

BROWN DAILY HERALD, THURSDAY, NOVEMBER 9, 1967

UCSA Hears CIA Protesters

CPYRGHT

C.I.A. 1.04-
C.I.A. 2.06.

CPYRGHT by CARL S. SMITH

For more than seven hot, smoky, trying hours, the University Council on Student Affairs yesterday conducted a hearing on the University's charges against thirteen students who participated in last Tuesday's sit-in at the University Placement Office to protest the appearance of a recruiter for the Central Intelligence Agency.

The UCSA will not announce whether a decision has been reached until the accused are informed.

The hearings were in two almost equal length sessions, one beginning at 2 p.m., the other at approximately 7:15. The afternoon was devoted to preliminary statements and the presentation of the prosecution argument by Dean Brennan. The evening session consisted of the defense argument, presented by several of the accused and their spokesmen.

A fourteenth student under like charges, Janet D. Kitzes '71, could not attend the Commons Room session because she is in the infirmary. Her case will be heard when she gets out.

The hearings were held by request of the students involved in accordance with procedure recommended in the Magrath Report as passed by the Corporation June 3, 1967, and in specific reference to President Ray Heffner's September 18 letter to all students. In a letter dated November 1, each student (eight undergraduates, four graduate students, and two Pembroke) received

a letter from his dean notifying him of his having been charged "with interfering with the normal educational function of the University."

"Specifically," this letter continued, "you are accused of physically obstructing the entry" of Michael J. Brennan, Dean of the Graduate School, and James W. Gurll, a recruiter for the CIA, into the Placement Office at 90 Waterman Street. The letter informed each student that the charge was, as warned by Dean Brennan at the Placement Office, "serious enough to warrant possible dis-

missal." It then told each student of his right to have his case heard before his dean or the University Council.

The students, having agreed to have their case heard as a group before the Council, each received a letter dated November 6 from Council chairman Durand Echeverria, professor of French. The letter reminded the students of the physical obstruction charge and went on to note the Council's ruling at a preliminary meeting on the case.

"The Council has ruled," the letter indicated, "that the accusation consti-

tutes an alleged infraction of policy number 1 and number 7 in the letter of President Heffner to all students, dated September 18, 1967. That is, the alleged obstruction of entry cited above is an alleged form of protest which involves physical force or physical obstruction, and which seriously interferes with the normal educational function of the University."

The letter included the place, time, and procedure of the committee hearing, adding that each student could be represented "by one person of his choice who may, if the student wishes, speak on behalf of the student."

Specifically, policies 1 and 7 of Dr. Heffner's letter read as follows:

1. "The rights of peaceful assembly, free exchange of ideas, and orderly protest are among the basic rights of all members of a university community. Forms of protest which involve physical force or physical obstruction, however, have no rightful place in Brown University. Students engaging in such forms of protest shall be subject to University discipline."

7. "It is improper and unnecessary for a university to attempt to duplicate the law enforcement functions of the civil state. It is not, however, inappropriate for a university to initiate potential disciplinary sanctions in cases where a student's behavior not only makes him liable to prosecution by the civil authorities but also cast doubt on his fitness

as a member of the university community. Students who act in a way which adversely affects or seriously interferes with the normal educational function of the University, or which injures and endangers the welfare of any of its members, shall be subject to University discipline. Except in such situations, students shall not be subject to potential University discipline as a consequence of clearly political activities that may result in violations of the civil law."

Within drawn curtains and beneath a chandelier draped with a tape recorder microphone, Chairman Echeverria opened the preliminary proceedings. He noted that the Council was a committee, not a court, and need not follow technical courtroom procedure. A university lawyer was present in case questions of law arose.

Mr. Echeverria stated that purpose of the hearing was to ascertain the true facts relevant to the case and to establish if a violation of University rules occurred. If the Council recognized such a violation, he added, it would decide what action the University should take. He then outlined the procedure of the hearing.

After reiterating the charges as stated in his letter to the accused, Professor Echeverria recognized Dean Brennan to speak for the prosecution. Dean Brennan's testimony basically centered on a documented description of the events that took place the morning of October 31, the day of the demonstration.

Mr. Brennan first related the story of the confrontation beginning with his and Mr. Gurll's approach to the Placement Office and ending with their departure. He offered a series of photographs taken by an employee of the Brown University in order to clarify the exact

Continued