper and furniture inside the bank building were ignited, and the structure burned to the ground. Fire trucks were advised by the sheriff not to attempt to enter the riot zone.

A crowd of about 1,500 remained around the bank during the burning. It is significant that there was a constant two-way stream of students between the burning bank and the campus – a half block away. Estimate of as high as 5,000 individuals, at some point during the night were on the scene - most as passive spectators.

About 3:00 a.m. reinforced police units moved from the campus into Isla Vista to regain control of the streets. Students expressed fear for their own safety because as they put it “The sheriff's deputies are on a vendetta 'cause they got their asses kicked.”

February 26 - Street Warfare At an afternoon meeting of the County Board of Supervisors, Governor Reagan declared an “extreme emergency” and alerted National Guard troops. A second night of major rioting

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began with a rally of 200 persons in which fears were expressed of a police “vendetta” to retaliate for the last night's bank burning. The crowd grew. Rocks and alleged fire-bombs kept police from occupying the area, as large crowds of rioters clashed with police groups, threw tear gas canisters back, and re-occupied streets when they were cleared. At 9:40 a resident, Robert Brevig, reportedly was struck by a police car, and conflicting reports and rumors were heard for the next few hours: that the episode had not happened, that Brevig was lying critically wounded in a hospital (as a sheriff's report had it) that (as the most prevalent Isla Vista rumor said) he had been DOA. This event seemed to intensify riot actions; firebombs were thrown as the rioting crowd “liberated” areas police had occupied just before.

In another incident at 11:15, a 35 year old man attempting to get his car through a police barricade on campus which he later explained he had thought was set up by rioters, was shot in the shoulder probably by a Police bullet. Police thought he had been bringing supplies to rioters. At approximately this time rioters elsewhere set what they thought was a “government car” on fire.

For the first time officers reported a certain amount of sniper fire; at 11:40 the sheriffs officers pulled out of the riot area. They returned with newly arrived National Guardsmen at 2:30, when for the first time night a measure of control of the area was gained by officers. The next night (February 27) saw only scattered confrontations and some arrests as the National Guard maintained control and enforced an “extreme emergency” 6:00 p.m. to 6:00 a.m. curfew.

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C. “Isla Vista II” - Events Leading up to the Death of Kevin Moran

April 16, 1970 – “Operation Wagon Train” - The Dump Truck Attacks Crowds of from 300 to 500 rioters had gathered in front of the temporary Bank of America. The protests concerned the refusal of the Chancellor to permit a speech by “Yippie” Jerry Rubin, which had been scheduled for that day. During the evening the rioters were confronted by large groups of moderate, anti-violence students and residents. There was some damage to property from rocks and molotov cocktails but throughout the evening, until sheriffs arrived, the non-violent forces appeared to be succeeding. Sheriff's officers who had stayed out of the area arrived unexpectedly about 11:00 p.m. Sheriff Webster later claimed that a loudspeaker van had cruised the area warning demonstrators that police were coming. Most students and residents reported that they had not been aware of such an announcement; in their view, the trucks attacked with no warning whatsoever.

The officers entered in four dump trucks with high metal beds and reinforced plywood panels, containing 4 to 6 officers equipped with anti-sniper rifles, bird-shot rifles, and gas deployment equipment. Traveling at a

reported 40-50 mph, these trucks took both rioters and moderate peace-keepers by surprise in front of the bank, scattering and chasing them, the officers firing gas and birdshot in all directions. One fleeing girl was wounded with bird-shot in the back. She received 50 separate puncture wounds. It was reported in the next morning El Gaucho “extra edition” that in addition to using these trucks, “Police cars traveling at high speeds shot buckshot and birdshot into small crowds.” Asked in an interview by El Gaucho about the new tactic, County Administrator Raymond Johnson explained his view that police have “the power to use any means necessary to protect life and property.” Four persons were treated

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at local hospitals for bird shot injuries, and two of these were still being held there the next day.

The law-enforcement agencies had been “prepared” for this second disturbance. The dump truck sweeps continued throughout the four days of rioting. The Sunday, April 19, El Gaucho “extra edition” also reported that police used slingshots to fire marbles and BB’s at rioters, and stated that “at 5:00 p.m. today police were still cruising the streets in trucks with their rifles ready.” The New York Times (August 30, 1970) published a photograph of an officer firing a slingshot.

These trucks were involved in the death of Kevin Moran (reported below) and later in two major incidents on Sunday, April 19. The trucks were used to scatter a surprised crowd of 200 persons prior to the announced curfew time. Tear gas cannisters were also dropped from the police helicopter overhead allegedly by Captain Joel Honey. Reports vary as to whether or not rocks were being thrown; a sheriff’s office spokesman explained that “before it built up, we felt we should disperse it and disperse it quickly.”

The other Sunday incident was precipitated when a demonstrator threw a bottle at a police car which was attempting to disperse a crowd of some 30 persons in front of the San Raphael Dormitory just within the campus border. Two dump trucks and a police van arrived on campus 10 minutes later, deploying gas, and shooting birdshot. A student, Brian Negrin, was wounded in the front and side of his body. He had attempted to cover a gas cannister with a garbage can cover or wastebasket. There were, during “Isla Vista II”, 7 cases of confirmed bird-shot injuries: reports of police use of buckshot, though frequent during the disorders, remain unproven.

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April 17, 1970 - The Death of Kevin Moran. Below is a summary of the transcript of the Coroner's Inquest into the death of Kevin Moran. Included are synopses of pertinent testimony and excerpts from such testimony in the form of quotes. Additional comments, designed to tie this summary together and in some cases to put facts in relevant perspective, appear in parentheses.

The Inquest was held May 12 and 13, 1970 in Santa Barbara, California. Questioning of witnesses was conducted by Mr. Ronald George of the California State Attorney General’s office; presiding Judge - Carl Lynn Davis - Orange County (ret.).

I. Chronology of Events from Viewpoint
of Police, as taken from testimony of Police Officers and other Officials:

(After the disturbances in I.V. on April 16, 1970, the police expected considerable trouble on the night of April 17. They had received numerous intelligence reports concerning possible tactics of and weapons in the hands of dissident elements. The police did not proceed immediately into the downtown Isla Vista area -- they mustered at their field Command Post, set up on the grounds of the Devereaux School, on the outskirts of I.V. between 6 and 7 p.m. and awaited further word.)

From: Testimony of James W. Clark, Special Agent, California Department of Justice. The Police used six dump trucks, designated Lion #1, #2, #3, #4, #5, #6. The trucks were boarded at the Command Post. When the trucks ultimately arrived at the scene, they were deployed to surround the Bank of America and otherwise control the entire "loop" area of downtown Isla Vista. (Information regarding the trucks was corroborated by testimony of other officers. Each truck had 6-7 men assigned to it, one of whom was designated "truck commander". The trucks were re-enforced with 8'x4' sheets of plywood extending

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well above both sides of the truck) and sand and mattresses in the truck beds, all as protection against possible thrown objects and bullets.)

From: Testimony of Officer David John Gosselin, S.B.P.D. Between 7 P.M. and 1 A.M. he and other police were ordered into the trucks "3 or 4 times" but each time were then unloaded.

A. Briefings

From: Testimony of Sergeant Edward Piceno, S.B. Sheriff's Department. As Commander of "Lion #6", he was given the order to move out at approximately 1:00 A.M., "bank under attack". He had been briefed on the situation at the Command Post at approximately 7:00 P.M. The briefing was conducted by Captain Honey (see testimony of other officers). He was told to expect that Molotov cocktails would be thrown at them. Intelligence reports had been received that "at least three M-16 automatic rifles" would also be used against them. There was a definite possibility they would receive small arms fire. The reports indicated that 8 or 9 people wearing masks would try to burn down the bank. On the basis of this information, Piceno in turn briefed the men in his truck.

From: Testimony of John William DaFoe, Deputy Sheriff, Santa Barbara Sheriff's Department. He was assigned to drive Lion #5, but he didn't attend any briefing. He was given information on the situation by his truck commander, Sergeant Hixenbaugh, stipulating possible automatic weapons, crossbows, and ambushes with Molotov cocktails.

From: Testimony of Sergeant Edward Shrum, Santa Barbara Police Department He was in charge of a 3-man special weapons assault team (SWAT). He had been briefed at Command Post by Captain Honey, indicating the "possibility of 30 shotguns in the hands of dissidents." "There was also a confirmed report of, I believe, 15 m-16 carbines, as being in the area." When asked "What do you mean by confirmed?" he said "Well, this is the information

I had, I was told the one on the shotguns was an unconfirmed report, the one on the rifles was a confirmed report”. He was also told sniper activity, but did not know if this was “confirmed or unconfirmed”. He did not recall whether or not he had been briefed regarding Molotov Cocktails.

From: Testimony of Officer Gosselin. He had been briefed by Officer Honey at the Command Post at 7:00 P.M. He was told there were approximately 30 shotguns in the area. He received information about M-16 rifles and Molotov Cocktails between the hours of 7 p.m. and 1 a.m. (This information apparently kept coming in and was relayed to various officers who passed it on to others, etc...)

From: Testimony of Wilbur R. McConnell, Captain, S.B.P.D. He was not directly responsible for giving intelligence reports to men at the Command Post, but he “spoke to men on this subject”. He passed on information he received to the effect that there were some automatic weapons, some shot guns, some roadblocks in the area. There were also firebombs. “We could expect to receive fire from these areas” (i.e. Isla Vista). “This was repeated continually through the evening”.

B. Weapons

From: Testimony of Sergeant Piceno, Commander of Truck #6. He was specifically instructed regarding weapons by Lieutenant Callis: “We were to have birdshot in the shotguns, we were to carry double-ought buck, but we were not to load it. We were to have a rifle that was to be used only as a last resort in self-defense against sniper fire or heavy weapons fire. This rifle was not to have any round in the chamber.” He passed these instructions onto the me in his truck (#6).

From: Testimony of Officer DaFoe, driver of Truck #5. He specifically stated that he had not gotten the order that Sergeant Piceno spoke of.

The arms which were present in his truck (#5) included (1) .38 caliber revolvers for each of the 7 men, (2) one 12-gauge shot gun loaded with birdshot, (3) one 12-gauge shotgun equipped to launch tear gas cannisters, (4) one .30 caliber M-1 carbine, which he had in his possession. This was loaded, with the safety on. To his knowledge, “the shotguns also had rounds in the chambers.”

From: Testimony of Officer Gosselin. He loaded his rifle (30.06 - See the description of SWAT and summary of Gosselin's testimony, below) while in truck #1, en route to the bank area. He put the weapon on safety. In response to a question he indicated that he had loaded the weapon that night because he'd been told of possible sniper fire, etc. To his knowledge, other officers also loaded their weapons.

C. Summary of SWAT (Special Weapons Assault Team)

From: Testimony of Sergeant Shrum. There were three SWAT teams in S.B.P.D. Three men were assigned to each team. The units were organized for use as anti-barricade or anti-sniper teams “not used for general law enforcement problems”. The units were only used in “riot situations if intelligence indicated they might be needed”. He led one team on April 17. There was one other in the field that night. The third team stayed behind assigned to station house defense. His team was initially assigned to Lion #1 to “act as supporting fire power from the truck if needed”. The truck's main purpose, in fact, was to provide transportation for the team. On arrival at the scene they could expect to be sent on a variety of missions. As to weapons, he was equipped with a 12-gauge shotgun. Officer Kelley (a member of his team) also had a 12-gauge shot gun. Officer Gosselin (the other member of his team) had a 30.06 rifle. Each team has a “rifleman”, in their case, Gosselin. There are three 30.06 rifles employed in the department. The use

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of 30.06 rifles takes special training - they are not ordinarily used by police officers. The rifleman is assigned to a specific weapon.

From: Testimony of Officer William Powell, S.B.P.D. He was the on the other SWAT team in the field that night. He corroborated the information previously given about the use of 30.06 rifles by SWAT teams. He was in charge of dispensing weapons. He stated that Gosselin’s usual weapon had just been repaired, was not properly sighted (it is equipped with a telescopic sight) on April 17, so Gosselin was given the 30.06 usually assigned to the station protection SWAT team. (See: Gosselin's testimony, below).

From: Testimony of Officer Shrum (Corroborated in testimony of Gosselin). SWAT members wore “combat gear” - riot helmets, black jump suits, flak jackets, gas masks, gas mask bags, portable radio transmitters/receivers, ammunition belts, combat boots, and weapons.

Commentary on Police Activity Prior to Their Arrival On Scene

(Without going into the larger questions of the analysis and dissemination of intelligence reports received, or their validity, the briefings, both formal and informal, were obviously conducted in a rather haphazard fashion. Note that witnesses were not excluded from the inquest while others testified, yet various officers still gave conflicting testimony on what they heard and when they heard it. This confusion was certainly abetted by the apparent word of mouth transmission of such information. The continual loading and unloading of the trucks and gross discrepancies regarding weapon loading instructions indicate that these officers were mentally oriented towards some sort of major combat assault. One can only speculate as to what their attitudes and emotional states might have been at the time. There is some additional information on this subject in the testimonies summarized below.)

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D. On Traveling to Bank Area

From: Testimony of Sergeant Piceno. He makes no mention of any barricade at Madrid and Embarcadero del Norte, but states he saw many fires on the way to the bank in trash cans, and “at least two types of rocket flares being fired at the bank” (possibly fired by the other police, as Piceno’s truck, #6, was the last to arrive, and the bank lights had previously been extinguished by the dissidents).

From: Testimony of Officer DaFoe. Rocks were thrown at his truck as it travelled to the scene, as well as firecrackers and cherry bombs. The truck took an alternate route to avoid expected barricade. He saw a fiery barricade in the street (a fire in a trash can?)

E. On Arrival in the Area
(at approximately 1:15 a.m.)

From: Testimony of Sergeant Piceno. Truck #6 fired no gas, as the other trucks had arrived first and already dispersed the crowd. #6 entered the Bank of America parking lot and Piceno turned headlights on to blind the several people standing on the Bank of America porch as he “had no idea who they were”. Just as the truck entered the parking lot he got a radio message that those on the porch were all right. As he stopped his truck he indicated this to his men.

From: Testimony of Officer DaFoe. His truck, #5, did not shoot any tear gas. On arrival at the bank area, he saw people on the porch. He heard Sergeant Piceno shout that they were all right.

From: Testimony of Sergeant Shrum. No rocks were thrown at his truck (#1) as it pulled into the area. He did not know if any men from his truck fired tear gas. When the truck stopped he jumped out and got under it, facing away from the bank. He stated that Kelly and Gosselin (the others in his SWAT) also

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disembarked. After he heard calls for an ambulance, he noted that Kelley and Gosselin weren't there. He found them at truck #5 and asked them to return to #1.

F. On the Shooting of Kevin Moran

From: Testimony of Sergeant Piceno. Just after indicating to his men that those on the porch were all right, he “heard one loud report, maybe two” coming from behind him to the left, possibly from the Embarcadero del Norte and Seville Road area.” He saw Moran fall, went to the porch, students there said “Why did you shoot him”; he said “None of my officers has fired, we didn't shoot”. He radioed for help. He deployed police around the truck but received no sniper fire at that time.” He checked all his officers. None of the weapons had been fired. Later he offered to turn them all in to Sheriff Webster and Lt. Callis so this could be verified, as only one shotgun (the one equipped to fire tear gas cannisters) was fired all night by his men, and it was fired only once. He advised all on the porch to contact the Sheriff's Department immediately to give all available information.

From: Testimony of Officer DaFoe. After hearing Sergeant Piceno say those on the porch were O.K., heard a

“crack or shot”. He thought it came from the Magic Lantern Theater area, just across the street. He saw Moran fall. He was “very concerned about snipers” but checked with his men to see if any weapon had gone off, and checked his own weapon. All were o.k. To his knowledge, no weapons from Truck #5 were fired that night at all, except possibly for some tear gas fired (later).

From: Testimony of Sergeant Shrum. He didn't hear any shots other than the launching of tear gas canisters. At the time he felt that the shooting of

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Kevin Moran was “very possibly done by a sniper.” He fired no shots that night. To his knowledge, no one else on his team fired any shots in his presence.

G. After the Shooting

From: Testimony of Shrum. The SWAT team was deployed among trees in Perfect Park within a few minutes afterward. While there he heard (word of mouth) that Moran had been shot with a .22 caliber bullet.

Approximately 45 minutes later his SWAT team “assaulted” an apartment building nearby because the shot had apparently come from that direction and a window was being opened and closed in a suspicious manner. They then arrested the occupant on a “Non-weapons charge”. He saw a hand gun in the apartment (.22 caliber) but no rifle, although he has since been told one was there (an unconfirmed report). He stated that the other SWAT team fired some shots at approximately 2:30. They had gotten reports of sniper activity in another area (the reports never were confirmed). These shots (anti-sniper) consisted of shooting out street lights to maintain cover.

H. Summary of Testimony of Officer Gosselin.

He was assigned to Shrum's SWAT team in Truck #1. He was issued a replacement 30.06 rifle (Centurion Brand #z2675) on April 17, as the scope on his rifle was not adjusted due to recent repairs. He had sighted this new rifle on April 16 at the police range. (He gave information on gear, SWAT, briefings as summarized above.)

On Arrival at Scene, he jumped out of truck amid much tear gas and noise. He saw people on the porch with their hands up and he thought they had been “caught” while trying to burn the bank. He didn't learn that they were friendly students until

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after Moran was shot. He therefore ran to Truck #5 to get a better vantage point with respect to these people. He intended to keep them under observation and at the same time provide cover for other officers. He acted in this way even though they didn't appear to be hostile, because of what he'd earlier been told about possible sniper fire from the area of the bank. (It was possible that the bank was full of snipers.) He therefore laid his rifle across the fender of #5 and pointed it at them. His position was an exposed one, as he wanted them to know they were covered. He stated that he wore gloves that night because of the cold. He had no intention of firing

immediately, and if he had wanted to fire, he would have had to remove his gas mask to properly use the scope. He held the weapon in a ready position with a gloved finger between the trigger and trigger guard. "I had the weapon, as far as my hands were concerned in a ready position, my finger of my right hand was between the trigger guard and the trigger."

Q. (by Mr. George) "And, your glove was still on at that point, I take it?"

A. "Yes sir. The weapon did discharge. At the time it did I could not believe that it had, consciously, I guess I know that it had, I felt no kick from the weapon, I did not see any fire or flame from the barrel of the weapon. I was surprised. I had never consciously taken the safety off of the weapon and I don't think I would do it subconsciously, as I would normally -- never carried that weapon in a safe position before, I had always -- or I never carried the round in the chamber before."

Q. You never put it on safety on the safety range?

A. No sir.

Q. On the firing range, that was not part of your training?

A. No sir. We would always fire all of the rounds in the clip"

Officer Gosselin stated there was room between his finger and the trigger. He did not consciously apply pressure to the trigger. He had never fired the

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weapon with gloves before. When the rifle discharged, he didn't feel a kick, possibly because of the flak jacket. He "subconsciously didn't want to believe it" (fired), although "I was consciously... I suppose sure that the weapon had fired." On realizing this he went into an apparent state of shock. He was sent with his unit to the cover of Perfect Park trees. He tried to compose himself. He lay on the ground feeling "ineffective as far as my job was concerned just then". He checked the rifle, opened the bolt, found the spent shell, was now convinced. He put the shell in his pocket, and tried to figure out who to tell. Meanwhile, he heard the story of the .22 caliber bullet, but thought this was too much of a coincidence. He was sure his rifle was responsible. Gosselin was questioned further about his feelings while at the bank:

Q. Was there any possibility in your mind that the people on the bank porch were armed?

A. Yes sir. From the reports, the information we had earlier..."

He said he felt himself to be possibly in danger, but didn't feel shaky.

Later that night he took part in the assault on the suspected apartment building with SWAT as described above.

He almost told Shrum of shooting several times, but didn't. While at the apartment, between 2:00 and 2:15 a.m., he heard Moran had died. Others still thought it was a .22 caliber. Gosselin decided he'd better wait until out of the field and then tell someone high up (Captain McConnell or Chief Trembly). He had intended to tell the story anyway, but now felt that he should tell it to someone high up. He went on several other "anti-sniper" missions until 3:30 to 4:00 a.m. He saw Chief Trembly at the Command Post, but decided to wait and tell him at the station. He turned the weapon in at the command post.

He got back to the station at 5:30 a.m., and found the Chief and Captain not there, and finally told a fellow officer (close friend) Bill Norton.

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Captain McConnell arrived at approximately 7:00 a.m. April 18 and Gosselin told him at that time. He asked McConnell to tape the whole story.

Q. (By Mr. George) "In this tape did you admit all responsibility for the death of Kevin Moran?"

A. "Yes sir".

He remained at the station house and in the ensuing hours told his story to Chief Trembly, Sheriff Webster and D.A. Minier. He finished at 9:30 to 10:00 a.m. April 18 and was relieved of duty at that time. He turned in the cartridge and was told to "keep the matter quiet".

I. The Question of the Rifle's Mechanical Condition

On either April 19 or April 20, Officer Gosselin was told by Officer Norton: "that the safety on the weapon was not safe, did not click, went from the safe position to the firing position with a very minor jar. On April 22 Gosselin made a full formal statement to this effect in the presence of a certified legal stenographer.

From: Testimony of Officer William Powell, S.B.P.D. Powell, an experienced weapons man, ex-Marine, verified the information previously given on the department 30.06's. He indicated that Gosselin used a different one than usual. He was putting weapons away after the incident (the exact time and date are not clear). He did not yet know of Gosselin's story at the time. Norton was with him and called to his attention that a 30.06 had a faulty safety. (Comment: Did Norton know of the incident at that time?) Powell then checked the weapon and verified this: "a minimum of resistance" when coming out of safety position. It was his feeling that it could come out of safety without anyone knowing it. He had no reason to think the safety was tampered with. No one knew this was the weapon and he was with Norton when the safety was discovered.

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From: Testimony of David Q. Burd, Forensic Scientist, California Department of Justice. He examined the rifle, concluded that the safety was not functioning properly. He has seen worse, but this one was "definitely not working right". Safety can be released when the rifle is laid down on a table (or fender?) He examined the bullet, said that it could have been fired from this rifle, but couldn't be positive because the "barrel (was) amazingly clean". Thus it could have been fired by any of many other guns.

J. The Bullet and the Death

Ballistics tests and detailed examination of the scene indicate that the bullet came from southwest on a downward path. Burd concluded that it probably ricocheted, that it was certainly not aimed. The bullet first passed through the jacket of another person on the porch. He examined this piece of clothing (worn by Michael Booth, see summary of testimony below)

From: Testimony of Dr. John Blanchard. Performed an autopsy and verified cause of death. He stated that the bullet came on a downward path.

From: Testimony of Dr. Matthews, a Geologist. Rock particles on bullet indicate that it ricocheted, probably hit the roof of the bank and bounced down.

K. Information Given Police by Authorities
Regarding Cause of Moran's Death

From: Testimony of Shrum. He first heard of Gosselin's story in a press release on April 20.

From: Testimony of Powell. Learned of the incident Monday night (April 20).

From: Testimony of James Webster, Sheriff of Santa Barbara County. He had heard

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Gosselin's story on the morning of April 18. He put out a bulletin on April 18 for a possible suspect (unidentified, on a motorcycle) in the killing of Moran. He stated he "wanted to follow up every possible lead". While police searched for this suspect, none of them knew of Gosselin's story.

II. Chronology of Events from Standpoint of Students
on the Bank Porch as Taken From Their Testimony

From: Testimony of Thomas G. Thomiades, UCSB Student. He was an old friend of Kevin Moran, his roommate at school. He and Moran had earlier decided to take an active part in stopping any disturbances that might occur in I.V. that night. They heard Bill James, Associated Students President, put out a call to all students to go out in defiance of curfew and help control the crowd by talking to them and putting out fires, etc... They got dressed and went to the I.V. area at approximately 11:30. They stayed together, met others they knew who stated that they had also responded to Bill James' call. They put out two trash-bin fires. They met only verbal opposition. They met Bill James, who was walking around trying to keep things cool. At one point he advised that they were outnumbered by the radicals in trying to put out a particular fire, and so they should back off. He and Moran attempted to stop a burning trash bin from being pushed toward and forth. There was much pushing of this bin back and forth. At this point, the lights went off around the bank, firecrackers went off, and people began attacking the bank. Someone unsuccessfully tried to break an outside teller's window with a piece of wood. A Molotov Cocktail was thrown into the bank through a window (breaking it) and it exploded. Thomiades saw three people go into the bank to put out the fire. He went to help, but the fire was already out. He and these people went to

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the porch and confronted the crowd. Kevin Moran and a couple of others joined them there. Moran said he had been in the crowd trying to prevent them from throwing rocks. While the group was on the porch, rocks were

being thrown at them. (Others stated that this was true, but that the stoning was not severe; most rocks were thrown at the bank.) Suddenly there was a yell and the crowd ran. The police arrived in dump trucks. The police seemed to be acting efficiently. They tried to attract police attention by yelling and waving hands. He yelled, "Don't shoot, we stopped the bank from being burned", and they held their hands in the air. An officer from Truck #1 seemed to understand. Police didn't shoot tear gas at them. Truck #6 arrived, shining lights on them as it pulled through the gate. At this point, Moran was shot. A policeman from truck #6 (Piceno) ran up, and said "We want you guys to understand us right now that no policeman shot. This wasn't a policeman." He (Thomiades) thought a sniper had fired the shot. John Chacopulos, an ex-Marine, was with them. He was experienced with wounds. He looked at the wound (with Piceno) it was a small hole, and did not exit the body; it seemed to be from a .22 caliber. Police didn't use this caliber. This was the reason for his opinion at that time, that it was a sniper bullet.

From: Testimony of John A. McMillan, student, UCSB. McMillan was employed as the manager of Taco Bell Restaurant, across the street from the bank. During the evening of April 17, he tried to control the crowd, and helped to put out trash bin fires. He talked with the demonstrators, and noted that they were either (a) philosophical in their arguments (i.e. "the role of violence in social protest", or (b) of the mind to "get it on and burn the bank". He observed a molotov cocktail thrown into the bank, and went in to put it out, then went to the porch with others. They stayed on the porch when the police arrived or otherwise they would have had to run across an

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empty lot to get away. (The crowd had suddenly dispersed). He at first thought the police had shot Moran. He yelled "Quit shooting at us" to them. He described an officer running up (Piceno) saying that the police hadn't done it. They were told "get down, there are snipers in the area." Police radioed for an ambulance immediately and gave them safe passage from the area.

From: Testimony of John Chacopulos, UCSB Student. He went into the bank to help extinguish a fire started by a molotov cocktail. The crowd dispersed when the police arrived. He had been on the porch arguing with them. He had said "Don't tell me what to do, I live here, too..." He described a policeman (Piceno) coming to Moran's aid after he was shot. He said the policeman examined the bullet wound, saw that it didn't exit the body and said "We didn't do it. We don't carry small caliber arms". At the time Chacopulos agreed. (Note that earlier statements implied that Chacopulos told them it was a small caliber bullet and they agreed.) Chacopulos is an ex-Marine, a VietNam veteran. He stated that the policeman (Piceno) seemed "mainly concerned about the firing of the bullet".

From: Testimony of Michael Booth, UCSB student. He described fires in the street. He had made efforts to put them out. (His story is similar to Thomiades and McMillan in this respect, although none knew each other... they were acting independently). Like the others, he was defending the bank. He "heard a large boom right in front of me. It was a boom, rather than a bang like the tear gas grenades". This happened just as #6 came into the lot. "My first reaction was that it was a sniper, not the police." He later discovered a hole in his jacket apparently made by the bullet before it struck Moran. He therefore turned the jacket into the police.

III. Analysis of the Events

A. Chronology According to Testimony by

Timothy J. Jarrell, KLAC Radio Reporter (from L.A.)

He was in I.V. making radio documentary on April 17.

9:15 - car fire at Madrid and Embarcadero del Norte (corroborated by McMillan)

9:45 - a trash fire set

11:30 - believes he saw "male caucasian" fire gun in Perfect Park.

(Admittedly not seen clearly - possibly a Roman candle or a fire cracker?)

12:30 - assault on power pole and cutting of power to the area around the bank. Several demonstrators wore masks.

12:45 - attack on bank by group of people. Rocks thrown, windows and doors broken (corroborated by testimony of students)

12:45 - 1:00 - 4 people (apx.) went into bank to put out fire

1:00 - 1:15 - They came out, stayed on porch, attempted to placate crowd that had gathered in the parking lot - he made tape - played at the inquest. Chacopulos could be heard speaking ("I live here too...", etc.) Harrel said he believed there were shots fired before police arrived

(There could well have been firecrackers, as he only heard did not see, except one incident described above in Perfect Park).

On the tape are found noises that seemed to be gun shots were, in fact, firecrackers. Muffled explosions were, in fact, tear gas cannisters. He described them: "Makes about the same noise as a shot-gun being discharged, but these were tear gas canisters that were being fired."

1:15 (apx.) - police arrived - crowd yelled and dispersed.

-He described the shooting as follows:

-He heard police say "We have a sniper across the street. One student has been wounded. We don't know how badly. We don't know what caliber gun he has."

- He said police began knocking out street lights, reacted as if there were a sniper.

- He saw flashes in Perfect Park (firecrackers?) .

B. Were there Snipers in Isla Vista on April 17?

The widely-announced presence of snipers in Isla Vista, which apparently motivated police behavior on April 17, was questioned by many observers at the time. After the revelation of Gosselin's responsibility for the death of Moran, investigation of the single reports was continued. A lengthy report in the Santa Barbara News Press on May 11, 1970, entitled "Evidence of Sniping in I.V. is Negative" summarizes the conclusions of investigators that there were no snipers in the area. The agent quoted an unnamed sheriff's officer, who spoke as follows:

“We had incredibly bad intelligence information. It's better now, but the night Moran was killed, it was almost nonexistent.

As far as I'm concerned, the intelligence reports we had of snipers on roofs and in trees is bunk. They just weren't there. But we did believe they were for a long time before we moved in.”

C. Were other Shots Fired by Police on April 17?

Almost lost in the confusion surrounding Moran's death were numerous reports of shooting by police during the night. The testimony of officers regarding operations of SWAT teams (cited earlier) confirms that street lamps were shot out by police. A .38 calibre slug was found in the wall of an apartment at 6538 Sabado Tarde: it had shattered the window about 2:15 a.m., April 18. An eyewitness identified those who fired the shot as police officers. (Santa Barbara News Press, May 11). A car driven by James

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Cross, of 6651 Del Playa was struck by at least two .38 caliber bullets between 2:30 and 2:45 a.m. on the same morning. The shots came from the area of the dumptrucks guarding the bank, according to Santa Barbara Assistant Police Chief James Smith. (Santa Barbara News-Press, May 4).

IV. Conclusions

A. Verdict of the Coroner's Inquest

On May 13, after deliberating for about one hour, a nine-member coroner's jury returned the verdict that Kevin Moran was killed by “accident at the hands of another person or persons.” Judge Davis characterized the incident “as a pure accident.” Students deeply involved in protests against the Cambodian invasion had not followed the inquest closely, and did not protest the decision. However, this is not to say that they accepted it. Many expected such a decision and were therefore not surprised by it. Officer Gosselin, who had been temporarily relieved of his position pending the inquest, returned to duty with the Santa Barbara Police Department the following day.

B. some Questions Remaining Unanswered

1. Disorganization and discrepancies in command decisions noted in the above summary would appear to call for official action. None has been forthcoming.
2. Officer Gosselin's behavior at the time of the incident, and his earlier training, raise numerous questions about his competence and the training he received as one of three Santa Barbara officers designated to employ 30.06 anti-sniper weapons. Yet he was returned to duty immediately.

3. Intelligence reports furnished to officers were not merely inaccurate as to snipers, but also failed to identify those students who found themselves (albeit in a defensive role) “occupying” the Bank of America. The message came too late. (See Piceno’s testimony.)

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4. The circumstances of the discovery of the malfunctioning safety catch on the 30.06 raise several questions. Gosselin’s was issued the second rifle because of mechanical difficulties with his assigned weapon. The malfunctioning of the second weapon - supposedly in operational condition - was not detected until after the revelation of Gosselin's responsibility.

5. What were the orders regarding the chambering of rounds of live ammunition?

6. The negative results of investigations of sniper reports cast doubt on many statements by police officers. The apparent urgency of Officer Piceno's insistence that Moran was killed by snipers is a case in point.

7. The delay by officials in acknowledging the responsibility of Gosselin, and the continuing reports of snipers held responsible (see particularly Sheriff Webster's testimony) indicate that the public was systematically misled for two days about the discovered cause of a tragic event. For what reasons, and by whose decision, was this done?

In view of these and other questions remaining unanswered, a reopening of this entire matter would seem to be indicated.

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D. ISLA VISTA III AND THE PERFECT PARK MASS ARRESTS

The disturbance known as “Isla Vista III” began when news leaked out on June 3 that 17 persons had been indicted for the February burning of the Bank of America building; it ended only when curfew regulations were lifted on June 12, after 667 persons had been arrested.

1. The Grand Jury Indictment. Although indictments are customarily kept secret until the person or persons indicted are in custody, news of the indictments of 17 persons (15 names and 2 John Does) had leaked out on June 3: Police conducted raids on apartments in Isla Vista that evening, searching for those indicted. Details of the indictments were widely known on June 4, reported in the Santa Barbara News-Press and over the campus radio station. The evening of the 4th saw more than usual numbers of persons in the Isla Vista business district; sporadic rock-throwing inflicted minor damage to the bank structure, although “The mood of the crowd was not hostile, and most of those gathered ... stood around quietly discussing the grand jury indictments” (Santa Barbara News-Press, 6/5/70). The next day, June 5, when the indictments were finally announced officially, a flyer was distributed by “The Santa Barbara Seventeen” denouncing the indictments as being politically rather

than factually motivated. At noon on this day a rally on campus drew 1,500 to 2,000 persons (Santa Barbara News Press, 6/5), where it was decided to present the bank with petitions declaring that the signers took equal responsibility for the bank burning, and requesting that the arson charges against the 17 be dropped; some 150 persons gathered with the petitions at the bank, and in response to the tense atmosphere and miscellaneous acts of vandalism the bank closed for the afternoon. It had been a protest demonstration - not a riot, but an angry confrontation.

The indictments had kindled a widespread resentment among and Isla Vistans. They were introduced into a climate already very sensitive to possible judicial abuses. The timing was also unfortunate, many students felt, because the trial seemed deliberately planned to be held after most students had left the area for the summer. The Bank of America's earlier offer of large rewards was felt by many to have probably produced false information. Finally, many persons already skeptical of the charges could not believe that individuals had been properly identified in the dark among a dense and active crowd, especially since a number of those indicted were prominent student and community leaders* whose inclusion seemed overly fortuitous. Indeed it was known by many that two of the indicted persons had been in jail at the time of the February burning. When this fact was acknowledged by Judge Arden Jensen (Santa Barbara News-Press, 6/11), and charges were dropped against two of those indicted, at the very least it suggested that the indictments had been hastily and thoughtlessly prepared. Even the least radical of Isla Vista's population angrily felt that the beleaguered community did not need this further difficulty, especially at a time when recently established projects were promising real success with Isla Vista's problems.

2. The Accelerating Crisis. On the nights of June 4 and 5 the bank was the scene of localized but intense demonstration and rock throwing, but major damage was prevented by IVCC representatives, concerned faculty, and students who were able to keep some measure of control. Police patrols

*Jeff Probst, former El Gaucho city editor; Greg Knell, Executive Vice President elected by the UCSB student body and chairman of the IVCC; Walter Chesnavich, IVCC representative; "Lefty" Bryant, Black Activist.

were maintained as on a normal evening. The next day the local "cool it" forces acknowledged that they could not prevail for a predicted third night of intensified demonstrations, and they requested Sheriff Webster to take over and station Faculty and Clergy observers at key points. Only the first part of the request was honored. Raymond Johnson, County Administrator, with the concurrence of the Board of Supervisors, declared an anti-loitering curfew restricting group activity in the streets, and Sheriff's officers and Highway Patrolmen moved into the bank area. Entrance into the community from outside was severely limited, and the night of the 6th remained relatively calm: "Some rocks were thrown at the bank last night in hit-and-run attacks, but no organized movement was made to invade the [bank] parking lot" (Santa Barbara News-Press, 6/7). 32 persons

had been arrested by 4:00 a.m. of the 7th. Faculty, student, and IVCC leaders were hopeful that the situation would cool off from this point. It became clear, however, that local officials were under increasing pressure from higher authorities to carry out a “crackdown”. The pressure, allegedly, was coming from Sacramento.

Sunday, June 7, then, came as what some observers have called a crucial turning point. A “Pleasure Faire” scheduled earlier was held in a field immediately adjacent to Isla Vista, and many were hopeful that tensions could be release peacefully at this festivity: Jon Wheatley of the IVCC, Professors Winnick, Swander and Scheff of UCSB, and others, including representatives of the Santa Barbara Chamber of Commerce, advised Sheriff Webster to allow the event to extend beyond the curfew limit of 7:30 p.m.*

*Since inception, the event had been scheduled to end at “dusk,” and the desire to continue it past this deadline occurred in response to immediate events. A number of persons felt that because of this the request for unlimited continuance should not be honored.

The Faire was allowed to continue until almost 10, at which point Webster told the crowd they had 10 minutes of “safety” to return home before arrests would begin for curfew violation. An angry crowd of nearly 1,000 quickly gathered, left the fair, moved down El Colegio road and turned seaward in the direction of the bank. Arriving there at almost exactly 10:00 p.m., they found the business area and the bank entirely unguarded. No police arrived until 10:20 p.m.; in those twenty minutes the bank was pelted, smashed, and almost set afire. To this date no explanation has been offered for expelling a large crowd from the fair at a time when police were not present to discourage trouble at the bank site. The attack on the unguarded bank caused the situation to escalate into a more serious phase.

On these first evenings major confrontations between law enforcement agencies and “rioters” were largely concentrated in the business district. Nevertheless, since entering the area in force on the 6th, the police had conducted heavy sweeping operations through the entire community, searching bushes and balconies. Minor skirmishes occurred in the residential areas for the first time during an Isla Vista disturbance, although at no time was riot activity aimed at any structures outside the business district. The confrontations which occurred were at least partially caused by the presence of officers in these areas, and many local residents felt that the police only guarded the business district little further trouble would have occurred.

In response to the Sunday night attack on the bank, the County Administrator declared a stiffened curfew to begin at 7:30 p.m., and Los Angeles Special Forces were called in. Intensified sweeps and searches of the community were carried out, and 86 arrests were made during an evening of sporadic confrontations and trash fires. The curfew ordinance stated that

“no person shall be outside, or remain outside, on any public place,” and this was duly announced by news media and police helicopters, but it soon became clear that the officers interpreted the curfew as restricting all persons to the insides of dwellings with doors and windows closed. Tuesday night, June 9, saw less violence,

and the streets calmer, with the strict curfew in effect, yet on this night 142 persons were arrested. Tuesday and Wednesday local student, faculty, and community leaders continuously tried to convince Sheriff Webster and/or the County Board of Supervisors to limit the curfew and the occupying forces to the business district.

In this endeavor it was found that no agent or agency would admit responsibility for making the decisions about the Isla Vista situation; the Supervisors assured them that the Sheriff had sole control over restricting or continuing the curfew, yet the Sheriff claimed he had no power in this area. Thus, efforts on the part of concerned citizens to advise their government were rendered impossible. In addition, it became clear that no one knew, or would say, who had called in the L.A. Sheriff's Special Enforcement Bureau Officers, about whose presence and conduct dissatisfaction was mounting. Columnist Torn Kleveland of the Santa Barbara News-Press, reported on this point in the June 12 edition. In a column entitled "Did Ronald Reagan call in the L.A. Sheriffs?" Kleveland stated: "George H. Clyde, Chairman of the Board of Supervisors, said the Board did not order in the Los Angeles Sheriff's Special Enforcement Bureau. 'I do know they were bringing in help from Mutual Aid, but I don't know who ordered in this particular squad - whether it was the governor's office, the California Highway Patrol or (Sheriff) Jimmy Webster. The Board did not.' So far, we have been unable to get a clarification from the sheriff."*

*From the minutes of the regular meeting of the County Board of Supervisors, paragraph 3, p. 5: "Chairman Clyde advised that since the question had been asked several times as to who called in the L.A. Police, he would attempt to find out."

3. Police Conduct. By Wednesday, June 10, it was clear that the "crackdown" had failed. In its feature editorial in the Wednesday edition (available at 2:00 p.m.), the News-Press wrote,

It would be surprising, on the basis of past episodes, if among the 292 persons arrested in the past six days there were many who can actually be indicted and prosecuted for genuine, serious crimes that have been committed by someone. The cadre of trained instigators, if there is one, will have protected itself, or been protected, while the curious or naive will be punished by bail bond fee costs even if they are set free without trial.

This process, repeated night after night, serves to recruit an angry army of supporters for whatever protest slogans are shouted in the future. This process must be halted now.

The News-Press urgently recommends:

That the curfew be ended at once—tonight, but that anti-loitering regulations be strictly enforced.

That the sheriff take action to ensure that his men, or men under his control, do not illegally force their way into homes or apartments.

That all law enforcement personnel be warned to protect the safety and civil rights of all citizens, as they carry out their legal duty of apprehending criminal suspects, protecting and dispersing illegal and unruly assemblies in public places.

That acts of terrorism and intimidation by law officers as well as by demonstrators be vigorously prosecuted if evidence is provided to justify prosecution.

Complaints of police misconduct had multiplied by Wednesday and had been widely reported. The IVCC and the Faculty-Clergy Observer Program (a group which had sought with no success to establish neutral observers on Isla Vista streets, at the booking area, and in the jails as had been recommended on May 19 by the County Grand Jury) held a news conference to publicize over 100 documented reports of police violence which had been collected on Monday and Tuesday. After this conference there was an unofficial meeting of UCSB faculty and angry Isla Vistans to propose and deliberate possible actions. Those present felt that rapidly mounting instances of police misuse of power had to be stopped; in addition the feeling was virtually unanimous that in enforcing emergency curfews the police had departed far beyond the

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protection of property. This meeting made plans to install neutral older observers in Isla Vista apartments to act as “buffers” between residents and police; in addition, strong sentiments were expressed in favor of holding a massive sit-in demonstration that would extend beyond curfew that night. As a result of that meeting, and others held by student groups, a crowd of some 600 to 700 persons had gathered in the Perfect Park area (adjacent to the bank) by 7:30, to await arrest in non-violent protest over the events of the week. After curfew time, arrests proceeded methodically and without violence; by 9:20, when it had become dark, up to 300 arrests had been made. At this time for reasons that are not entirely clear* the police announced that the crowd had to disperse, that no further “peaceful arrests” would be made. When no one moved the police fired gas from a machine called a “Pepper Fogger” built along the lines of an agricultural insecticide sprayer, which discharged clouds of gas directly into the crowd. Then, as a by-lined article in the News-Press described it the next day, “. . . gas-masked deputies swarmed into the crowd, flailing their nightsticks in all directions”; the demonstrators were finally scattered but many were subsequently arrested as they tried to return home. The new County Jail (finished but not yet dedicated) had been made available on an emergency basis; as Perfect Park arrestees were brought in Wednesday night, already over-loaded facilities were strained to the utmost. Substantiated reports of denials of rights, ratings and unnecessarily abusive methods of handling prisoners, impossibly crowded conditions, and a virtual stand-still of processings, are presented fully in section VII :D)

*The News-Press reported (6/11), “Sheriff’s Capt. Joel Honey, in overall charge of the police operation last night, said that the peaceful arrests were terminated because the procedure tied up deputies while disorders built up in other sections of the community.”

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Nevertheless, an important point had been made. The Isla Vista community had strongly indicated it would no longer countenance the presence of police forces, and the jails were overflowing. There were ominous rumors of widespread buying of firearms by Isla Vista residents. Meeting in the first special session that had been called during the crisis,* the County Board of Supervisors requested Governor Reagan to call in the

National Guard. According to informed sources, University Officials privately served Reagan with an ultimatum: Modify the curfew and withdraw the outside officers, or face a total shutdown of the campus, and cancellation of final exams. Chancellor Cheadle issued a statement implying he was on the verge of declaring the University closed, since he could no longer guarantee the safety of the students. In response to these pressures, action was forthcoming from Sacramento. After a hurried conference between local officials and state representatives on the scene it was announced that the curfew had been modified, restricting persons only from the Perfect Park-Bank area and otherwise allowing freedom of motion until 11:00 p.m.

Significantly, the night of the Thursday, June 11th saw no confrontations at all; the only arrests were of three persons who felt impelled to enter the bank area to protest the previous evening's events. It seems clear that removal of the curfew and reduction of police presence in the residential areas had solved the problems. The Faculty-Clergy Observers Program, in a statement entitled "Bloodbath Averted?" summarized as follows:

*The County Board did not hold any special meeting, either to deliberate upon appropriate actions or to hear recommendations from citizens and observers. It was reported at the Wednesday press conference by Supervisor Clyde that the Supervisors had been unable to obtain a quorum.

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The return of peace and order to Isla Vista on Thursday night June 11, represents a victory for moderation and community responsibility, and a defeat for the "get-tough" policy which was systematically implemented [by] Santa Barbara Sheriffs officers . . . reinforced by teams of special officers of the Los Angeles Sheriff's Department, and California Highway Patrolmen, with personal representatives of the Governor directly on the scene.

The results of this policy were disastrous. Instead of bringing peace to the community, it provoked disorder, terror, and a dangerous alienation of law-abiding citizens from law enforcement officers. An unprecedented flood of reports detailing alleged police misconduct brought this organization into being in the hope that Faculty and Clergy observers might serve to stabilize the situation. Instead, we watched the situation escalate toward the point of tragedy. On Saturday there were 32 arrests; on Sunday, 27; on Monday, 86; on Tuesday, 142; on Wednesday, 375.

The turning point came with the non-violent demonstration of Wednesday night in Perfect Park. Nearly a thousand residents of Isla Vista defied the curfew, demonstrating their ability to assemble peacefully. Though hundreds were arrested and the rest were scattered by police clubs and tear gas, these citizens had proved their point--that peace and order in a community is achieved by cooperation and not by force. The policy of repression stood exposed as disorderly and ultimately impractical. . . . A decision was finally made to retreat from the policy of repression. Outside forces were reduced, the curfew was partially lifted, and the result was the most peaceful night in weeks in Isla Vista.

Our conclusion, based on observing the “get-tough” policy at first hand, is that it must never again be instituted in Isla Vista, or in any other community. Moreover, those who are to blame for the intolerable occurrences must be held responsible for their action. We explicitly mention the following parties:

1. The Governor of California, to the extent that overall direction of the Isla Vista repression became a state matter, a “crackdown” on dissident students. Through the Highway Patrol, the Governor’s office apparently applied the pressure that turned the police conduct from moderation (June 6), to police-state repression (June 9-10), and back again (June 11).

2. Officials of the County of Santa Barbara, for perpetuating the crisis by an ineptly managed Grand Jury indictment; and, generally, for acceding to the demands for harsh police measures.

3. Instigators of Violence: Those who, on the pretext of protesting injustice, incited others to further injustice, playing into the hands of repressive forces in our society.

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4. Law Enforcement Officers: Those who collectively and individually brought discredit and disgrace to law enforcement by their actions in Isla Vista.

The Santa Barbara News-Press reported on the morning of Friday, June 12, “. . . after conferring with Herbert E. Ellingwood, Governor Reagan's Legal Affairs Secretary, County Administrator Raymond D. Johnson announced that the curfew had been lifted.”

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VXI. POLICE ACTION DURING DISORDERS

Introduction

The reports accumulated for "Isla Vista I" and "II" contain only a limited amount of information regarding police practices on these occasions. Both the Isla Vista community and the University were totally unprepared for the violent mass disturbances which occurred and no adequate mechanism existed for recording reports about police practices. Of the 64 reports pertaining to “Isla Vista I,” 27 were reported to attorneys at the jail, and the rest were solicited at least 6 weeks after the events took place. During “Isla Vista II” mechanisms did exist for handling incident reports, but the Isla Vista community was not well informed about them — in contrast to “Isla Vista III,” when phone numbers and places to file reports were frequently announced over local media. The much larger number of incident reports for “Isla Vista III,” collected with more sophisticated procedures, give a fuller picture of the actual situation. The reported abuses present allegations of serious violations of civil rights and police responsibility.

In this section, a detailed statistical breakdown of the types of complaints and the number of each type reported is presented. In Appendix B, for each type of complaint received for “Isla Vista III,” the identification numbers of each Incident Report (in Appendix A) from which the statistical summary was obtained are listed by type of complaint for easy reference.

Before proceeding to the presentation of the statistical summary of reported misconduct, a section on the reported actions of demonstrators is presented.

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A. VIOLENT AND PROVOCATIVE ACT BY DEMONSTRATORS

During a major civil disorder, acts of violence and provocations by demonstrators are often a cause (and often a result) of supposed police misconduct. Whatever the causation, it is evident that many such acts of violence and provocation were committed during the Isla Vista disturbances. These acts were generally of two types: first, harassment of police officers in performance of their duties, and second, destruction of property. The following summary of reports, then, should be considered in the same context as reports of police behavior in the section which follows it. Most are taken directly from newspaper accounts. Reference to arrest reports and official logs (not part of the public record) would perhaps provide additional information.

“Isla Vista I”

February 24

Harassment of Police During the Bryant arrest, crowd taunted officers, attacked police car, threw rocks, set police car tire on fire. At night, 10-15 trash can fires, large bon-fire in intersection.

Destruction of Property Rocks thrown at buildings Isla Vista Realty, Embarcadero Realty, gas station, the bank. Interior damage to bank and some vandalism, curtains torn out and burned.

February 25

Harassment of Police During Underwood arrest, rocks thrown at police, obscenities yelled. During night rioting, crowds “stood off” groups of officers, throwing rocks and tossing gas canisters back. Trash-fire in

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street at 4:00 a.m.

Destruction of Property More realty attacks; IV Realty (later report of \$1,500 damage). Other buildings damaged, mostly with broken windows — IV Market, IV Bookstore, Village Green Mens Store, IV Rexall. That evening, three attempts to burn the bank, the third successful.

February 26

Harassment of Police Bon-fire at Loop, chants of “Power to the people. Pigs go home.” Large crowds threw barrages of rocks in mass movements against police, covering faces against tear-gas and using garbage-can lids as shields. A number of assaults upon police-occupied positions. Two officers treated for injuries at hospital.

February 27

Harassment of Police Crowd of 40 in front of record store and a group of 50 dancers in park did not disperse. A tree briefly set afire. Bomb threat at Francisco Torres apartment building.

“Isla Vista II”

April 16

Harassment of Police Fire hydrants opened around loop area, rocks thrown at police cars, trash bin fires. Crowds of up to 300 persons in rock-throwing and mass movements to confront officers. Sheriff reported helicopter fired upon at one point. A few police “dump truck” windows broken by rocks, and barricades built to impede police movement (but dismantled by anti-riot students).

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Destruction of Property Film forcibly removed by female militants from KEYT movie camera in mid-afternoon. Rocks broke windows at several businesses and at new bank and two fire-bombs thrown at bank.

April 17

Harassment of Police Many trash-bin fires and old cars set on fire in business district and on side-streets; further mass crowd movements against police. One unidentified man (who may have been a police officer) shot at power-pole switchbox near bank and at bank exterior lights with shotgun.

Destruction of Property Rocks thrown at bank building, gasoline-saturated material set afire and thrown into bank. 4 fire-bombings of building under construction in 6500 block of Del Playa.

Miscellaneous Firecrackers thrown at anti-violence students trying to douse fires.

April 18

Fairly quiet. Some persons violated curfew.

April 19

Harassment of Police Bottle thrown at campus police car at San Rafael dorm.

“Isla Vista III”

June 4-10

Harassment of Police During the time of the disturbances; many trash-bin fires, some fairly far from business district a number of street barricades (some burning); a number of old autos burned on streets. At times, firecrackers were set off, residents chanted “Fuck you” from apartments during

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curfew. A man in the street played “Charge,” “You’re in the army now”; and “Strangers in the night” on a trumpet; a few record players turned up to full volume played “acid rock” and the song “Revolution.” Some street lights put out by rocks, clumps of soil, or by slingshots. A burglar alarm set off at IV Pharmacy.

In addition, many bomb threats received at campus library during the week. On June 10, a fairly large crowd at House of Lords shouted at police, threw rocks and bottles. Also on June 10, boards with nails scattered in streets caused flat tires on police vehicles, and piano wire was stretched across streets. Some street signs were blackened out.

Destruction of property Fire bombs thrown at bank on several nights. Isla Vista Realty broken into and interior fire-hosed. Building under construction in 6700 block of Del Playa fire-bombed.

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B. “ISLA VISTA I”

Of the 161 persons arrested, 64 have filed reports. 27 of these are attorney's interviews of persons in jail.

A. Reports of events which occurred “in the field”, that is at time and place of arrest and at the field booking station.

1. 9 persons reported being arrested in the enclosed yards of their dwellings or inside dwellings, with no search warrant being presented.
2. 2 persons reported being arrested while consuming food at an outdoor restaurant. Both individuals report having heard an announcement from the helicopter which circled overhead, but neither were able to understand the order (which was to disperse).
3. 15 persons reported severe discomfort and numbness resulting from the use of plastic handcuffs. The handcuffs were apparently used by police as a means of affecting punishment -- typically a person would ask for the painful bonds to be loosened, and an officer would tighten them instead. Those persons subjected to the treatment report numbness lasting for periods lasting from 1-1/2 days to three weeks. One male prisoner fainted from the extreme tightness of his cuffs, which officers had tightened three times, but he was refused aid by the medic on the grounds that he was “faking.”

4. 11 persons reported being kicked or beaten with clubs; of these, one man was sprayed directly in the face with mace as well as beaten, 2 persons were kicked in the groin, 3 persons

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were hurt seriously enough to require immediate medical attention was not provided — and at least two of these persons experienced added abuse by being used by police as shields against rock-throwing.

5. Verbal abuse was universally reported, both in the field and at the jail. Prisoners were called “pukes,”

“smelly,” “sissy longhairs,” and “feminine men.” They were frequently threatened with such statements as, “If any of you motherfuckers move, we’ll beat the shit out of you.”

B. There also are many reports of physical and verbal abuse which occurred in police vehicles. One man reported that when he was placed inside the police car along with several other arrestees, the cops put my head against the back window while inside and said if any rocks were thrown, I’d get it first.” The police also threatened to break the nearest arm if anyone tried to split. “On the bus to jail one prisoner who had been singing “We Shall Overcome” was reportedly severely beaten by an officer after arrival at the jail. This officer’s name is known, but he made sure everyone was off the bus before the alleged beating of the handcuffed prisoner.

C. Abuses while in jail -- this is the as yet uncomplete new Goleta facility, made available on an emergency basis.

1. 13 people reported an atmosphere of general harassment -- name calling, verbal threats to obtain quiet in cells.

2. 1 person reported police stole his binoculars.

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attention.

4. 16 persons listed at least 2 or more of the conditions in the jail:

a. no blankets and no mattresses;

b. severe coldness due to fans never turned off, heat never turned on.

c. food delayed or denied;

d. toilet privileges withheld or refusal to provide toilet paper;

e. prohibition of sleep by keeping lights on and periodically making everyone stand up;

f. generally overcrowded cells, frequently at twice intended capacity, although many other cells were empty the whole time.

5. 3 persons reported being put in solitary for no apparent reason.

6. 6 people reported rough handling, including being ordered to stand with noses touching a wall for hours at a time; the guards shovel faces into the wall if noses stopped touching it. Many persons reported

delays of phone privileges as a hassling tactic, and 2 persons reported never being allowed to place phone calls.

7. Many persons reported delays of hone privileges as a hassling tactic, and 2 persons reported never being allowed to place phone calls.

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C. "ISLA VISTA II"

Few statistics are available on Police Practices during this period. Though 90 persons were arrested, less than a dozen filed reports; three of these come from persons who suffered injury but were not arrested.

A. Isla Vista II was the first disturbance in which bird-shot was used for purposes of crowd control. Evidence indicates that the bird-shot was fired into crowds at very close range; one girl received 50 bird-shot wounds. Today, two of the pellets remain in her left lung, and 30 remain in her back. Another girl was hit by 13 pellets of which 12 remain in her body today.

B. Sheriffs' Officers for the first time carried anti-sniper rifles. Unconfirmed reports of firing by Police were numerous; one at least can be confirmed — on Saturday night, while protecting the Bank, a student, Kevin Moran, was killed by a single shot from a Santa Barbara police officer's rifle.

C. As in earlier disturbances, reports indicate that the plastic handcuffs continued to be used as a means of enacting summary punishment. (On May 19, the Santa Barbara County Grand Jury recommended to the Sheriff that "if possible, use of painful plastic hand-ties be eliminated." However, the plastic cuffs were used again in "Isla Vista III." Police argue that they are indispensable because they are light, effective and inexpensive.)

D. Several men reported police threats of shooting and leg-breaking.

E. One man on the jail bus was beaten by an officer with the butt of a rifle.

F. Several instances of police destruction of personal property were alleged.

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G. One person reported a tear-gas cannister was thrown into his apartment through an open window.

H. Two men reported being arrested and then beaten by Ventura police.

I. Two male residents of a large apartment complex report being apprehended by police on private property. The officers directed them at gun point to enter their apartments. Once inside the men were held at gun point while the officers searched the premises. Neither of the two men were arrested.

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D. "ISLA VISTA III"

These statistics are based on personally signed reports of persons involved in the Isla Vista disturbances of June 6 - 12, 1970. No attempt is made to account for rumors or anonymous allegations, or for incidents not reported to us. Consequently the following figures are conservative and fully substantiated. The actual number of incidents was, almost certainly, considerably higher. Copies of all Incident Reports are in Appendix A.

I. EPISODES WHICH OCCURRED IN ISLA VISTA: The following tabulation includes incidents in Isla Vista proper — at dwellings, in the streets, and at the Bank of America booking station. Not included are episodes which occurred during the "Perfect Park sit-in demonstrations" (June 10, 7:30 to approximately 9:30 p.m.), which will be charted separately.

1. Persons who were apprehended while on private property, in the yards of their own dwellings; all had understood that this did not violate curfew restrictions, since the emergency ordinance specifically stated that during curfew hours "no person shall be outside, or remain outside, on any public place" (italics added). TOTAL OF 32 PERSONS. In addition, 13 persons reported being told by officers that they must not remain outside on private property, or on their porches or balconies, or be looking out of windows, under perial of arrest or of immediate bodily harm.

2. Illegal entry and search of dwellings.

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In all of these cases the complainants state that the intrusion was in no way justifiable on the grounds of "hot pursuit". 6/6 - 2 dwellings; 6/7 - 3; 6/8 - 23; 6/8 - 17; 6/10 - 15. Total of 60 dwellings. (At 39 of these dwellings the door was broken down without warning or a request for the door to be opened, and in a significant number of these cases, the door is reported to have been unlocked.)

3. Willful destruction of personal property. The complainants state that in no case was this damage the result of entry with a lawful search warrant, nor did it occur by accident or in the course of any struggle. Ten separate instances of physical damage to a dwelling's structure (not including the front door). Fifteen instances of vehicles, (cars, bicycles) damaged with malicious intent. Thirty-five instances of personal belongings maliciously damaged; this includes two hi-fi's, one \$500 electric organ, and personal effects — dishes, ornamental objects — that were intentionally smashed.

4. Unprovoked beatings of persons. These persons were beaten with nightsticks, or kicked, or thrown violently against walls, dragged by the hair, forced to walk barefooted over broken glass, or (in the case of several women) pulled about by their breasts. If a victim suffered a combination of these abuses, he is still counted only once. The complainants state that in no case was there physical provocation for these beatings. (Less flagrant uses of physical force, such as complaints of "rough handling," have not been included.) Thirty-two of those beaten were not charged or arrested, nor in these cases did it appear that arrest was intended.

6/6--2 persons; 6/7--5; 6/8--18; 6/9-26; 6/10--14; 6/12-1. TOTAL OF 56 PERSONS. Each of these was reported as a first-hand experience; we have not included many reports of beatings which were reported

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by witnesses. (Many reports named other persons beaten at the same place and time, yet we only counted these if they filed their own reports.) Of these, 13 injuries received immediate medical attention; many required stitches for treatment of head wounds. Almost all of the beatings left welts or bruises. There were 6 cases or direct blows in the genital region.

5. Gas canisters thrown without provocation into yards of dwellings or into dwellings themselves. 6/7—2; 6/8—8; 6/9—1; 6/10—3; TOTAL OF 14 INSTANCES.

6. Ten arrested persons reported that their handcuffs were tightened with the distinct intention of inflicting pain and "punishment." In almost all of these instances this action was in response to requests that the cuffs be loosened.

7. Direct threats by officers of shooting or death, accompanied by the use of a weapon. TOTAL OF 10 INSTANCES.

8. Sexual offenses against women. These include 2 cases of sexual propositions by arresting officers, and 6 cases of molesting and perverse demands with or without arrests being made. TOTAL OF 8 INSTANCES.

9. Police violations of Police orders. For these dates: Five groups of persons were explicitly told by officers that it was legal for them to be outside on private property, and soon thereafter were abused, beaten, or arrested, for so doing; five vehicles were given signed "passes" by officers at the curfew border which were completely ignored within the area. This does not count the many misunderstandings which resulted from the fact that the police interpreted the curfew as an absolute house arrest, while public

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announcements of the curfew order, from helicopters and over the news media, did not communicate this interpretation.

II. PERFECT PARK SIT-IN: The following account tabulates instances of particularly violent treatment of

those who participated in the demonstration (June 10, 7:30 - 9:30 p.m.), and were peaceably awaiting arrest. Testimony of spectators and participants is unanimous in stating that none of the demonstrators offered physical provocation. Numerous general allegations of police beatings on this occasion have been excluded from this account, together with reports of mere “rough handling.” Only distinct and individual incidents, which happened to persons themselves filing reports, have been included.

1. Persons beaten, struck with clubs, kicked and thereby dispersed, without being arrested: TOTAL OF 24 PERSONS.

2. Persons who were beaten and subsequently arrested: TOTAL OF 12 PERSONS.

3. Persons gassed directly in the face with clear malicious intent: TOTAL OF 15 PERSONS.

4. In addition to this, 6 different persons have reported that they were intentionally pushed down into a large mud puddle while being taken to the bank booking station, and that this harassment could not have been accidental.

III. INCIDENTS EN ROUTE TO JAIL. This category describes events and conditions which occurred on the buses taking arrested persons to jails. A statistical account is difficult to establish, yet all reports mention crowded conditions, painful plastic handcuffs, and threats with guns and sticks, or with mace. Many mention dangerous speed. Three events are particularly noteworthy:

1. Vomiting incident (more than 5 witnesses). A young man running

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a high fever upon himself and the floor of the bus. This elicited threats and jeers from officers and the driver. Upon arrival, the sick youth was forced to clean “the mess” up with his own shirt.

2. Grain kicking incident (more than 7 corroborating witnesses). Because of crowded conditions a young man was seated in the aisle of the bus. An officer who can be identified grabbed an overhead bar, raised himself up, and let his full weight fall upon the youth's genital region. This terrible action was in no way provoked.

3. Mace in Face (more than 2 corroborating witnesses). A young man waiting in line to be boarded on a bus to jail was suddenly maced directly and intentionally in the face. This action was entirely unprovoked.

IV. EVENTS IN THE “NEW JAIL” This category describes events in the newly completed but still undedicated County detention center in Goleta which was made available on an emergency bases. The figures given here count only first-hand experiences, although almost all who have filed complaints claim to have witnessed similar mistreatment of others. It can be stated that many examples of rough handling and unusual methods have not been reported simply because they appeared to be the norm; in addition, a number of complainants who reported not being mistreated expressed great relief at being spared thins which they saw others suffer.

1. The following abuses were persistently mentioned in complaints of those arrested:

a) Prisoners were required to stand for lengthy periods with their noses touching the wall; those who did not maintain

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constant contact with the wall were shoved violently into it, injuries and bleeding. 53 persons have complained of being so treated; but they have reported this practice to have been almost universally used.

b) In all, 46 persons have complained of long delays before permission was granted to make telephone calls. A number of persons report never being allowed a call; a larger number of persons were permitted only a single call rather than the two to which they are legally entitled.

c) There were delays of from 2 to 6 hours in being booked.

d) 35 individuals have complained of delays in meals, and some report more than 24 hours without being fed. A significant number of complaints mention the withholding of meals being used as "punishment" for trivial reasons or for no reason at all.

e) An overflowing toilet in one cell full of male prisoners was never attended to; 18 prisoners complained of denials or extreme delays in use of toilets or of being refused paper, or of inoperative facilities.

f) Generally crowded conditions and an extreme scarcity of beds and mattresses were universally reported. Scores of prisoners were crowded together in cells designed for only small numbers of inmates.

2. Besides those difficulties, which may in part be ascribed to the emergency conditions, there were other complaints of a more serious nature.

a) As a matter of course handcuffs frequently were not removed

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at the time that prisoners were placed in their cells. Some reported much as two hours elapsed before they were freed of their painful handcuffs, and in most of these cases fellow cell-mates had to remove the cuffs with matches or nail clippers. (These are the bands which were employed throughout the disturbances despite the May 19 recommendation of the Santa Barbara County Grand Jury that other devices be utilized in the future.) 27 persons reported serious discomfort from these bands in the jail, and many found their hands swollen and painful more than 24 hours after the bands were removed.

b) Prisoners were, in general, allowed very little sleep — in some cases none at all — for what complainants describe as the deliberate purpose of harassment. (41 complaints.) Bedding was in supply, and yet in many cases available beds were not permitted to be used; persons trying to sleep were frequently and needlessly awakened.

c) At least 20 persons were beaten (according to the strict definition of “beating” employed elsewhere in this report). Some of these episodes occurred in the presence of others, and appear to have been directed at intimidating the others; other episodes occurred in isolation from witnesses.

d) Male prisoners in one cell were forced to strip naked, subjected to degrading and perverse harassment, and forced to wash one inked graffiti from a wall of the cell (all reporting this -- more than 8 -- claim the writing was there before they were put in the cell). For more than 3 hours they could not dress. A total of 10 persons have reported being stripped and not allowed to dress as a

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“punishment” or an arbitrary harassment.

e) Mace was sprayed into 2 cells full of women prisoners, allegedly because the prisoners were not keeping quiet. All reporting this (12 persons) deny that they were making noise.

f) 13 persons claim being thrown into solitary confinement (“the hole”), some more than once, for no good reason. A number of complainants tell of cruel beatings by officers while they were in solitary.

g) 2 persons report that they were detained and harassed after their official release. The two girls were required to wash down a cell before they were let go, after their release papers had been received.

h) Certain persons were singled out for specifically harsh and persons were singled out for specifically harsh and continuing bad treatment, being used “as an example” to other prisoners; it can be shown that a number of these persons appeared to be foreigners, or were handicapped.

i) 13 separate instances have been reported in which persons who needed medical attention experienced lengthy delays in seeing a doctor, or were maliciously denied medication. One young man suffering from severe hepatitis was not only denied treatment, but at one point was kicked in the liver in response to his request for medical aid; one young woman has reported being given a “very unprofessional” pelvic examination over her repeated protests, by the jail doctor.

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V. Delays and Irregularities in Due Process. For the period of the disturbances, the following numbers of persons report the following abuses of their rights: 48 persons were not informed of their rights during booking

or at any other time (no one reported that he was so informed); 46 persons were denied their allowed phone calls during detention; 18 persons were required to pay uncalled for, or illegal, amounts of bail, and experienced serious delays in the processing of their bail; 21 persons were detained irregularly (for 8 or more hours) after their bail was posted. In addition, a large number of persons reported that they were not informed of the charges against them at the time of their arrest, even after repeated requests.

By all accounts, the mass arrests of Wednesday, June 10 brought bail procedures and other considerations of due process almost to a complete standstill, of the numerous complaints lodged for this time, the following were most widely and vigorously alleged:

1. Though nearly all of the arrests had taken place by 9:30 p.m. no official list of prisoners' names and charges was available until 11:00 a.m. the following day; this aspect of due process was delayed 13 hours.
2. For periods described as lasting several hours, no cash bail was accepted. In violation of all due process people were forced to choose between dealing with bail bondsmen or delaying the posting of bail indefinitely; there were other periods when the jail office closed and no bail of any sort was accepted.
3. Information was contradictory and hard to come by, and officers were often rude.

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Those who filed these complaints (friends, parents and relatives of those arrested) seem convinced that these irregularities were not merely a question of inefficiency, but rather part of a plan of deliberate delay in due process. Punishment, in any event, was effected prior to any trial or sentencing — a fact attested to by Judge Joseph Lodge of the Santa Barbara Municipal Court when, in dismissing all misdemeanor charges against those arrested at the Perfect Park demonstration, he remarked that these individuals had “already been punished enough.”

VI. Police Officers' names and badge numbers. Complainants frequently reported that officers' names and badge numbers were hard or impossible to discover — badges were hidden (many published photographs of officers with badges covered by vests or tear-gas canisters are available), or officers were reluctant to disclose their identities. The following table (Table I) list all police officers' names and badge numbers which were mentioned in the Incident Reports (in Appendix A) by persons filing complaints of police misconduct. In some cases the kind of officer involved (e.g., Santa Barbara Sheriff or California Highway Patrol) was not determined; these officers are listed in Table I as “unknown.” Appendix H contains a listing of police and badge numbers with reference to where each can be found in the compilation of incident reports (Appendix A).

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TABLE I

POLICE OFFICERS' NAMES AND BADGE NUMBERS (FROM INCIDENT REPORTS)

In the report to the President's Commission the names and/or badge numbers of 77 law enforcement or corrections officers were presented in this table. In an appendix another table keyed the names to the incident report in which they appeared by report number.

Since we do not reproduce the appendix of incident reports here (1000 pages) we have chosen not to report the names in such an unsubstantiated manner. However, we do present a summary by department:

Santa Barbara Sheriffs	37
Los Angeles Sheriffs	25
California Department of Corrections	5
California Highway Patrol	3
Unknown	7

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VIII. THE FUTURE

A. THE AFTERMATHS OF THE DISTURBANCES

In this section, key events in the various disturbances (e.g. the burning of the bank in "Isla Vista I") have been pursued to their conclusion, or present status in litigation.

The Allen Demonstrations

To date none of the 19 persons arrested for their activities during the "illegal" on-campus demonstrations in January have come to trial. Criminal charges against Allen, in the same connection were quietly dropped. A million dollar civil damage suit on behalf of the 19 has been filed against the county.

The controversy brought limited response from the University. A joint faculty-student committee was established by Vice Chancellor Buchanan, (later it came under the Chancellor upon his return to campus) to study ways of broadening participation in departmental governance and report their findings. On June 2 the report was issued, in which the main thrust was for more effective and formalized participation in departmental governance by students and non-tenured faculty.

Meanwhile, Allen remained under interim suspension from the faculty. He was charged with irresponsible and unprofessional conduct for his behavior during the demonstrations. The Privilege and Tenure committee of the Academic Senate heard the charges and on June 26 issued its report in which Dr. Allen was found guilty of many. Much controversy has surrounded the lengthy process of hearings before this committee requested by Allen and the University. A member of the Privilege and Tenure committee

has furnished a chronology of the various proceedings, as follows:

In letters dated June 19, 1969 Professor William Allen asked both the Committee on Academic Freedom and the Committee on Privilege and Tenure to investigate the non-renewal of his contract (announced in a letter dated June 6, 1969 from the Anthropology Department to Allen). The Chairmen of those two committees responded by saying their communities could do nothing until he alleged specific violations of his freedom or privilege.

On December 1, 1969, after the Anthropology Department had reaffirmed its determination not to renew the contract, Allen wrote to the Chairman of Privilege and Tenure requesting the opportunity to meet with the Committee, in a reply sent December 16, the Chairman invited Professor Allen to propose a meeting date for any time after the start of the Winter Quarter. On January 27 Allen called the Chairman by phone and a meeting was arranged for, and held, January 29. After listening to Allen, the Committee was not of the opinion that he had made a "prima facie showing" of violated privilege. The Committee might have rested there, notifying Allen to that effect. Instead, it conducted a series of private interviews and executive sessions that ran over twenty hours, at the end of which the Committee (on February 3) voted 5 to 1 to notify professor Allen that, in its view, nothing alleged or discovered would, if proved true in a formal hearing, constitute a violation of privilege.

It will be noted that the timing was such that the Privilege and Tenure Committee held its meeting with Allen on the day of the first rally on his behalf and that the Committee conducted its subsequent

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deliberations in the midst of considerable turmoil.

On March 18, 1970 Chancellor Cheadle filed charges with the Committee for Allen's alleged misconduct during the interval January 29-February 24. The Chancellor also notified the Committee that Allen was suspended from his teaching activities as of March 25, 1970 (salary unaffected). The charges were as follows:

CHARGES AGAINST WILLIAM L. ALLEN, ASSISTANT PROFESSOR
OF ANTHROPOLOGY BY VERNON I. CHEADLE, CHANCELLOR, UCSB

March 11, 1970

- 1) On or about January 29, 1970, Professor Allen made an unauthorized use of a voice amplifier at a campus rally.
- 2) On or about January 29, 1970, Professor Allen used vulgar, improper, and indecent language over a loud speaker while addressing a public rally on campus.
- 3) On or about January 30, 1970, Professor Allen spoke over a loud speaker at an unauthorized campus rally.
- 4) On or about January 30, 1970, Professor Allen used vulgar, improper and indecent language over a loud speaker while addressing a public rally on campus.

- 5) On or about February 2, 1970, Professor Allen spoke over a loud speaker at an unauthorized campus rally.
- 6) On or about February 3, 1970, Professor Allen used vulgar, improper, and indecent language while addressing a public rally on campus.
- 7) On or about February 3, 1970, Professor Allen publicly threatened student strikes.
- 8) On or about February 3, 1970, Professor Allen spoke over a loud speaker at an unauthorized campus rally.
- 9) On or about February 3, 1970, Professor Allen over a loud speaker publicly urged a crowd to break through police lines and occupy a campus building.
- 10) On or about February 4, 1970, Professor Allen used vulgar, improper, indecent, and racially insulting language concerning an employee of the University.
- 11) On or about February 4, 1970, Professor Allen used vulgar, improper, and indecent language over a loud speaker while addressing a public rally.
- 12) On or about February 4, 1970, Professor Allen publicly urged campus strikes and the holding of unauthorized campus rallies.
- 13) On or about February 4, 1970, Professor Allen urged a crowd at a campus rally to form a serpentine to march through the campus. A serpentine march which followed disrupted normal campus activities and operations.
- 14) On or about February 12, 1970, Professor Allen used vulgar, improper, indecent, and insulting language toward University employees.
- 15) On or about February 12, 1970, Professor Allen led a group attempting to enter a campus building which was closed and in connection therewith accosted a campus officer.
- 16) On or about February 16, 1970, Professor Allen publicly made a vulgar and insulting gesture to a law enforcement officer and shouted vulgar, improper, and insulting remarks to the officer in the presence of others.
- 17) On or about February 24, 1970, Professor Allen participated in activities resulting in the damage or destruction of private property.

On March 24, Allen requested a hearing on the interim suspension and on April 5, a meeting was held between Allen, the Committee, Allen's Counsel, and University counsel. After that meeting the Committee decided (1) to recommend that the Chancellor rescind the interim suspension; (2) to institute formal hearings on

the Chancellor's charges against Allen; (3) to listen to Allen's Counsel on the subject of the alleged earlier violation of Allen's privilege.

Chancellor Cheadle declined to rescind the interim suspension. The morning of April 11, the Committee heard Allen's Counsel explain their reasons for believing his privilege has been violated. During the afternoon of April 11, and all day on the 12th and the 19th a hearing was held on the Chancellor's charges. On May 21, after deliberation, the committee wrote Allen that in its view his privileges were not violated. On June 26, the Committee issued its report on the Chancellor's charges, a copy of which follows.

Note: The following seven pages are scans of letters that were included in the text of this report and numbered 131a through 131g

PHOTOCOPY

ACADEMIC SENATE
SANTA BARBARA DIVISION

June 26, 1970

VERNON I. CHEADLE, CHANCELLOR

We have concluded our deliberations on your charges against Professor William Allen and make the following findings:

1. Charges 1, 3, 5, and 8

(Charges regarding the violation of time, place, and manner rules)

We find Professor Allen's stipulated conduct to be unprofessional.

2. Charges 2, 4, 6, 10, 11, 14, and 16

(Charges regarding language)

We do not find it necessary to rule on the norms governing discourse in general. Whatever rights of freedom of expression a citizen, as such, may enjoy, an individual assumes certain obligations as a member of the academic community. The use of vituperative language to designate colleagues and administrative officers, as stipulated, contributes to the breakdown of that rational communication and mutual respect on which the survival of a university depends. We find such verbal conduct in these circumstances to be unprofessional.

3. Charge 9

(Charge regarding the urging of a crowd to break through police lines and occupy a building)

We find the evidence on this non-stipulated charge to be inconclusive.

4. Charge 12

(Charge regarding urging of campus strikes)

We find that Professor Allen's urging a strike, as stipulated, does not constitute unprofessional conduct. (See Appendix A.)

The reproach of this Committee is reserved for the disruption or intimidation that frequently follows a strike call and is a sign that a university community is not heeding the call. Coercion is something against which the mere exercise of good judgment by teachers and students is inadequate protection. This is why we find the conduct, stipulated under

Charge 13, occurring later in the day of the strike call, to be unprofessional, even though we are unwilling to label Professor Allen's urging of a strike as unprofessional. It is one thing to urge or participate in a non-coercive strike. It is another to augment urging or participation with conduct which, however motivated, appeared, and could have been foreseen as appearing, disruptive and intimidating.

5. Charge 13

(Charge regarding the urging of a serpentine)

The parties stipulate (1) that Professor Allen stated to a crowd, "The main thing we should do is go through the campus in a serpentine march in an effort to reach the people who can't get out of their labs, the Art Building and Chemistry and Physics and Engineering. Let's march around here -- the whole crowd marching and yelling."; and (2) that classes were interrupted. Holding that this disruption could reasonably have been foreseen by Professor Allen, the Committee finds his conduct irresponsible and unprofessional.

6. Charge 15

(Charge regarding entering of a closed campus building and accosting of a campus officer)

We find that the evidence in support of the charge that Professor Allen "led a group attempting to enter a campus building which was closed and in connection therewith accosted a campus officer" to be inconclusive. Nevertheless, we find that Professor Allen did attempt to enter a building which a campus officer had declared was closed. In doing so, in the presence of an excited crowd which looked to him for leadership, he contributed to a confrontational situation which was fraught with danger to life and property. We find this conduct to be reckless and unprofessional.

7. Charge 17

(Charge regarding the damage of private property)

We find that this non-stipulated charge is not sustained by the evidence.

In conclusion, the Committee finds that Dr. William Allen has been guilty of unprofessional conduct. Under other circumstances, the Committee would recommend some form of disciplinary action. The nature of that action, whether reprimand, formal censure, or dismissal, would depend on the "other circumstances." In the present case, because Dr. Allen's association with the University of California will in any event be terminated on June 30, 1970, and since he has already been subjected to an interim suspension that had a punitive effect, we feel that further

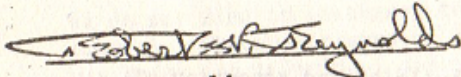
Chancellor Cheadle

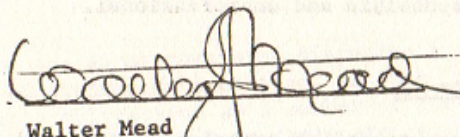
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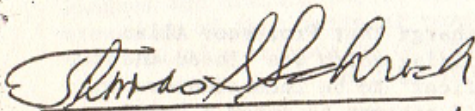
June 26, 1970

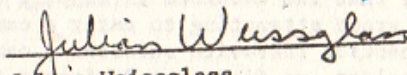
disciplinary action would serve little more than a vindictive function. The Committee, therefore, recommends that no further disciplinary action be taken with respect to Dr. Allen.

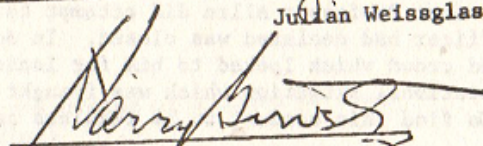
During the course of its deliberations the Committee has been mindful of many of the events relating to the case of Miss Angela Davis at UCLA. In order to preclude the possibility that certain improper parallels may be drawn between the case of Dr. Allen and that of Miss Davis, the Committee wishes to point out the fundamental difference between the two cases. The actions taken against Dr. Allen, with the exception of the interim suspension, were based on faculty recommendations. The present judgment of unprofessional conduct was made by a faculty committee representing the University teaching profession. In the case of Miss Davis, the judgments and recommendations of her professional colleagues were consistently in her favor. The judgment of "unprofessional conduct" against Miss Davis was pronounced by the Board of Regents. We believe that valid judgments concerning professional conduct can best be made by members of the profession, rather than by others, whether they be Regents, students, or members of the public.


Robert Reynolds


Walter Mead


Thomas Schrock


Julian Weissglass


Harry Girvez, Chairman

A dissenting opinion will be submitted by Mr. Walter Buckley.

cc: W. Allen, Defendant
President Charles J. Hitch
H. Dye, Chairman, University Committee on
Privilege and Tenure

Charge 12

Charge 12 reads in part, "On or about February 4, 1970, Professor Allen publicly urged campus strikes . . ." The parties stipulated that "on February 4, 1970, in addressing a campus rally and using an electric sound amplification device, Professor Allen stated 'my feeling is that we should have a strike' and further stated 'we can have a strike. Give the administration until 8:30 or a strike will take place.' Using the electric sound amplification device in addressing a campus rally, Professor Allen indicated that a strike was another action that could be taken to bring pressure on the administration to change its decision regarding the non-renewal of Professor Allen's contract of employment."

Professor Allen is charged with urging a strike. The question before us is not whether this urging was prohibited by the Regents, or otherwise made illegal, but whether it was unprofessional. Advocating a strike in particular circumstances would not be unprofessional if actually striking in the same circumstances were not unprofessional. If, on the other hand, participating in a strike is unprofessional, we are of the opinion that urging the same course of conduct in the same circumstances is presumptively unprofessional. We therefore think that general guidelines on strike participation are pertinent to our inquiry. And we know of no better statement on that subject than the paper by Professor Sanford H. Kadish entitled "The Strike and the Professoriat," published in the Summer 1968 issue of the AAUP Bulletin and quoted with approval by the 1967-68 statewide Committee on Privilege and Tenure. The relevant passage reads as follows:

The American Association of University Professors is deeply committed to the proposition that faculty members in higher education are officers of their colleges and universities. They are not merely employees. They have direct professional obligations to their students, their colleagues, and their disciplines. Because of their professional competence, they have primary responsibility for central educational decisions; they share in the government of their institutions. Thus, they should have a voice in the selection of presidents and deans; and their judgment should come first in the determination of membership in the faculty. Where these principles . . . are not accepted in their entirety, the Association will continue to press for their realization. We believe that these principles of shared authority and responsibility render the strike inappropriate as a mechanism for the resolution of most conflicts within higher education.

But it does not follow from these considerations of self-restraint that professors should be under any legal disability to withhold their services, except when such restrictions are imposed equally on other citizens. Furthermore, situations may arise affecting a college or university which so flagrantly violate academic freedom (of students as well as faculty) or the principles of academic government, and which are so resistant to

rational methods of discussion, persuasion, and conciliation, that faculty members may feel impelled to express their condemnation by withholding their services, either individually or in concert with others. It should be assumed that faculty members will exercise their right to strike only if they believe that another component of the institution (or a controlling agency of government, such as a legislature or governor) is inflexibly bent on a course which undermines an essential element of the educational process.

Participation in a strike does not by itself constitute grounds for dismissal, or for other sanctions against faculty members. . . .

The kind of evil in response to which Professor Kadish is willing to contemplate the propriety of striking seems to be a departure from, or interference with, established procedures of University governance, by the University itself or a governmental agency. In the case of Professor Allen's non-renewal there was, so far as we are aware, no such departure or interference. In fact, it was Professor Allen himself who departed from established procedures by calling a strike while a part of the established grievance machinery, this Committee, was still considering his claim of violated privilege.

We agree with Professor Kadish that a university or governmentally initiated abrupt departure from the procedural status quo is the most obvious occasion for a justifiable academic strike. It is possible, however, that a faculty member might in good faith believe that precisely in their continued adherence to the administrative status quo University officers are "bent on a course which undermines an essential element of the educational process," or which violates "academic freedom (of students as well as faculty) or the principles of academic government." We think that a reading of the transcript in this case suggests to the reader who gives the benefit of the doubt to the accused that Professor Allen did so believe. And though the majority of this Committee thinks his belief was mistaken, it is also loath to make the right to strike contingent on the striker's ability to persuade this or any other committee that his belief was not mistaken.

We are aware of at least some of the difficulties our position may involve. For example, it may seem to perpetrate the anomaly of putting bad judgment beyond the pale of reproach in the very setting -- the University -- where criticism ought to be a matter of course. But by endeavoring to protect the good-faith urging of or participating in strikes from official censure, we are not exempting sloppy thinking from reproach, but rather leaving it to be discovered and denounced by the persons who, whatever official bodies might say, will in any event decide whether "the place will be shut down," i.e., to the professors and students of the University. If they cannot be trusted to repudiate bad judgment by ignoring it, the University is already lost, and official denunciation of strikers will not save it.

The reproach of this Committee should be reserved for the disruption or intimidation that frequently follows a strike call and is a sign that a University community is not heeding the call. Coercion is something against which the

Chancellor Cheadle

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June 26, 1970
Appendix A

mere exercise of good judgment by teachers and students is inadequate protection. This is why we find the conduct, stipulated under Charge 13, occurring later in the day of the strike call, to be unprofessional, even though we are unwilling to label Professor Allen's urging of a strike as unprofessional. It is one thing to urge or participate in a non-coercive strike. It is another to augment urging or participation with conduct which, however motivated, appeared, and could have been foreseen as appearing, disruptive and intimidating.

PHOTOCOPY

ACADEMIC SENATE
SANTA BARBARA DIVISION

June 26, 1970

VERNON I. CHEADLE, CHANCELLOR

Re: Dissenting Opinion to the Privilege and Tenure Committee
Majority Opinion on the Allen Case

Though some of Professor Allen's behavior can be seen as unprofessional when taken on its face and in the normal university setting, it must be understood in terms of its relationship to the tense issues of the moment, the crowd and police presence, and the earlier unprofessional handling of the campus-wide demand for an open hearing on the part of the administration. Neither type of behavior can be condoned, but it would be unjust and intellectually irresponsible to place the blame on Professor Allen alone for a complex state of affairs that had gotten out of hand and for which responsibility must be shared by others.

Consequently, I cannot accept the unilateral and out-of-context imputation of guilt often charged in the majority report. At best, I could only recommend verbal reprimand of some of Professor Allen's actions as precipitate and short of the ideals of professional conduct held by perhaps a majority of the campus community. Certainly dismissal, as demanded by the administration, is not warranted, and in view of the administration's arbitrary interim suspension of Professor Allen and its refusal to lift this suspension in response to a formal faculty committee decision, I feel that Professor Allen has already been punished more than called for by his actions.

Walter Buckley

Walter Buckley, Member
Committee on Privilege and Tenure

cc: W. Allen, Defendant
President Charles J. Hitch
H. Dye, Chairman, University Committee on
Privilege and Tenure

“Isla Vista I”

Of the 132 arrested during the February disturbances, at least 93 have had charges dismissed or won acquittals, as of the present writing. The above figure is the best estimate of the court clerk's office which for various reasons is too overloaded with work to release manpower to search the records.

The Isla Vista Community Council became a reality on May 5 largely because of the increased concern shown by the residents for control of their community after the bank burning. Antiviolence forces began to come together and were to be quite active in the disturbances that followed.

Eleven of the 17 persons indicted for the February bank burning are currently on trial for arson and other related charges. The trial is expected to end in mid-September — prior to the start of the next academic year. *

“Isla Vista II”

As of the present writing, charges have been dismissed or acquittals won by at least 38 of the 90 arrested during the April disturbance.

On May 5, University of California President Hitch appointed a seven member commission to study the conditions that led to violence at Isla Vista. The commission is to pay particular attention “to the roles of university policies and procedures” and to make recommendations to Hitch by October 1 on how “to eliminate or improve conditions leading to unrest in Isla Vista.”

A Coroner’s Inquest was convened on May 12 to hear testimony on the

*At press time (9/25) the trial is still in progress.

death of Kevin Moran, and to rule on it. The state attorney general’s office conducted the investigation and also conducted the questioning at the inquest. After two days of hearings a coroner's jury concluded that the student was shot accidentally.

The events leading up to the shooting, reported in section VI:c of this report, are abstracted from the 319 page transcript of the inquest.

In response to a request from Chancellor Cheadle and the Academic Senate of UCSB, the Santa Barbara Grand Jury convened a two-day special session on Isla Vista (in Isla Vista) and on May 19 issued a special report. Recommendations were presented for the university administration, the County Supervisors and the Sheriff to follow in the future to minimize the chance of further disturbances; more humane police procedures were recommended in the event of further disturbances. The Grand Jury recommended that faculty and clergy be stationed in jails and booking areas in case of future disorders.

“Isla Vista III”

The disturbance in June was the largest measured by the number of arrests (667) and by the number of complaints of police misconduct (See the 431 Incident Reports in Appendix A). Demands for a thorough

investigation were made from many quarters. In addition, a number of court actions were undertaken on behalf of the residents of Isla Vista and those arrested.

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Court Actions

On June 12, Judge Lodge dismissed the charges against approximately 302 participants from the peaceful Perfect Park sit-in to protest the curfew and police misconduct. His comment in dismissing the charges is significant: "... [these people] have already incurred sufficient punishment...". Charges against at least 33 others have been dismissed or acquittals won as of the present writing.

A class action suit was filed by Attorney John Sink (a member of the Santa Barbara Board of Education) in the U.S. District Court, Central Division, on June 15, 1970, charging that County officials "have deliberately embarked upon and gradually intensified a systematic pattern of lawless enforcement of the law in Isla Vista." The Federal suit sought to enjoin the County officials with Sheriff's officers from carrying out such actions under cover of Emergency Curfew ordinances in the future. Sink acted on behalf of six Isla Vista residents as representatives of the 13,000 residents of the community. In support of the suit Sink originally filed 38 affidavits of alleged police misconduct. The Santa Barbara County Counsel filed 33 counter-affidavits from Sheriff's officers. Subsequently, 19 additional affidavits charging police misconduct were filed by Sink in Federal Court. Table II summarizes the relationship between the two sets of original affidavits. At the hearing held June 30, in Los Angeles Judge Jesse W. Curtis took the suit under submission and subsequently announced he was dismissing it. An appeal was filed August 24, 1970 in the Ninth Circuit Court of Appeal.

The constitutionality of the curfew was challenged in Superior court. A three judge panel ruled in August that the curfew should be considered constitutional. The trials that were continued pending this decision will now resume.

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TABLE II

COMPLAINANTS' ALLEGATIONS VS. SHERIFF'S COUNTER-STATEMENTS

Sheriffs' counter-statements were made to allegations contained in the Sink original affidavits (pages 1-69 of Appendix F only). The percentages reported use only these, and not the total number reported, as the base in these computations.

TYPE OF ALLEGATION	TOTAL NUMBER REPORTED	NUMBER ORIGINALLY REPORTED	NUMBER OF ALLEGATIONS RESPONDED TO BY SHERIFFS	PERCENTAGE OF ORIGINAL ALLEGATIONS RESPONDED TO BY SHERIFFS
1	12	9	7	.78
2	18	15	10	.67
2A	2	0	0	0
3	14	11	2	.18
4	13	12	6	.50
5	9	8	0	.00
6	17	12	0	.00
7	11	8	0	.00
8	15	12	0	.00
9	5	4	2	.50
10	4	2	0	.00
TOTALS	120	93	27	.29

KEY TO ALLEGATIONS

- 1 Apartments or dwellings forcibly entered by police where occupants had had not recently been outside the dwelling (no hot pursuit).
- 2 Persons beaten before arrest.
- 2A Persons beaten and not arrested.
- 3 Persons beaten after-arrest (including in jail).
- 4 Plastic hand-cuffs too tight or tightened when issue raised.
- 5 Medical attention delayed or denied.
- 6 Overcrowded cells.
- 7 Phone calls delayed or denied.
- 8 Bail interfered with (unduly long waiting periods, etc.)
- 9 Mistreatment of females.
- 10 Made to stand naked in jail cell for three hours

The reports of police misconduct during "Isla Vista III" came from so many independent sources — middle class adults, clergymen, UCSB football players, reporters, arrested newsmen, an arrested Deputy District Attorney — that a public outcry quickly arose. A Santa Barbara News-Press Editorial of June 11 noted:

Few of these charges have been properly substantiated. Some of them may be rumors or accounts distorted by the heat of a particular confrontation. But many have the ring of authenticity Reports of forcible entry of apartments, indiscriminate use of tear gas, verbal abuse, illegal arrests, property damage and harassment of innocent citizens on private property by officers demand swift independent investigation and corrective action if warranted.

These sentiments were expressed well beyond the boundaries of Santa Barbara, The Los Angeles Times, which had sent its own reporters to the scene at Isla Vista (as had Time, Newsweek, the Sacramento BEE, the San Francisco Chronicle, and the New York Times, among others) commented editorially on June 19:

Charges of official misconduct are widespread and serious enough to require the most thorough inquiry. If those charged with enforcing the law have broken the law themselves, they deserve severe punishment, for by so doing they undermine the respect for law and order which is essential in a free society.

In furtherance of these ends, many citizens of Santa Barbara both inside and outside the University community have made sustained efforts to work within established channels for a redress of grievances. It would appear that thus far these efforts have had minimal success.

A Citizen's Commission on Civil Disorder was conceived and organized by Mrs. Helen Pedotti, composed of over thirty prominent citizens, labor

and business leaders, and Santa Barbara civic figures of all political persuasions. At the time of its organization this Blue Ribbon Commission received the unofficial sanction of the County Board of Supervisors, and an offer of free use of County facilities for its meetings. Subsequently, however, the Santa Barbara County Counsel prohibited all county employee from testifying before the Commission, because of pending civil actions against the county arising from "Isla Vista III" police actions. This prohibition included all local law enforcement officers who had served during the Isla Vista disturbances. In addition Supervisor Joe Callahan issued a statement explicitly denying that the Commission was in any way endorsed by the Board of Supervisors. The Commission has been taking testimony from faculty, students, and residents of Isla Vista and Santa Barbara, despite this lack of official cooperation. It is the hope of the Commission to release a full report before UCSB opens in October, 1970.*

A file of 29 specific signed complaints against police conduct during the disturbances was presented to Sheriff James Webster of Santa Barbara County by the Faculty and Clergy Observers Program. Copies of these complaints were given to the F.B.I. for forwarding to the Civil Rights Division of the Justice Department. The principal information which has been made available to the public regarding these complaints is Sheriff Webster's statement that the complaints were filed on the wrong forms (although a complainant who attempted to file his complaint in person was allegedly handed a blank sheet of paper). The official position of County

Officials is that no comment will be made on allegations of police misconduct until the state Attorney General has concluded his investigation.

*A summary of the Commission report appeared in the Santa Barbara News Press September 19. Copies were made available to the public on the 24th.

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There has been little official recognition of the problem by the university Administration. A group of faculty members who had been arrested at the peaceful demonstration at Perfect Park, during "Isla Vista III" met with Chancellor Cheadle, and reported that he gave no indications that he and his office planned to become involved in any direct way. Observers have noted that with the imposition of new Campus rules and State laws the Administration has tended to avoid such involvements.

In response to the requests of Sheriff Webster, District Attorney Minier, and "numerous private citizens", the State Attorney General's office announced on June 19 that it had begun an investigation of reports of police misconduct in connection with Isla Vista. The investigation was assigned to the care of Deputy Attorney General Richard D. Huffman who came to Santa Barbara and set up offices on the UCSB campus. Public announcements were made soliciting statements from citizens with information relevant to the charges. Two months have passed since the probe began. To date there has been no report from the investigators, and none is anticipated in the near future.

Over 400 reports of police misconduct during "Isla Vista III" (see Appendix A) have been filed with the Crisis Center organized by the Isla Vista Community Council and the Faculty-Clergy Observers Program. It is too early to estimate how many civil actions will be filed by complainants in pursuance of these reports, but a committee of Attorneys who analyzed the documents estimated that at least half of the reports formed the basis for a filable action. However, there is indication that many complainants are now reluctant to file such actions; many are lacking in funds to hire

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legal counsel, and most have expressed a concern over possible reprisals by law enforcement agencies. With the Fall quarter shaping up as an ominous resumption of confrontation politics in Isla Vista, this reluctance is no doubt understandable. On the other hand, it serves to indicate how deep, and deepening, is the distrust of the "system" on the part of those who have felt themselves to have been personally victimized by it, in the tragic early months of 1970 in Isla Vista.*

*At press time, it is our understanding that, approximately 100 individuals have filed claims for damages against the various law enforcement agencies involved.

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B. PORTENTS FOR THE FUTURE

A reliable source in Isla Vista after talking with residents of all persuasions, has filed the following report on prospects for Fall 1970:

The Isla Vista disorders have settled nothing. The conditions that gave rise to them have not improved. They have been exacerbated.

The Bank of America has built a more imposing structure than the one that was destroyed. The rental agencies have tried to obtain an anti-loitering ordinance, have bankrolled a newspaper in which (in the opinion of some) their editorial views predominate, have worked with the police to identify rioters, have raised their rents, and have formed a new organization "to protect their investments." The University has transferred authority over the campus police from a moderate administrator to the Vice Chancellor for Student Affairs, has maintained a day and night guard around the ROTC building, has suspended students arrested during Isla Vista disturbances, and has refused to transfer significant decision making power to students. The Sheriff's Department has increased its surveillance of Isla Vista, has placed hard line deputies on patrol in Isla Vista, and has refused to allow student observers to ride in Patrol cars.

Even during the summer, with most of the student population gone, the tension and frustration have increased markedly. A constant pall hangs over the community. The future is discussed with anger, apprehension, and dread.

There have been bomb threats against the bank during the summer. Such threats should be expected to continue, especially after the new

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building opens. There has been much private speculation about the stockpiling of explosives and bombing attempts on the new building are commonly anticipated. There has also been discussion of setting up a hard picket line around the bank in October. Burn the Bank sentiment is prevalent, even among persons who disapproved of the spring riots.

It is possible that the Bank of America arson trial will not be over by the time students start arriving for the fall term. Any convictions may result in demonstrations and in attacks on the Bank of America.

It is difficult to predict the influence of the November elections on Isla Vista. There seems to be little positive interest in them. Isla Vistans are not attracted to the candidates, except for one young local peace candidate who is running for Congress. The Republican incumbent is expected to win this race by a wide margin. Students will probably involve themselves in a referendum campaign that seeks to overturn a county rezoning action on the El Capitan beach property. The developer who procured the rezoning, Jules Berman, recently lost a court fight which sought to invalidate enough petition signatures to keep the issue off the November ballot in the course of which he attempted to have 400 student voters in Isla Vista disqualified. The El Capitan referendum promises to be the most controversial local election issue.

Should Reagan win re-election by a wide margin, all UC campuses are apt to feel angered and demoralized. Any campaign appearances in Santa Barbara by Reagan in October will probably be greeted with demonstrations.

Local officials have stated publically that they expect major disturbances in Isla Vista in the fall. Radicals anticipate that the police will initiate them. Persons who have participated in previous

riots, however, fear being seen in future actions.

Several months ago, the community favored having a foot patrol of Sheriff's deputies. In the wake of the June riots, this attitude has reversed and students now regard a proposed foot patrol as an intelligence apparatus to be used against them. Deputies on foot patrol will probably be engaged in loud debates on the street. There is much speculation about the result of such encounters. Large crowds may gather, reinforcing patrol cars may arrive, deputies may attempt to arrest individuals on one charge or another and "Isla Vista IV" may erupt.

There are other potential scenarios. If there are convictions in the arson trial, an evening meeting may be called in Perfect Park to discuss the matter. A patrol car may drive by at 10 miles per hour and someone may throw a rock. The car may stop and deputies may start to get out of the car to apprehend the rock thrower. The crowd may then charge the deputies and throw rocks at the car as it speeds away. The crowd may then set up burning barricades in the streets and attack the Bank of America.

There is much talk of a rent strike. Any rental agencies that refuse to negotiate with a new tenants union may become targets of demonstrations. Should police arrive to disperse demonstrators... There are many beginnings, but the plot is always the same. Isla Vista IV may start by any one of an abundance of probable circumstances. Few, if any, of the local residents doubt that violent demonstrations will break out in the fall.

To these speculations should be added the published comments of Raymond C. Johnson, County Administrator, who returned in mid-August from a course on riot control conducted at an army-police academy at Ft. Gorgon, Georgia and announced that plans to curtail any new disorders

were being prepared.

"Johnson reports that he will be conferring with county law enforcement officials 'to determine what additional special equipment will be needed.' What this new weaponry or strategy might be was not specified.

In a related development Johnson announced that he had sent a letter to Los Angeles County authorities thanking them for assistance in the June Isla Vista disturbance. Here Johnson came into conflict with George Clyde, chairman of the county board of supervisors who declared that the Los Angeles force should not be given 'blanket approval' until the state Attorney General's probe is completed. The Attorney General's office is conducting an investigation of alleged police brutality in Isla Vista I, II, and III.

Johnson stated that the Los Angeles riot squad and other law enforcement officials have complained about media coverage or riot situations which have been slanted or erroneous and hampered law enforcement." (Isla Vista Viewpoint, August 28, 1970)

There are reports of vigilante anti-student groups organizing both in Goleta and Santa Barbara. Santa Barbara taxpayers were informed that 12 cents of the 69 cent increase in the county tax rate can be attributed to the costs of the Isla Vista riots. There is an exodus from Isla Vista of residents, particularly those with small

children, who fear for the worst in the fall. A "Rentals Wanted" advertisement in the August 28, Santa Barbara News Press asks:

"Owners, Landlords

Will You Rent to Young people?

We have among our clients many serious young folks who, like you, don't care for the Isla Vista situation and want to live elsewhere. Please phone 963-1777. Fiesta Rental Realty."

On campus there is incessant talk of more trouble, and innumerable rumors: of blacklist and crackdowns on radical professors, of undercover agents on campus, of firm plans for closing down the campus in the event of disorders. Perhaps the mood of pessimism will prove groundless; perhaps it may even help to prevent escalation of conflict. If these fears prove justified, however, UCSB and Isla Vista may be only weeks away from disaster.

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C. RECOMMENDATIONS TO PRESIDENT NIXON

The problems of Isla Vista and the University of California, Santa Barbara are symbolic, and possibly even prophetic in a dangerous way, of the national crisis in campus-community relations. The primary responsibility for attacking the root causes which produced the Isla Vista disturbances must fall in large measure on State Officials (notably the Governor of California and the Attorney General), local officials (the Santa Barbara County Board of Supervisors, District Attorney and Sheriff's office) University officers and groups (the Board of Regents, President, Chancellor, Academic Senate, Associated Students) as well as the residents of Isla Vista.

What is needed from the Federal government is immediate action to dramatize concern for the Isla Vista problem, to create a focus around which members of the Santa Barbara community may work to solve this problem, and in the meanwhile to restore a badly-shaken public confidence integrity and responsibility of law enforcement in Santa Barbara County.

We therefore recommend that President Nixon initiate the following specific actions with respect to Isla Vista and the University of California, Santa Barbara:

1. An immediate major investigation by the Civil Rights Division, Department of Justice, regarding alleged violations of civil rights during the Isla Vista disturbances of 1970.
2. The convening of a Federal Grand Jury to determine:
 - a) responsibility for decisions regarding police action in Isla Vista;

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- b) any violations of Federal Law which may have occurred;

c) circumstances surrounding the death of Kevin Moran;

d) validity of the numerous charges of police misconduct.

3. A Federal aid grant for redevelopment of Isla Vista into a model student community, utilizing planning and labor of students, and matching funds from the Santa Barbara community.

4. Designation of Federal research grants for study of student community interaction in Isla Vista and other areas with analogous problems (e.g. Berkeley, Madison, Ann Arbor).

In addition we urgently recommend the following actions which, in our opinion, bear directly on the campus crisis in general:

1. A Declaration of National Priorities, including

a) a timetable to end the war in Southeast Asia;

b) a program to eradicate racism and poverty in America.

2. The issuance of a Corollary to Article 2, Section 2 of the United States Constitution, enunciating the principle of Civilian Control of the Police, on the analogy of civilian control of the military establishment.

3. The establishment of a quasi-governmental body, a National Board of Police Science, to set standards and rules of procedure for local police practice throughout the country, and to certify the credentials of law enforcement officers.

4. The formation of a National Student Congress, with one elected representative from each 4-year campus, to advise and cooperate with governmental agencies; the Student Congress to meet on a regional basis to determine priorities and indicate courses of action.

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5. An earnest attempt to seek revision of Drug Laws, with a study of the potential effects, positive and negative, of legalizing or significantly reducing penalties for the use of certain non-addictive drugs.

6. Introduction in Congress of measures to extend the full rights and responsibilities of citizenship to all Americans 18 years of age and over, not merely in voting, but by an active participation in all levels of government.

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APPENDIX A. Incident Reports.

In the original report to the President's Commission this appendix contained 431 Incident Reports from "Isla Vista III," covering nearly 1000 pages of testimony. From these reports, all of which allege police misconduct, and many of which have already formed the basis for legal action, we furnish excerpts below. In each case the first name of the person filing the report is given, together with the date of the incident.

A. Isla Vista Incidents

Still on Private Property.

1. (Danilo) "I was locking my motorcycle and putting a cover over it when suddenly about 6 L.A. County Sheriffs came running into the car port. Two saw me and flashed lights in my eyes. I did not attempt to run since I was still legally on my property, and anyway they were charging me. Officer _____ the arresting officer came up to me and clubbed me once in the stomach, sending me against the wall. As I was falling, he again clubbed me in the side, catching me on my upper arm. Officer _____, his companion, frisked me while _____ slipped handcuffs, on me. Neither stated why I was being arrested, or beaten, and when I asked for them to check my I.D. to prove that I lived there, they emphatically said that they didn't want to see it." (6/10)

Arrested at gunpoint.

2. (John) "It was stated by the S.B. Sheriff's Department that if you were on private property you were all right. You would only be arrested if you were on the streets past 7:30 p.m. I was arrested at the point of a gun in the Villa parking lot, after returning from locking my car. The Villa parking lot is private property." (6/8)

Sitting on toilet.

3. (Norm) "I was arrested for curfew when L.A. Officers broke into the apartment and beat me up when I was sitting on the toilet. They smashed up the bathroom door and pulled me by the hair and collar half-nude some 50 feet to the lawn outside the apartment. I finally was able to pull my pants up just before I was shoved against the wall...(6/8)

Door kicked in.

4. (Jack). "Several police went up the balcony and kicked in the door of the corner upstairs apartment. After a few minutes they led out two persons... I had continuously observed this apartment and had at that time witnessed no provocation whatsoever." (6/8)

Money stolen by officer.

5. (Vicnent) "He observed pass and I.D. and said I was Okay. But before he handed back my wallet and pass he took \$2.00 (everything I had) of my money and put it into his pocket..." (6/9, returning home from work)

Dragged downstairs.

(Helen) S.B. Sheriffs ... The police broke the locks on our front door bathroom door, bedroom doors, and closet doors. They tipped over the bookcase and tore a painting off an easel and arrested the three of us, dragging us down the stairs and into squad cars. Our wrists were bound so tightly that our hands turned blue.” (6/9)

Beaten with night sticks.

7. (Albert) “They pulled this man and another youth, who lives in the apartment, out of the apartment. The police' proceeded to beat both of them on the head with night sticks—neither offered resistance—both were crying “Stop”. One of the deputies placed his boot on one of the victim's heads while beating him on the head with his stick. They took both young men away.” (6/9)

Foot crushed by Sheriff's boot.

8. (Douglas) “I heard a crash so I got up and walked out to the front of the room to find out what it was. A sheriff shined his light on me and said. There's an asshole up there'. Several then came up the stairs, I opened the door and one poked me in the side with a billy club and said, 'Get down there,' motioning down the stairs. I was wearing a T-shirt and boxer shorts so, when I got to the ground, a big L.A. Sheriff stepped on my bare foot and kept rocking back and forth on it grinding it into the cement walk. The sheriff would ask why I threw the rock at them, I would say I didn't, and he would rock forward on my foot even harder. Another sheriff said to me, 'Why don't you push him off your foot?' as he smiled and held onto his billy club. After five to seven minutes, they let me go back up, but not until after the sheriff had given me his little speech, still rocking on my foot. He said that he did not like night patrolling and, if things didn't get better, they were going to have to 'step on a few toes.' And he said that 'People are going to get shot.' Then he mentioned stepping on toes again as he rocked back and forth on mine.” (6/9)

“I was so sick”

9. (Leslie) “When it looked quiet again we went back by the Magic Lantern theater to see what was happening. Two or three police cars came screeching around the corner (almost hitting some people). We started to run back to San Rafael – The police started jumping out of their cars and I ran right into them. I stopped, expecting to be arrested. But instead one grabbed my arm and twisted it behind my back. I kept saying 'don't hit me, I'll go, I'm going.' They pulled me sick. Somehow I was running back and Police on both sides were yelling and hitting me on the back with their clubs. They were saying, 'Get the hell home!' and 'Bitch!' One grabbed my arm and pushed me along while another one tripped me by kicking my leg. I fell on the right side of my face...” (6/10)

Beaten unconscious, forced to run gauntlet.

10. (Bryan) “I was grabbed by the neck then struck sharply in the rib cage by an officer's first followed by jabs of a nightstick. At this time the wind was knocked out of me and I began to double over at which time I was clubbed across the back, arms, and legs and kicked to the ground at the base of the cliff. I then blacked out briefly and when I regained consciousness more officers were coming down the stairs and along the beach. I

was then kicked and clubbed up the stairway and upon the top some officers had formed a type of gauntlet through which I was forced to run while being clubbed and kicked.... I was then told to run for my life.” (on the beach, 6/10)

Grabbed my breast

11. (Lee) “I was taken out and led up the stairs, whereon meeting the remaining policemen coming down the stairs, a few grabbed hold of my breasts in a junior high school fresh manner.” (at an apartment, 6/10)

"If you ball me tonight"

12. (Donna) “We were standing on private property beside our apartment when a policeman ran up,...pointed his gun at us...[we were arrested]. Some statements made to me and to others that I heard last night: 1) Policeman to girl at Bank of America: 'If you ball me tonight, I'll see you get off free ...2) Policeman call the five of us girls 'bitches, whores, or whatever you are,' as we got out of the bus to go inside jail ...” (6/8)

B. Perfect Park Demonstration Incidents.

People getting trampled

1. (James) “I stood up and tried to calm people down because people still on the ground were getting trampled. I then kneeled back down on the grass w/hands covering head, seconds later I was clubbed in the lower left rib cage on back.... Seconds later police began surrounding me (about 6) and beating me about neck, back, arms; pulling hair; I could hear the pepper gas generator or a tear gas canister and could feel the gas coming out of it—about 2 or 3 feet from my face. My eyeglasses were shoved down under my nose and then crammed into my mouth. I was yelling from pain and said, 'I'm not going to fight you, man!’” (6/10)

Gas aimed at faces

2. (Linda) “The most brutal and inhumane act on the part of the police apart from the beatings was the gassing of the students with a machine fixed on the back of a truck. When the truck came over and aimed gas pipe at the people's faces, one young man reached up to knock the pipe from his face and the policeman operating the machine retaliated by the pipe on the guy's face for about 30 seconds.” (6/10)

Beaten 3 or 4 minutes

3. (James) “The police moved, but started beating, kicking me and pulling my hair. I tried not to resist, but had to walk. When I was on my feet though I would be beaten back down. After being beaten 3-4 minutes I managed to walk away from the advancing police by staggering through their advancing ranks. I suffered several deep bruises on my back, my left elbow, and my neck and shoulders. My hair is loose and falling out.”

Thumbed in the eye.

4. (Hilary) “When he did not get up, the policemen dragged him and pulled him by the hair in the direction of the bank. The officer then knelt over him and started pressing on his left eye-ball with his thumb...” (6/10)

C. jail Incidents

Stripped naked

1. (Bruce) “Treatment that I received particularly included (with a group of about fifteen others) being forced to strip naked, lift up our genitals, bend over and spread our buttocks, and stand on one foot at the same time and then remain naked for from 3-4 hours while different policemen came by and jeered at us and made obscene comments. The excuse for this was that one of us had written something in ink above the jail cell. However, this occurred just before being brought back from lunch and none of us had ever been to this cell before.” (6/10)

Beaten in solitary confinement

2. (Noel) “In jail I was beaten in a solitary confinement room, for not putting my hands in my pockets and allegedly calling an officer a mother-fucker. The cell was about 4’ by 10’ and dark. The officer who beat me was wearing a beige colored uniform and had a huge beer belly and reddish blond hair—and smiled every time he hit me. I was hit repeatedly in the jaw, the head and stomach, and told, 'Listen, you mother-fucker, there is only one way to do things in here and that's our way. You eat, when we tell you to eat, sleep when we tell you to sleep, shit when we tell you to shit,' etc. Each sentence was punctuated with a blow to the head or stomach.” (6/9)

Held incommunicado for 40 hours

3. (Norman): “...there were also two officers in the cell and they were holding me on each side by the shoulders and another officer grabbed my hair and forcefully pushed my face into the concrete wall several times, causing a laceration and bruise on my right cheek... I was thrown into a small cell that was completely dark and furnished with only a commode. I spent at least two hours in this cell, and I was still bound by the plastic handcuffs. My hands and wrists were starting to swell up causing me a great deal of pain and emotional distress because I had no idea how long it would be before the handcuffs would be removed. I had received no instructions at all from any of the officers... I was held in custody over 40 hours and was not allowed to make any phone calls despite repeated requests by me.” (6/10-6/12)

Request for Kotex refused

4. (Virginia) “One officer said gleefully that he hadn't seen this much action since he was in Korea.” [witnessed at the Bank of America booking station, 6/8] “...The girl in cell #3, Judith _____, had started her period and asked repeatedly for a new Kotex or Tampax but was not given one from midnight until noon.” (witnessed at the new jail, 6/9)

Prisoner with hepatitis put in solitary, clubbed

5. (James) “Tim _____ said that he had infectious hepatitis and that was why he had been thrown in [solitary]. He sounded very sick and got sicker as the day wore on. Later on he reported that he felt feverish and was hallucinating....We asked for medical attention for [Tim] and were told either nothing or told to shut up.

Once after they came in, one went to [Tim's] cell and asked how his hepatitis was. He said he was very feverish and weak. He was clubbed in the liver by this officer and asked, 'Now is it better'?" (6/10-11)

Sixteen girls maced

6. (Karen) "My main complaint is that Deputy _____ of the S.B.S.O. maced 16 girls (including me) in a 6 1/2 x 6 1/2 cell—before being booked. We were also left in there for five hours before being moved.. . (Also I was not allowed to keep my tampax in and no pins were given to me for Kotex) _____ forced Barbara _____ and I into a cell block to scrub it out to their satisfaction. This can't be done." (6/11)

Prisoner kicked in grain

7. (Mr. _____, adult witness) "The young man had asked the guard when breakfast would be served. The guard said that if he wanted breakfast he could step over to the cell door. The guard then ordered him to do so. The inner door of the hold area was opened, the young man stepped through, and was ordered to place his hands in his pockets. As the outer door was opened, the guard kicked him in the groin. As he doubled over the guard brought his knee up to his chin, twisted him from the cell and applied the restraining "strangle" hold... A statement was heard from the hallway that 'since he has thrown up—he wouldn't breakfast.' " (early a.m., 6/10)

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APPENDIX B.

Statistical Tabulation of Events Involving Police practices In the Isla Vista Disturbances - Incident Report Reference.

This appendix consists of a table with headings corresponding to the type of incidents reported during "Isla Vista III." Under each heading the identification number of each report in that category was listed for easy reference by the commission.

APPENDIX C.

Preliminary Report by Santa Barbara County 1970 Grand Jury In Re Isla Vista, California, Situation.

This is a public document and can be obtained from the Santa Barbara County District Attorney's Office.

APPENDIX D.

Complaint for Injunction to the United States District Court, Central District of California From John M. Sink, Lawyer for Plaintiffs.

This is a public document on file in the United States District Court, Central District, of California, located in Los Angeles.

APPENDIX E.

Plaintiffs' Opening Memorandum of Points and Authorities to the United States District Court, Central District of California From John M. Sink, Lawyer for Plaintiffs.

This is a public document on file in the United States District Court, Central District of California, located in Los Angeles.

APPENDIX F.

Thirty eight (38) Affidavits in Support of Temporary Restraining Order and Preliminary Injunction to the United States District Court, Central District of California from John M. Sink, Lawyer for Plaintiffs. Appendix "F" included an additional eighteen (18) Affidavits (pp. 70100).

This is a public document on file in the United States District Court, Central District of California, located in Los Angeles.

APPENDIX G.

Affidavits in Support of Motion to Dismiss to the United States District Court, Central District of California from George P. Kading and Michael R. Cougherty, Attorneys for Defendants.

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This is a public document on file in the United States District Court, Central District of California, located in Los Angeles.

APPENDIX H.

(1) Table of Complainants' Allegations Keyed to Appendices "F" and "G" — Complainants' Allegations/ Counter-Statements Breakdown. (2) Police Officers' Names and Badge Numbers - Table of Reference to Incident Report Numbers.

Neither table is reproduced here because the original reports giving the sources of the statistical analysis and officers' names are not reproduced.

APPENDIX I.

Campus Protests and the Vietnam War by Robert B. Smith,
Sociology Department, University of California,
Santa Barbara.

A survey and analysis of attitudes at UCSB, copies available from the author.

APPENDIX J.

Testimony to the Citizen's Commission on Civil Disorders,
Santa Barbara, from (1) Dr. Homer Swander, (2) Robert
Blakemore, and (3) Mr. James E. Johnson and Miss Cynthia F. George.

All testimony given before this commission was presented in open session and tape recorded. For information concerning transcriptions of this testimony write to the Commission at 914 Santa Barbara Street, Santa Barbara, California.

APPENDIX K.

“Isla Vista Viewed From Behind a Badge” written by a
Santa Barbara County Deputy Sheriff for the Santa
Barbara News Press (8/22/70)

Copies available from the Santa Barbara News Press.

APPENDIX L.

Santa Barbara News Press – a collection of relevant articles

A file of clippings from the Santa Barbara News Press 1969-1970.