

AFFIDAVIT

I, Joel P. Smith, say and declare:

1. I am employed by the Board of Trustees of the Leland Stanford Junior University as Assistant to the President and Dean of Students. In this capacity, I am responsible for working with students as an academic counselor, in their extracurricular activities, and in their behavioral problems. I have been continuously employed since 1965 in this or similar capacities.

2. At approximately 1:30 a.m. May 1, 1969 I entered Encina Hall on the Stanford University campus accompanied by a group of faculty members including Professors William M. Kays, Konrad B. Krauskopf, Donald Kennedy, Raymond E. Wolfinger, J. Philip Dawson, Melvin W. Reder, Stephen J. Kline, Thomas Ehrlich, William F. Miller, James F. Gibbons, Hubert R. Marshall and John W. Meyer. I made the following announcement, with the aid of a bullhorn, at various points on each floor of the building: "My name is Joel Smith and I am the Dean of Students. I am informing you that you are violating the University Policy on Campus Demonstrations and I am ordering you to leave the building immediately."

3. At approximately 2:30 a.m. I returned to Encina Hall accompanied by the same group of faculty members and made the following announcement, with the aid of a bullhorn, at several locations on each floor: "The necessary conditions have been met, and the temporary regulations promulgated by the President are in effect. I am notifying you that unless you leave the building within fifteen minutes you will be subject to summary temporary suspension from the University."

4. Approximately twenty minutes later - at 3:05 a.m. - I entered Encina Hall with Robert Rosch, Assistant Dean of Students, and six of the faculty members, and we proceeded through the building in order to identify occupants.

5. As I went throughout the building on these three occasions, I observed the following:

a) Glass at the front door of the building had been broken.

b) Glass was broken in several doors to offices on the second floor.

c) There were at least one hundred and fifty people in the building on each occasion, and while a large group was concentrated on the second floor where a meeting was being held, there were individuals at other locations on the second floor as well as the other floors.

d) I observed some individuals looking at University files and going through the contents of desks in offices.

e) While a number of individuals were hostile and abusive, I was able to move throughout the building without being physically intercepted.

I declare under penalty of perjury that the foregoing is true.

Executed at Stanford University on May 7, 1969.

*Joel P. Smith*