

certain statements made by the defendant Michael Young?

A Yes, I did.

Q Do those statements appear in what is contained as People's 8 for identification?

A Yes, they are.

MR. KATZER: At this time I am going to request, with the Court's permission, that People's 8 be played for identification and subsequent introduction into evidence.

MR. KUNSTLER: May I have a voir dire, Judge.

THE COURT: Certainly.

MR. KUNSTLER: Right.

VOIR DIRE EXAMINATION

BY MR. KUNSTLER:

Q Mr. Kendrick, my name is William Kunstler. I'm the attorney for Mr. Spearman, who is here. We have never met or talked, have we?

A No, we haven't.

Q Now, what you have here, this tape which is People's Exhibit 8, is that actually what we call an in-take material that appeared over the air.



A Yes, it is.

Q Now, you know what an out-take is, too, do you not?

A Yes, I do.

Q What is an out-take?

A Out-take is material that is not used on the air.

Q Right. And is there other material with reference to Mr. Young that is in an out-take form?

A Not that I am aware of, no.

Q So would you state that what you are seeing, what is being shown here, is the only material that you know of on the 21st of September with reference to Mr. Young at all?

A Yes.

Q All right. And do you know of your own knowledge are there any other material at the station relating to Mr. Young other than what you have here, either on out-takes or in-takes --

A No, I do not.

Q You don't know of any.

A I don't know.

Q You haven't searched have you or looked?

A No, I have not.



Q O.K. So all you can say is that material you have here is the result of an interview at the Federal Courthouse after the Judge had ordered the games to proceed.

A That's correct.

MR. KUNSTLER: O.K. I have no objection, Judge.

THE COURT: Do you have any questions of this witness?

MR. OLIVER: No questions.

THE COURT: Approach the bench, please, gentlemen.

(Discussion held at the bench off the record.)

THE COURT: Offer People's 8?

MR. KATZER: Yes, I would.

THE COURT: Any objection?

MR. KUNSTLER: No.

MR. OLIVER: No.

THE COURT: Received without objection.

(People's Exhibit 8 for identification was received and marked in evidence.)



BY MR. KATZER:

Q One other question, Mr. Kendrick. Perhaps Mr. Kunstler covered it. Was what is contained in People's 8 shown on commercial television to the public on September 21?

A Yes, it was.

MR. KATZER: At this time I request that the operator of the equipment show People's 8.

(Film was played.)

MR. KATZER: That concludes the portion, Judge.

THE COURT: Very well. Do you have anything further of this witness?

MR. KATZER: No, Judge.

THE COURT: Any questions of this witness?

MR. KUNSTLER: I do have one, Judge.

CROSS-EXAMINATION

BY MR. KUNSTLER:

Q Mr. Kendrick, that portion of that film was shown last night, was it not, over Channel 13?

A Last night?



Q Yes, last night.

A I don't know.

Q You have no way of knowing.

A I have no knowledge of that, no.

Q Your sole purpose, you are the cameraman.

A Right.

Q That took that.

A That's correct.

Q So you don't know whether it went over the air last night at all.

A I have no idea.

MR. KUNSTLER: O.K.

CROSS-EXAMINATION

BY MR. OLIVER:

Q At the time that you took that on September 21, is that the total length of the interview that the reporter had with Mr. Young or is that the total length of the interview that you shot?

A I can't say for sure.

THE COURT: Anything further of this witness?

MR. KATZER: No, Judge.

MR. KUNSTLER: No, Judge.



Judge, I would ask just that the witness be held on the subpoena because if there are other portions of that that were not made here -- I withdraw.

Let me ask you a question.

RE-CROSS-EXAMINATION

BY MR. KUNSTLER:

Q Did you prepare that portion of the film for showing here?

A No, I did not.

Q Do you know who edited it?

A Yes, I do.

Q Who did?

A Larry Barr.

Q Larry who?

A Barr, B-A-R-R.

Q And you have no way of knowing if that is the whole interview with Mr. Young or not. You don't recall that.

A I don't recall, no.

MR. KUNSTLER: O.K. Thank you.

THE COURT: Very well. That's all.

Thank you.



CLARA P. SATTERFIELD,

having first been duly sworn, was examined and testified  
as follows:

DIRECT EXAMINATION

BY MR. OLIVER:

Q Mrs. Satterfield, would you indicate to the jury  
what your name is, please?

A My name is Clara P. Satterfield.

Q And would you indicate to the jury where you live,  
general area?

A I live at 8 Gray Fox Lane which is in the Dunes  
development near the Italian Community Center.

Q And that's in --

A In Albany.

Q And do you have a position with the NAACP?

A I am the current president of the Albany branch  
of the NAACP.

Q And were you the president, did you hold that  
position in September, 1981?

A Yes, I did. Yes. I've been the president since  
January, 1981 -- 1980.

Q And were you a member of the Albany Coalition  
Against Apartheid?



A Yes, I was.

Q And what was your position with the Albany coalition?

A I was a member of the steering committee of the Albany coalition.

Q And in that capacity, what did you do?

A I was the chairman of the committee and I was the major spokesperson for the committee.

Q And would you tell the jury what the purpose of the Albany Coalition Against Apartheid was?

A The coalition was a group of local organizations from Albany who were interested in persuading initially, in persuading the Mayor to remove the permission that had been given to the Springboks to play the game at Bleecker Stadium. Later on when we realized that this permission was not going to be changed, we then began to prepare for a non-violent demonstration to show our disapproval of the Apartheid policies that are espoused by the South African government.

Q And as part of your role as chairman of the coalition, did you have occasion to have contacts with Mayor Corning and the press and other officials?

A Yes. I met with the press on numerous occasions



when they wanted information as to what the group was doing, what its plans were. I met -- we met with the Mayor on several occasions to discuss the problem with him. We met also with the heads of the various police agencies -- the Sheriff of Albany County, the Chief of State Police, the Chief of the Capitol Police -- which are responsible for the Capitol and SUNY and also State, County, City and the Capitol Police.

Q And did there come a time when you met Michael Young?

A Yes. When we were in contact with SART, which was the national organization, they said that they would send us help to organize the demonstration. Most of us who were involved with the coalition had full-time jobs and we were very pressed with the recommendations from the chairman of SART, Judge Booth, who sent us help to help us with doing the legwork to organize the demonstration and Mike was one of those people.

Q And could you just, to go back for a moment, could you indicate for the jury some of the groups that were members of the Albany Coalition Against Apartheid?



MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Would you indicate for the jury what SART was?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q When did Mr. Young come to Albany?

A Sometime during the end of August, the latter part of August.

Q And how did you get to know him?

A When we knew that he was coming, we were concerned about where they were going to stay. And I offered my home as a place for the two people who were sent by SART to stay and Mike did stay there.

Q O.K. And how long did he stay at your home?

A He stayed a week. I think he went away the weekend and then came back the next week but it was several days. I gave him a key for that period of time and he had free use of my home.

Q And what activities did he engage in?

MR. KATZER: Objection.

THE COURT: Sustained.



BY MR. OLIVER:

Q I would like to direct your attention toward September 21, 1981. I would like to direct your attention toward a meeting. Was there a meeting of the coalition on the evening of September 21, 1981?

A Yes, there was.

Q And after that what was the purpose of that meeting?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q After that meeting what did you do?

A I was not in the entire meeting.

Q O.K.

A But after -- but I called the newspapers to tell them that I wanted police protection and after I had talked to the newspapers and radio and so forth, I called the Albany Police at about 10 o'clock or so.

Q And what happened when you called the Albany Police?

A I called the police and a Sergeant answered the phone. I told him that I felt I needed police protection. He asked me why. I said, "Well, some



strange things have been happening and I'm afraid." And he said, "Can you give me a number where I can reach you and I'll call you back?" I was at the NAACP office and I gave him that phone number and about 15 minutes later a Chief or Assistant Chief called me back.

Q Can you tell the jury, could that have been Deputy Chief Rose?

A I remember it was a Deputy Chief but I'm not sure what his name was.

THE COURT: Reid.

BY MR. OLIVER:

Q Reid.

A I'm not sure what his name was but it was a Deputy Chief.

Q And you indicated that he called you at the NAACP.

A He called me back, yes.

Q And can you tell the jury as completely as you can remember what your conversation was with the Deputy Chief?

A He asked me to identify myself which I did. He asked me why I felt I needed protection and I told him that there had been the bombing of the rugby



office in Schenectady. I had had situations where my phone would ring. I would pick it up and there was no answer. And this happened, had been happening during the time. But it seemed that during this last few days it had gotten more, more often and it was happening at night at strange hours and I was wondering whether someone was trying to find out whether or not I was at home because I'd pick up the phone and nobody was there. And I'd even keep the phone off the hook and still nobody said anything. Then I'd hang it up. I had read that morning about the bombing and I felt that the kinds of people who would do something like that probably to discredit the demonstrators would also probably do something to me. In addition, over the past several weeks because my name had been in the paper, my picture had been in the paper, I'd been on television, people had begun to stop me on the street. Some were very positive.

THE COURT: Did you tell all this to the Chief?

THE WITNESS: Yes, I did.

THE COURT: O.K.



THE WITNESS: Some were positive, and some were not. Some were very hostile and I was just afraid.

BY MR. OLIVER:

Q And after you told him this, what was the very next thing that occurred during that conversation?

A Well, he asked me where I lived. No, that wasn't next. The next thing he asked me, he ran a group of, a list of names by me. He asked me four or five people did I know them and the only one in that group that I knew was Mike Young.

Q And then what did he ask you?

A Then he asked me to describe where I lived again, my cars and the license number and that kind of thing and he said that he would provide some protection.

Q Did you at any time tell him -- did you tell him anything else about Mike Young? Did he ask you anything about Mike Young?

A He just asked me did I know him? He did ask me did I think my life was being threatened. I said I don't know what they might do.

Q Did he ask you if your life was being threatened by



Mike Young?

A He asked me again if I knew Mike Young and I said, "Yes. I know him."

Q Did you ever say during that conversation that you were afraid of Mike Young?

A Absolutely not.

Q Did you ever say during that conversation that Mike Young had threatened you in any way?

A No. No.

Q Had Mike Young ever threatened you or did you have any reason to fear for your safety from Michael Young?

A Not at all. I had seen Mike when I was on my way home early Sunday morning and at that point I asked him if he had a place to stay and he said he had a place that was closer and that he'd be in touch and that was it.

Q Now, you indicated that you had attended a meeting earlier on September 21.

A Right.

Q Did you tell the Deputy Chief that Mike Young had disturbed that meeting?

A No.



Q I want to read you the following from Defendant's Exhibit E in evidence.

At approximately 10:30 p.m., the Albany Police Department received a phone call from one Clara Satterfield, the head of the Albany NAACP who indicated that the above-named individuals had been in attendance at a meeting attended by that organization to coordinate peaceful protest activity.

I'll have to withdraw that, Judge. Withdrawn.

I'm going to start a little earlier. These members were identified as Michael Young and William Robinson. At approximately 10:30 p.m., the Albany Police Department received a call from one Clara Satterfield, the head of the Albany NAACP, who indicated that the above-named individuals have been in attendance at a meeting attended by that organization to coordinate peaceful protest activity and had disrupted it to the extent that she requested police protection from these individuals as her life had been threatened by them.

Is that statement true?

A That's an absolute lie.

MR. OLIVER: No other questions.



THE COURT: You may examine.

MR. KATZER: Thank you, Judge.

CROSS-EXAMINATION

BY MR. KATZER:

Q Good afternoon, Mrs. Satterfield. Mrs. Satterfield, you have testified that in the week prior to the rugby games scheduled for September 22, you attended certain meetings at which the Mayor, Erastus Corning, also attended; isn't that correct? One meeting, at least.

A There was one meeting, the last meeting I had with the Mayor was the meeting with the police officers.

Q O.K. And isn't it true that your picture shaking hands with the Mayor happened to appear in the newspaper after that meeting?

A Yes, but it had been there before.

Q All right. Now, after that meeting you made certain statements to the press, didn't you?

A Yes.

Q Didn't you tell the press after that meeting, "We are going to have a peaceful demonstration on September 22. Those who don't want to be



peaceful will have to deal with the law enforcement authorities."

Do you recall telling the press that?

A Yes, I did.

Q Now, isn't it fair to state as a result of your own words that you yourself and the other Albany groups intended to engage in a peaceful demonstration?

A Yes.

Q Is that correct?

A Yes.

Q Fine. But isn't it also fair to state from your words that you personally believed that if any groups wanted to engage in a violent demonstration or a militant demonstration, then those groups would have to deal with the law enforcement authorities? That's fair to say, isn't it?

A Yes.

Q Mrs. Satterfield, you testified on direct examination that there was a certain meeting during the evening of September 21, 1981.

A Yes.

Q In which you participated, correct? Now, September 21, 1981, is a Monday; is that correct?



A Yes.

Q O.K. Now, after that meeting, it is your testimony that you made a call to the Albany Police Department and spoke to a Sergeant, to the best of your recollection.

A Yes.

Q Correct. And you told that Sergeant that you needed police protection, correct?

A Yes.

Q And he asked why.

A Yes.

Q And you said in substance that strange things are happening. I'm afraid and you didn't refer to the defendant Michael Young or John Spearman at that time, correct?

A That is correct.

Q And at that time you were in the office of the Albany NAACP and you gave the Sergeant the number where you could be reached, correct?

A I gave him the number at the phone I was calling from at the Albany NAACP.

Q Fine. There came a time when you received the call from an Albany police officer being Detective,



I'm sorry, Chief Reid, correct?

A Yes. It was a Chief.

Q And this is still Monday night, isn't it?

A That's Monday night.

Q September 21.

A Yes.

Q A Monday.

A Yes.

Q About 10:30 p.m.

A Something like that, yes.

Q O.K. And you had this conversation with Detective Reid, I'm sorry, Chief Reid, Monday night, September 21, approximately 10:30 p.m. And Chief Reid asked you in substance why do you need police protection, correct?

A Yes.

Q O.K. And among the answers that you provided to Chief Reid were that you had been on television; your picture had been in the newspaper; people were stopping you on the street; strange things were happening to you; is that correct?

A Yes.

Q And you also told Chief Reid on Monday, September 21,



that you were receiving strange calls during the night. You would pick up the receiver. Sometimes there would be no response; is that correct?

A I think so, yes.

Q And you were afraid as a result of that.

A Yes. I was afraid.

Q And then it's your testimony that Chief Reid ran by some names and specifically the name Michael Young was mentioned.

A That's the only one that I recognized.

Q Fine. O.K. You also testified, didn't you, that you told Chief Reid on Monday, September 21, Monday night, 10:30, that you had read about the bombing of the Schenectady rugby office earlier that morning; is that correct?

A Yes.

Q Would that be Monday morning, September 21?

A Monday.

Q You read that in the newspaper.

A Monday.

Q Times Union? Knick News?

A The Times Union on Monday or on -- I heard it on TV anyway. I knew about it Monday.



Q O.K. And you told Chief Reid that you were afraid because you believed that the people who would bomb the Schenectady rugby office, which you read about on Monday morning, September 21, could also be violent towards you.

A Yes.

MR. KATZER: I would like this marked as People's 22, please.

(A one-page document was marked People's Exhibit 22 for identification.)

BY MR. KATZER:

Q Mrs. Satterfield, take a look at People's 22. Do you recognize what that is without disclosing what it says?

A Yes.

Q And does your signature appear at the bottom of People's 22?

A Yes.

Q Is that your signature?

A Yes.

Q Did you sign it?

A Yes. I signed it.

Q And signed it freely, voluntarily; it's an affidavit.



correct?

A Yes.

MR. KATZER: O.K. I offer People's 22 at this time.

THE COURT: Mr. Oliver?

MR. KUNSTLER: Can we see this?

No objection on the part of Mr. Spearman.

THE COURT: Any objection?

MR. OLIVER: No objection.

THE COURT: Received without objection.

(People's Exhibit 22 for identification was received and marked in evidence.)

BY MR. KATZER:

Q Mrs. Satterfield, if I may read from People's 22, it's captioned County Court, Albany County, The People of the State of New York against Michael Young, Defendant, State of New York, County of Albany, ss, which means that you were sworn and you swore to tell the truth; is that correct?

Mrs. Clara Satterfield, being duly sworn, deposes and says that the following statements are true:

At about 10:30 p.m. on Monday, September 21, 1981,



I did call the Albany Police Department and requested police protection for myself and my son because of my fear that as a result of the bombing of the rugby office in Schenectady on Sunday, supporters of the Springboks rugby team might retaliate and attack me or my property as the visible symbol of the anti-Apartheid protest. I was asked by the police if Michael Young was one of the people I was afraid of and I am certain that I said no. I have read the affidavit by Detective John Tanchak in support of the search warrant for 407 Central Avenue, apartment 7-K and the assertions in the affidavit that I told the Albany Police Department that Michael Young and/or William Robinson had disrupted a meeting and threatened my life are false. Signed Mrs. Clara Satterfield. Sworn to before me this 28th day of February, 1982, with a signature which purports to be that of Lewis B. Oliver, Jr.

Do you recall reading this statement and signing it?

A Yes.

Q And it's basically what you just testified to now under oath, isn't it?



A I would say so.

Q O.K. That on Sunday, I'm sorry. On Monday night, September 21 at 10:30 p.m., you told Detective Chief John Reid that you were in fear for your life because you had read about the bombing of the rugby office in Schenectady on Sunday and you were afraid of retaliation.

A Are you saying the bombing was on Sunday or I said that I had read about the bombing that happened on Sunday?

Q That's correct, and you read about that Monday morning, didn't you?

MR. KUNSTLER: Your Honor --

MR. KATZER: According to your testimony.

MR. KUNSTLER: If I recall her testimony, she either read about it or heard it on the air.

THE WITNESS: On TV.

BY MR. KATZER:

Q On Monday.

A On Monday, yes.

MR. KUNSTLER: Yes.



BY MR. KATZER:

Q Isn't it true, Mrs. Satterfield, that the bombing at the Schenectady rugby office occurred at 1:15 a.m. on Tuesday morning, September 22, three hours after you placed that call to Chief Reid?

A That happened Monday, as I remember.

Q As you remember. Well, let me see if I can refresh your recollection, Mrs. Satterfield.

A You mean I have got that screwed up? I didn't go back and check the dates.

MR. KATZER: Mark this as People's 23, please.

(A two-page document was marked People's Exhibit 23 for identification.)

BY MR. KATZER:

Q Mrs. Satterfield, take a look at that, please. Tell me when you are finished reviewing that.

A This says Tuesday. I could have sworn that happened --

THE COURT: No. Does that refresh your recollection?

THE WITNESS: Let's see. I didn't pull out the newspapers and check the date.



BY MR. KATZER:

Q Does that refresh your recollection, Mrs. Satterfield, as to when the bombing at the Schenectady rugby office occurred?

A Yes.

Q And isn't it a fact that it occurred on Tuesday morning, September 22 at 1:17 p.m.?

A That's what the paper says.

Q And wouldn't that be two to three hours after your phone conversation with Chief Reid?

A Yes.

MR. KATZER: Nothing further, Judge.

Thank you.

THE COURT: Mr. Kunstler.

MR. KUNSTLER: I have a few questions, Judge.

CROSS-EXAMINATION

BY MR. KUNSTLER:

Q Mrs. Satterfield, when you were recalling -- what's the date of that affidavit, by the way? Do we have it here?

A It's Sunday.

Q This affidavit was the 28th of February, 1982.



A It wasn't Selfridge's house. Something happened to his house before.

THE COURT: Please, ma'am, answer the question.

BY MR. KUNSTLER:

Q What's the date of your affidavit?

A 28th of February. That was Sunday night.

Q That's just three or four days ago.

A Right.

Q Is it not? And when you executed that affidavit, when did you think the bombing of the Schenectady rugby office took place?

A I thought it was on Monday, the 21st.

Q O.K. Now, regardless of when the bombing took place, whether it was five days ago or a hundred days ago, did you ever tell Chief Reid that you were afraid of Michael Young?

A No.

Q And did you ever tell Chief Reid or the Deputy Chief you spoke to that Mike Young or anybody else had disrupted a meeting at the N double ACP that day?

A Mike was not at that meeting on Monday night.



Q I'll get to that. Did you ever tell Chief Reid?

A No.

Q That there had ever been a disruption of any meeting that you --

A No.

Q -- that you ever attended in your life by Mike Young or William Robinson?

A I didn't discuss any meetings with the Chief at all.

Q All right. And, in fact, as Mr. Katzer examined you, he asked you whether you had attended a meeting on that particular night, the night of September 21, regarding the anti-Apartheid protest and you indicated you had been at one for, you said, 15 minutes; is that correct?

A Yes. I was at that meeting only for the first 15 minutes, about the first 15 minutes of the meeting.

Q And was Mike Young present at that meeting?

A No, he was not.

Q O.K. And when you spoke to Chief Reid, did any of your complaints or grievances or statements to him about why you were afraid having anything in the world to do with this man here, Mike Young?



A No.

Q And when you executed the affidavit on the 28th of February, were you doing your best to recall some of the reasons of why you called the police for protection?

A Yes. I was afraid somebody was going to bomb my house.

THE COURT: Well, let me ask you, did you tell the Deputy Chief at 10:30 on the 21st about the bombing that hadn't occurred yet?

THE WITNESS: No.

BY MR. KUNSTLER:

Q And when you did that that day, were you trying to reconstruct the events that led you to call the police department in the first place?

A Yes.

Q Were you doing your best to recall it? All right.

THE COURT: Well, wait a minute. So your testimony on direct examination concerning the reference to the bombing of the Schenectady rugby office with the Chief, you are telling me now that that's not so; is that what you are saying?

THE WITNESS: I was -- may I --