TO A DESCRIPTION PLAN FOR REMAINING TESTINOIS DESCRIPTION, WHICH AROUNTS TO A DESCRIPTION PLAN FOR SUPPLICIONAL TEST TO MAKE THE DESCRIPTION CASE.

Some notes: It igure that each hearing day allows for something less than four hours or actual testimony, including cross, re-cross, and the time for questions. Estimated times are very suprextuate. From this count in the hearing on, witnesses will be no to be involved with more than one of the charges. Therefore the marker of vickesses listed for each 12005 includes fractions of setual witnesecs. That is, if one witness may testify about a single wint relative to charge E. several cints relative to the set three, and one sint eligible to charge four. So we will have included this witness as aximumian some fraction of a witness for each coint. All of the entegories and calculations have been thrown to other with heste and under great pressure of time. Therefore we do not want want to be held to this schedule, and we may want to introduce points we have overlooked. We will attempt to foreward the Board of all changes and as early as we can. It have used letters and numbers to indicate xxxxxxxx categories. Then requested by the Bland, we will instructe by letter and number their a we are and what we are trying to grove. We would hold it a great breach of confidence if any of this information were to fall into the hands of the Proscoution.

As stands for image charge. He may wish to introduce the, or at the most two, witnesses to show that a strong wine facile case can be made that Lodge is a major war of minal according to the standards set forth at Muremburg and Tokyo. This would not be to "convict" lodge, nor would it constitute a "Coremourg actionse." Its relevance would be to show that what might be expected from the university community must be evaluated in terms of the fact that mathematical mathematical action of the community which believes that lodge is a major war original and has community basis for this believes that lodge is a major war

- 8. The White Plaze speech.
- 1. Year year le went to the camp. Center remonstration who either flunt co to White Flazz or win h has reviously made up their minus.
- a. What he pened at the workers' rally held simultaneously. How they carticisated.
 - b. The participation of xxxxx community people.
 - 2. People from Dink. Sr ther sources.
- 2. If and others believed that some kind of demonstration was going to take place at the diag. Center. Their main surpose was not to build this demonstration but rather to build a massive Cambodian-type strike. They recognized that the protest against the invasion of Laos did not yet have the broad support who what shown for the protest against the invasion of Cambodia. But they saw that the immonstration at the Comp. Center might become the beginning of a much wider movement. Therefore they wanted to make some of these things; 1) That the movement not become obsessed with at the Gong. Center: 2) That nothing happen at the Comp. Center, or later, that would alienate asks it was support, and therefore it was essential that the computer not be damaged; and x2xx8) the That the movement would expand not only to include noor and working people, but that they become the leadership of that movement.
 - a) The role of the workers' rally.
 - b) The role of the Comp Center workers.
 - :) He What the speech meant to people, particularly workers.
 - a) by intentions in making the speech.

Some of all this had already been gone into somewhat. We see a total of about one more lay's testimony mays plus the part of BF's testimony that deals with the speech. Grand total for mayprox. It hours.

- C. Urging and inciting faculty members and police to avoid a violent confrontation and selective beatings and arrests.
- 1. We will disprove that the police order declaring the assembly illegal was a lawful order. We will routinely ask each percipient witness with whether they observed any illegal or violent acts prior to the order or whether they had any reason to believe that the group had any unlawful purpose.
- 2. We will disprove that the order was reasonable (even assuming the absurd and dangerous proposition that an univers unlawful police order could be reasonable).
- a) The demonstrators inside the Comp. Center had made it perfectly clear that they would leave if they were given any minimum the demonstration that the SEI contract had indeed been cancelled.
- b) Remarkable The contract had atracts already been cancelled, xxRrants Middle and Ambraham and Ambraham at 4:06 P.M. on Feb. 9th, at the latest. Ambraham Provost Miller knew this, but he had nevertheless turned down the plea from representatives of the Comp. Center staff to make this information public. Ambraham proposes Miller had done so, the do demonstration never would have taken place. And the most obviously reasonable way to get the demonstrators to disperse, even assuming this was desireable, was to make the announcement at any time furix during the management and the demonstration. (The evidence on this point has already been introduced. If the Prosecution wishes to challenge it as hearsey, we reserve the with right to call Provost Miller.)
- c) The demonstrators inside the Comp. Center had already shown that they did not intend to damage the computer. They had shown this in taxes ways: 1) By being is next to the computer, generally unobserved, for all classes three hours without doing saythings any physical damage at all to the computer (wires from the drum, as a slready shown, were unplugged, same not ripped out); 22 by sakings as reaffirming this same the decision not to harm the computer in a meeting inside; as nonuncing this decision and giving public sames reasonance over HE KZSU management that they decision and giving public sames reasonance over HE KZSU management and b) by not same even damaging the computer when the police charged. Therefore there was no clear and present danger that they would as Marron asserted, charge the police lines in order to get back into the building to many damage the same computer. Such a matter belief, in fact, was downright unreasonable under the circumstances.

Some of this evidence is also relevant to charge B, because it shows that if there was no reason to believe that the proposed demonstration was to be violent and destructive. Applicate Sengerspaps propagate instile, the minimum demonstration was to be violent and destructive. Applicate Sengerspaps propagate instile. The propagate instile argued at the propagate cuted, we could show that the Vencerence people inside argued at roughy for that the propagate inside argued at roughy for the propagate inside argued

(for C2e and C2c we intend to call two more win witnesses. Perhaps & hour of direct.)

- 3. We will prove that my actions were lawful, reasonable, and responsible.
- a)Many people, including the vest majority of the demonstrators, were not showing any intention of obeying the dispersal order. Many people, transmit including unlookers and faculty observers, didn't even hear the execution order. Very few people understood what area had been declared an illegal assembly.

- b. An experienced observer monkantable shake make make a would have good reason to believe that the police were on the way verge of attacking the people.
- e. The faculty observers whomenhoushkeen who had been close to the police line and the pump people facing the police line either had left or seemed to be in the pump process of leaving.
 - d. There was no apparent control over the police.
- e. There was reason to believe that faculty members could prevent the imminent police charge.
 - f. I thought a.b.c.d.e.
- g. At no time did I we urge or incite demonstrators to were disobey the police order.
 - h. The people who gathered around my argument with Taum consisted of:
- I. People who knew that I had been recently been besten and errested by the San Mateo County Sheriff's Tac Squad in ancembianally managements a premeditated and entirely unprovided attack, who knew that I x had also, even more recently been attacked by a squad from the Menio Park police, who will who were therefore fearful for my safety main any time I was near a police line, and who were in my vicinity without my urging and invitary inciting from me, and, in some cases, we without my knowledge.
 - 2. Nevenen, and photographers, and TV cemeramen.
 - 3. Police
- 4. People who saved had been face to face with the police line all along the edge of the pavement and grass, and who moved over to find out what was going on.
 - 5. Other people who were curious.
- 1. Thus, rather than warm causing a confrontation, this discussion had the potential to relieve the extating open potential for violence, a potential posed only by the police.
- j. The incident which touched bif the charge was a preseditated attempt by the police to get me, signalled by Captain Johnson's order to a seergant: "Let's get hin!" Marron was right there, and, contrary to his testimony, heard and saw the this whole thing. His matri refusal to admowledge this is evidence that he sight believe that it was their conduct, not mine, that was improper.

white the

- 4. We will show how the power of the people sered BF.
- 5. We will introduce a bit more evidence of ap police violence as background for the evening.

Witnesses will include at least one more official faculty observer, at least one person with me the entire time, several people who never had any intention of leaving and never heard me say anything about the situation, and a few of the people who were with me at the time of the police attack on me. Total number of witnesses: 0-10. Total time: maximax two hearing days.

D. The speech in the Old Union Courtyard, known through some sources as the People's War speech.

"For one," continued the cosmopolitan, grandly swelling his chest, "I hold the press to be neither the people's improvisatore, nor Jack Cade; neither their paid fool, nor conceited drudge. I think interest never prevails with it over duty. The press still speaks for truth though imwant paled, in the teeth of lies though intrenched. Disdaining for it the poor name of cheap diffuser of news. I claim for it the independent apostleship of Advancer of Knowledge: -- the iron Paul: Paul, I say; for not only does the press advance knowledge, but righteousness. In the press, as in the sun, resides, my dear Charlie, a dedicated principle of beneficent force and light. For the Satanic press, by its coappearance with the apostolic, it is no more an aspersion to that, than to the true sun is the coappearance of the mock one. For all the baleful-looking parhelion. god Apollo dispenses the day. In a word, Charlie, what the sovereign of England is titularly, I hold the press to be actually -- Defender of the Feith! -- defender of the faith in the final triumph of truth over error, metaphysics over superstition, theory over falsehood, machinery over nature, and the good man over the bad."

The Confidence-Man, chapter 29

- 1. We will prove that two Administration witnesses who testified about my speech could not possibly have heard it at all. (I witness--10-15 minutes).
- 2. We will prove that the other Administration witnesses who testified about my speech were almost certainly unable to hear it distinctly if at all.
- (8-10 witnesses to establish the outermost limits of audibility of the speech. They will be located in different parts of the meeting. Weith we can do this in less than one day.)
- 3. We will prove (A) that my speech was I as I represented rather than as represented by Administration witnesses; (A) (b) that "people'w war" in this context could not possibly mean to revolutionary and radical people that they should beat up FCMers, shoot at purpless students, etc. (in fact, if anything it would argue for not doing this); and (c) that a number of people took the speech to mean that people should go to the dormitories and build for the strike and they proceeded to do just that.

(8-10 witnesses; la days)

\$ 4. We will prove that (a) the fight was not unprovoked and (b) that the people in it probably or certainly did not hear my speech.

(10 witnesses; $1\frac{1}{2}$ days)

5. We will prove that the shooting was more likely done by a pig than by a person at the rally, and that there is absolutely no evidence of either a causal relationship between the speech and the shooting or that the shooting indicates anything (xintimaxes at all about "the mood of the campus".

(10-12 witnesses; 3 days)

6. We will prove that the police continued their reign of terror from their afternoon charge. Specifically, that they are attempted to intimidate the rally, attacked people without provocation, and even beat people studying in their dorm rooms, after locking themselves in the rooms with the students.

The work purpose of this evidence is t

- a. to show why people at the rally did not want to give police the opportunity to attack, which goes to mood of the crowd and a purpose and effect of the speech.
- b. to explain why people may have wanted to move a bike rack into the possible path of a police car failure following them at some distance
- c. to explain why people may have thrown rocks, if such did happen, after police attacks.

(12 witnesses -- 2 days)

E. Testimony on exceptional value as scholar and teacher.

(Sawitnessex)x (8-10 witnesses) If the Board prefers, this could be saved in case of a finding of guilt' on one or more charges. If there is no finding of guilt, there would be no need for such wit testimony. If there is mammanisming a finding of some guilt, then, stammanum phase mammanisming a finding of some guilt, then, stammanum phase mammanum phase paragraph 3a would risk clearly allow for some showing as to just kan how much this evil personal conduct impairs my performance of my kapa "appropriate functions."