

whom, if anybody, that report is to be distributed; isn't that correct?

A Yes.

Q Do you recall what the notation on that report is? If you don't, I can show it to you to refresh your recollection.

MR. KUNSTLER: Why don't you mark it, though? It hasn't been marked.

MR. KATZER: I will mark it as Defendant's G.

THE COURT: No.

MR. KUNSTLER: No, it's People's.

THE COURT: It hasn't been marked.

MR. KATZER: It was used, though, in cross-examination.

MR. KUNSTLER: No. I didn't use that one, Judge.

THE COURT: A different page.

(A document was marked People's Exhibit 21 for identification.)

BY MR. KATZER:

Q Chief, showing you People's 21 for identification, does that refresh your recollection as to the

notation on the report as to whom copies were sent to, if anybody?

A Just personnel in the need to know.

Q Is there a certain notation in box 29 as to copies?

A Confidential.

MR. KATZER: That's all, Chief. Thank you.

THE COURT: Anything further of this witness?

MR. KUNSTER: I just have one question.

RECROSS- EXAMINATION

BY MR. KUNSTLER:

Q Chief, with reference to information which is compiled, intelligence information that's compiled and labelled confidential and which you've testified as only distributed among certain members of the hierarchy, you mentioned Chief Burke and yourself and Lieutenant Hulslander and others, if there is information in that material which you think it's necessary for Detectives, patrolman, et cetera, to know, you impart that to them, don't you?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. KUNSTLER:

Q Would it be your testimony that of all the intelligence reports which you compiled and which had the very limited distribution which you've indicated, not a word of what was in there ever went out to anybody else in the Albany Police Department except the top brass as you've indicated?

A It shouldn't have. It was stamped confidential.

Q Stamped confidential, and therefore not a word would get out.

THE COURT: Insofar as you are concerned.

THE WITNESS: Insofar as I know, no.

BY MR. KUNSTLER:

Q And it would be your testimony essentially that if any of that got out, you wouldn't even know about it, would you?

MR. KATZER: Objection.

THE COURT: Sustained.

MR. KUNSTLER: I have no further questions.

THE COURT: Anything further?

REDIRECT EXAMINATION

BY MR. OLIVER:

Q Chief Reid, isn't it a fact that after you made these reports and prior to September 21, there were reports in the Albany newspapers that contained excerpts from these reports that you made?

MR. KATZER: Objection.

THE COURT: If you know.

THE WITNESS: I don't know.

BY MR. OLIVER:

Q Wasn't there references in the Albany newspapers to your report?

A I don't know.

MR. KATZER: I object.

THE COURT: Sustained.

THE WITNESS: I really don't know.

THE COURT: Sustained.

BY MR. OLIVER:

Q Prior to the twenty-first, did you have any communication with newspaper reporters from the Albany Times Union concerning the contents of your reports?

A No.

THE COURT: Anything further of this

witness, gentlemen?

MR. KATZER: No, sir.

MR. KUNSTLER: I have nothing, Judge.

THE COURT: Very well. That's all.

MR. KATZER: Thank you, Chief.

THE COURT: Take a recess.

* * *

I N D E XWITNESSES

For Defendant Young: DIRECT CROSS REDIRECT RECROSS

JOHN REID	6	41 51	85	80 83
-----------	---	----------	----	----------

EXHIBITS

For Defendant Young: DESCRIPTION IDENT. EVID.

F	FBI report	52	--
G	Report	57	--

For the People:

21	Report	82	--
----	--------	----	----

STATE OF NEW YORK
COUNTY COURT

COUNTY OF ALBANY

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MICHAEL R. YOUNG,
JOHN H. SPEARMAN, JR.,

Defendants.

C E R T I F I C A T I O N

I, DENISE STANGLE, C.S.R. and
Official Albany County Court Stenographer, do
hereby certify that the foregoing is a true and
accurate transcript of the proceedings taken
stenographically by me in the above matter held
before Hon. John J. Clyne, Albany County Court
Judge, at Albany, New York, on March 2, 1982.

Denise Stangle

full name?

A Yeah. My name is Michael Young. Do you want me to spell it.

Q No. O.K. Would you tell the jury where you live?

A I live at 611 Ocean Avenue in Brooklyn, New York.

Q O.K. And how old are you, sir?

A I'm 28, 29 now. I just turned 29 in February.

Q And are you married? Do you have a family?

A Yeah. I'm married. I have a daughter that's nine months old.

Q And would you indicate for the jury what was the nature of -- what were you concerned about that brought you to Albany, New York?

MR. NATZEL: I object.

THE COURT: Sustained.

BY MR. OLIVER:

Q Would you tell us if you are affiliated with an organization called SART?

A Yes, I am. That's Stop the Apartheid Rugby Tour.

Q O.K. And when was that organization formed?

A The organization was formed in late July, I think, around July 16, somewhere in around that time.

Q And how many organizations are a member of SART?

A SART is consisted of over a hundred fifty organizations.

MR. KATZER: Objection.

THE WITNESS: National in scope, from the N double ACP to the Southern Christian Leadership Conference to the National Conference of Black Lawyers and many, many, many others.

BY MR. OLIVER:

Q And what was the purpose of SART?

A The purpose of SART was to bring about as much public political pressure on the United States government to stop a touring South African rugby team that was supposed to tour Chicago on the 19th of September, Albany on the 22nd of September and New York City on the 26th of September.

Q And what was your role in SART?

A I was a co-convener of SART. SART had three co-conveners and a chairperson.

Q Who was the chairperson and the other co-conveners?

A The chairperson is Judge William Booth. The other co-conveners was one Richard Lapcheck, a member of ACCESS. That's a group called American Coordinating Committee for Equality in Sports and Society and

there was another co-convener named Adeymel Bandele. He was from the National Black United Front.

Q And what methods did SART use to try to -- well, first of all, when was the tour of the rugby team announced?

A To the best of my knowledge, the tour was announced sometime in April. I really don't recall everything but that's how -- that's about the best of my knowledge.

Q And what was the nature of SART's objection to the tour of the rugby team?

MR. KATZER: I object to the entire line of questioning.

THE COURT: Sustained. Sustained.

BY MR. OLIVER:

Q What methods did SART adopt in order to stop the rugby tour?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER: . . .

Q And are you also a member of any other group?

A Yes. I'm a New York spokesperson for the Communist Workers Party.

Q And what is the Communist Workers Party?

MR. KATZER: Objection.

THE COURT: Sustained.

THE WITNESS: The Communist Workers
Party --

THE COURT: Sustained. Please.

Sustained.

BY MR. OLIVER:

Q Is the Communist Workers Party affiliated with any
foreign government or any government whatsoever?

A No, it's not.

MR. KATZER: Objection.

THE COURT: Sustained. Stricken. The
jury is to disregard it.

BY MR. OLIVER:

Q Now, there came a time when you became -- well, when
did you first come to Albany?

A I first came to Albany in and around the end of
August, beginning of September, not quite sure of
the date.

Q And what happened to the rugby games in Chicago and
New York, New York City?

A By that time, the game in New York City had been

cancelled and scheduled to play in another city which the location was not disclosed and the Chicago game was going to be held in secret.

Q And how did that happen?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Well, was SART active in Chicago and New York City?

A Yes, it was. It was active in Chicago and both New York City. There was a Chicago SART and a New York SART.

Q And who was it that first contacted you about coming to Albany?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Well, did you ask to come to Albany?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q All right. When did you first come to Albany?

THE COURT: He's already testified end of August, early September.

BY MR. OLIVER:

Q Where did you go the first time you came to Albany?

A When I came to Albany, where did I go? I first went over to the office of the N double ACP on Livingston Street, I think it is. That's where I first went.

Q And who did you contact there?

A Well, we were in constant contact with Mike Dollard and Clara Satterfield and we met Clara over at the N double ACP office.

Q And when you were here in Albany, where did you stay?

A When I first arrived in Albany, we didn't have a place to stay. I was then offered a place to stay at Clara Satterfield's house of which I accepted.

Q And how often were you in Albany? How long were you in Albany?

A When I first came to Albany, I was in approximately three or four days. I'm not that exact on the amount of days but I stayed three or four days the first time. And then I went home. First we came to help organize. At the weekend I went home and returned at a later date. I don't remember quite which one.

Q What was the nature of your role with the Albany

Coalition Against Apartheid?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q What did you do for the Albany Coalition Against Apartheid?

A What I did, I acted as an organizer that was dispatched from SART in New York to help organize the protest that was to take place in Albany since the New York game had been cancelled and there was no rescheduling of the location of the game.

Q And once the New York and Chicago games were cancelled, where did SART focus its activities?

A We focussed our attention on Albany because Albany was the only place that the public officials had gone on record as supporting Apartheid and supporting the game.

Q And when you were here in Albany, what kinds of activities did you engage in for the Albany Coalition?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Did you appear on TV?

A Yes, I did.

Q Did you speak at meetings?

A Yes, I did.

Q Did you speak at committee meetings?

MR. KATZER: Objection.

THE COURT: Yes. Sustained.

BY MR. OLIVER:

Q Now, at any time while you were in Albany, did you possess a gun or ammunition or Speedloader?

A No, I did not.

Q Were you in Albany at the time of the Federal court hearing on September 21?

A Yes, I was.

Q And did you attend the argument in Federal court?

A Yes, I did.

Q At the time you attended the argument in Federal court, what was the status of the game?

A The morning of the 21st, I think it was, that was when the argument was to be heard at the Federal court, we attended that session at approximately 10 o'clock and I think it was Judge Munson ruled that he would hold his decision until 4 p.m. that evening. So we attended that morning session.

Q O.K. Well, as of 10 o'clock Monday morning, was the game on or off?

A Nobody knew whether the game was off. Initially the game was off. O.K. But nobody knew what was going to happen at that point.

Q And why was the game off at that point?

A According to what I believe and according to everything I heard was that Governor Carey --

MR. KATZER: Just a moment. Objection.

THE COURT: Just a moment. You make your objection to the question, however.

MR. KATZER: I'm sorry, Judge.

THE COURT: Sustained. Yes.

BY MR. OLIVER:

Q Were you aware of what Governor Carey had done about the game?

MR. KATZER: Objection.

THE WITNESS: Yes, I was.

THE COURT: Sustained.

BY MR. OLIVER:

Q And you heard the arguments before Judge Munson.

A Yes, I did.

Q Do you recall who argued, who made those arguments?

A No.

MR. KATZER: Objection.

THE COURT: Just a moment. Sustained.

Please.

BY MR. OLIVER:

Q Well, let me ask you this. Did Mayor Corning personally argue before Judge Munson?

A Yes, he did.

MR. KATZER: Objection.

THE COURT: Sustained. I didn't know he was admitted to the bar, either. Continue.

BY MR. OLIVER:

Q Did you appear, were you at the 4 o'clock -- did you attend Federal court at 4 o'clock when Judge Munson's decision was reached?

A Yes, I did.

Q And what was Judge Munson's decision?

MR. KATZER: Objection.

THE WITNESS: Judge Munson's --

THE COURT: Just a moment. Just a moment. Please.

MR. OLIVER: I'm not asking for the legal effect. I'm asking was the game on or off.

THE COURT: It's already been testified that the game was on as a result of that decision; isn't that correct? Fine. Move along.

MR. OLIVER: Yes, Judge.

Q And what was your reaction to Judge Munson's decision?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q All right. You were here in Court when we all saw a TV clip of you. O.K. Where was that clip taken?

A That clip was taken on the steps of the Federal Courthouse.

Q Approximately what time?

A Approximately 4:30, 5. I'm not sure.

Q And what was your reaction to Judge Munson's decision?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Well, would you tell the jury what you meant by your statement which they all saw?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q What is the militant demonstration?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q What does militant mean to you?

MR. KATZER: Objection.

THE COURT: Sustained.

MR. OLIVER: Judge, I think I have a right to have the witness testify as to what his statements meant. Militant means a lot of things to a lot of people.

THE COURT: Sustained.

BY MR. OLIVER:

Q At any time while you were in Albany, did you advocate a violent demonstration?

A No, I did not. As a matter of fact --

THE COURT: No. No. Just answer the question, please.

BY MR. OLIVER:

Q Well, let me ask you this. Had you previously made statements to the press and television on

behalf of the coalition?

MR. KATZER: Objection.

THE WITNESS: Yes, I had.

BY MR. OLIVER:

Q And after it was announced that the game was on, say from about 6 o'clock on September 21, 1981, what did you do?

A We proceeded to then -- since we knew the game was on and since we knew that --

THE COURT: No. No. What did you do?

THE WITNESS: I'm explaining.

THE COURT: What did you do, not we, you. What did you do?

THE WITNESS: Your Honor, I am part of a group.

THE COURT: No. What did you do?

THE WITNESS: O.K., what I did, o.k. It was obvious that the Federal courts were in support of the Apartheid and support of the games going on. So then I proceeded to help organize the people in Albany and help coordinate the protest activity against the racist system of

Apartheid.

BY MR. OLIVER:

Q And beginning approximately 6 o'clock, what did you do?

A Well, what I did then is begin to organize what was to take place the next day -- the demonstration, line up speakers, line up the various aspects of the demonstration from sound equipment to you name it; a very complicated --

Q And did there come a time when you and John Spearman got in your car?

A Yes, there was.

Q O.K. And approximately what time was that?

A Around 6:30 or so.

Q And was there a gun in that car?

A No, there was not.

Q And where did you and John go?

A What we proceeded to do was we understood that there was supposed to be a demonstration, peaceful protest at the Thruway House by some Albany ministers. What we then did was to ride over to participate in that demonstration. When we arrived

at the Thruway House, we saw that there were no demonstrators. We then were supposed to meet them, we found out, at the quad over on Albany State campus. When we didn't see them, we rode around. John dropped me off at the Thruway House and he left.

Q So just to let me get this clear, you and John drove to the Thruway House; is that correct?

A That's correct.

Q And how long were you there, approximately?

A It's very hard to say how long I was there.

Q All right. That was where the Springboks were staying.

A That's right.

Q And then your testimony was that you and John went over to the State quad campus.

A Right. We rode over. John was driving. We rode over and we didn't see the demonstrators we were supposed to meet, for reasons I don't know.

Q All right. Now, you heard Officer Lascoe testify. Now, approximately what time was it that you went over to the State quad with John?

A We left the house approximately 6:30 or so. We

arrived in the area of 7 o'clock. It's very hard to be precise; in that general area, the Thruway House, Albany State campus.

Q So somewhere around 7 o'clock, you drove over to State quad parking lot.

A That's right.

Q And who was driving at that time?

A John Spearman was driving.

Q O.K. And now, do you recall seeing Officer Lascoe at that time?

A I don't recall seeing any police officers in the immediate area.

Q Do you recall seeing Officer Lascoe's car or do you recall anything about Officer Lascoe?

A No, I don't.

Q And then where did you go from the State quad parking lot?

A Well, I was then -- when we didn't see the demonstrators we were supposed to pick up, I was then dropped off at the Thruway House.

Q So you went back to the Thruway House.

A Right.

Q And you were actually at the Thruway House.

A Right. Not inside, o.k., but parking lot area.

Q And then where did John go?

A John then proceeded and left the parking lot of the Thruway House.

Q And to your knowledge where was he going?

A To my understanding he was going back over into the quad, the Albany State campus parking lot. That's what you call it, the quad.

Q Who was supposed to meet you there?

A We were supposed to meet a group of ministers and others who were going to have peaceful demonstration at the Thruway House where the Springboks were staying.

Q And so then after John left, what did you see shortly after that?

A After John left the parking lot, I stood for a very short period of time and what I saw was John being arrested. I can't remember all the details in terms of who drove where as was indicated earlier but I did see some police officers off in the distance take him out of the police car and arresting him.

Q And did you see how many police cars came there?

A There was many. There were very, very many.
The place was crawling with police.

Q And did you know why he was arrested?

A I couldn't see anything. All I did is see them
stop him and I knew that wasn't the place for me.

Q What did you do after you saw that?

A I proceeded and walked back to the apartment where
we were staying.

Q All right. And where was that?

A That was 400 Central Avenue, 7-K.

Q And what did you do later that evening?

A Well, we continued to organize the protest. We
made some phone calls back to New York, you know.

THE COURT: What did you do?

You.

THE WITNESS: I am speaking

about me.

THE COURT: Not when you say we.

THE WITNESS: Me. Me. O.K. I

made phone calls back to New York and continued to
help organize the protest.

BY MR. OLIVER:

Q And whose apartment was that at 400 Central Avenue?

A It was Vera Michaelson's apartment.

Q O.K. And what was Vera Michaelson's role in the Albany Coalition Against Apartheid?

A She was one of the very, very active and outspoken members of the Albany coalition.

Q And to your knowledge, was there ever a gun or machine gun or knives or bombs or anything like that in Vera Michaelson's apartment?

A We went on the record over and over again that this would be a peaceful, non-violent protest. There was nothing, nothing like that.

Q And did there come a time when you went to sleep?

A Yeah. We went to sleep approximately 1, 1 o'clock after finalizing some preparations for the demonstration.

Q And what was the next thing that you remember?

A Next thing I remember was seeing, in my estimation, approximately 15 to 20 policemen kicking in the door and shouting at us. What they shouted I don't remember. But they had shotguns pointed at our heads and pistols pointed at our heads.

Q And what was the next thing that happened to you?

A I don't remember any of the police officers' names

but they told me to stand up. Keep my hands in the air. Then they asked me who I was. I stated that my name was Michael Young. I didn't say -- I didn't say but a couple other words and they said who else is in the apartment. And I was afraid that they would go into the bedroom blasting and I knew Vera was in the bedroom and I stated, "One person. One person is in there," trying to keep them under control.

Q And who else was in the living room with you at that time?

A Aaron Estis was in the living room with me. He was also asleep.

Q And who is Aaron Estis?

A He was also an organizer who had come to help build the protest in Albany.

Q Where is he from?

A To my understanding, he's from Boston.

Q And what was happening to Mr. Estis at that time?

A He was also sleeping and they demanded him to stand up and put his hands in the air as well.

Q Now, by the time you and Mr. Estis were standing up, how many police officers were in that apartment?

- A It's very, very hard to say. I would say in the neighborhood of ten to fifteen.
- Q O.K. And did you recognize any of them?
- A No. I never seen those police officers before.
- Q And then after you and Mr. Estis were standing up, what happened?
- A Again they said, "Is anyone else in here?"
I stated that there was one person in the bedroom to keep them under control. And they then went and approached the bedroom and they brought Vera Michaelson out and made her get on her stomach and made her crawl out of the bedroom, of course with shotguns pointed at her head.
- Q And then what happened to you?
- A After they asked me my name and Vera was out on her stomach in the hallway, they handcuffed me and took me out immediately.
- Q And where did they take you?
- A They took me down to, I guess police headquarters. It was a room. Not knowing Albany, I couldn't say where it was, actually.
- Q And after, from the time that the police entered the apartment until the time that you were taken

out of the apartment, approximately, to the best of your recollection, how much time passed?

A At best it was five minutes.

Q Five minutes. And did you have any briefcases or luggage or anything of that nature with you?

A I had a small shoulder bag with me.

Q And did that have your name on it?

A No, it did not.

Q And how were you escorted out of the apartment?

A I was handcuffed behind my back and very tightly, by the way, and taken out by a couple of police officers and put in the elevator. I had on my pajamas and barefoot. I was escorted in the rain in bare feet, put in an Albany police car and driven away.

Q And were you told you were under arrest at that time?

A No, I wasn't.

Q Did anybody tell you what you were arrested for?

A No, they did not.

Q Were you in the apartment while they were searching it?

A No, I was not.

Q Where was Mr. Estis?

A When I left the apartment he was still behind. I'm imagining he was taken out shortly after me.

Q Later that morning, did there come a time that you were interviewed by Detective Tanchak?

A Yes, there was.

Q And do you remember Detective Tanchak from being inside the apartment?

A I don't remember him inside the apartment. The first time I remembered him or can identify his face was when I was being booked down at headquarters.

Q Approximately what time was that?

A It was very, very early in the morning; in the area of 6 o'clock or so.

Q And did you make any statements? During the booking process did Detective Tanchak ask you any questions and did you make any answers other than the normal stuff about --

A He asked me my name, address, things like that. He also asked me did I own a silver Monarch, license plate 507JVD. I said I did.

Q Did he ask you anything else about it?