

A No, not that I know of.

THE COURT: If there were press conferences, you can read about it in the paper.

THE WITNESS: Can read about it in the paper, see it on the news. We wouldn't send a man there.

BY MR. OLIVER:

Q O.K. Let me ask you this, did you receive information concerning Mr. Young from Greensboro, North Carolina?

A We received information on the Communist Workers Party from Greensboro, North Carolina.

Q And were you aware of what happened at Greensboro, North Carolina?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Did the information that you received from Greensboro enter into your planning with regard to the demonstration in any way?

MR. KATZER: Objection.

THE COURT: Yes. Sustained.

BY MR. OLIVER:

Q Well, did you receive information about violence against the Communist Workers Party from Greensboro?

MR. KATZER: Objection.

THE COURT: Yes. Sustained.

BY MR. OLIVER:

Q Did you receive any information from Greensboro that caused you to be concerned about violence in the Albany demonstration?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Well, could you tell us what information you received from Greensboro?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Now, during this period, was it part of your responsibility to make recommendations to Chief Burke and to Mayor Corning regarding planning for the demonstration?

A I made recommendations to Chief Burke.

Q And can you indicate what the nature of the recommendations that you made were?

A You mean the allocation of manpower and such? Because that is what the recommendation actually turned into, yes.

Q Yes.

A Where to place men, security for the stadium, security for the spectators, as well as the team, yes.

Q And did you make recommendations based on the information that you received from the FBI, the Connecticut State Police and the New York City Police and Greensboro?

A We made recommendations for the safety of everybody involved based on all of our reports.

Q O.K.

A I think that's what you're getting at.

Q Let me rephrase it. Did you make any recommendations with regard to whether or not the demonstration, whether or not policing the demonstration would require assistance from outside Albany Police Department?

A Me, personally?

Q Yes, sir.

A Yes.

Q In what words?

A I didn't think the Albany Police could handle the demonstration because the first word we had that there were going to be upwards of 20,000 demonstrators.

Q Now, I'd like to draw your attention toward September 21, 1981, and you were in charge of the protection for the Springboks while they were here; is that correct?

A Yes.

Q And on the night of September 21, 1981, did you make any special assignments of Albany Police personnel or direct any other police personnel be especially assigned to the area where the Springboks were staying?

A Yes.

Q You did. And could you indicate what the nature of those assignments were?

A There were men assigned to the motel, Detectives and both uniformed men to provide security and safety for members of the team.

Q And on that night, were you initially located at Headquarters?

A I left Headquarters about 6:30, 7 o'clock. I went up to the motel.

Q And you went up to the motel. And when Mr. Spearman was arrested, you went over to the State quad parking lot.

A No.

Q You did not?

A No.

Q O.K.

THE COURT: Were you ever on the State Campus property on the twenty-first, between 6:30 and 8:30 that evening?

THE WITNESS: No, your Honor.

THE COURT: Did you ever see a 1979 silver-gray Mercury Monarch bearing license plate 507 JVD at any time?

THE WITNESS: No, your Honor.

THE COURT: On the twenty-first.

BY MR. OLIVER:

Q And when Mr. Spearman was arrested, were you made aware of that?

A After the arrest, yes.

Q And while you were at the Thruway House, was Detective-Lieutenant Murray with you at that time?

A Yes. In fact, him and I were going to have dinner and a call come out that they had arrested a man with a gun. He went over to see what was going on.

Q Could you indicate for us what other Detectives were with you at that time?

A There weren't any.

Q And were you at the Hyatt House when there was a demonstration there that night, picket line demonstration later that evening?

A If there was a demonstration, I don't remember it. I either got there before or after. I didn't see it.

Q O.K. And had the officers who had tours off or had leave on that day, were they assigned to work on that day and the following day?

A The twenty-first?

Q And twenty-second.

A No days off were cancelled for the twenty-second, not the twenty-first.

Q Later that evening, well, could you indicate at what

time you left the Hyatt House and went back to Headquarters?

A Had to be around 9 o'clock because I was going to eat dinner.

Q And did there come a time when you received a call from Clara Satterfield?

A After I got back, yes, about 10:30 at night.

Q And could you tell the jury who Mrs. Satterfield was?

A She's the local head, I believe, of the N double ACP.

Q And what was her position in the demonstration, to your knowledge?

A To my knowledge, she was just active against the rugby game. I don't know what her position was.

Q You knew that she was active in the Albany coalition against Apartheid.

A Yes.

Q Did you know that she was a chairman of it? Chairperson of it?

A I knew she was active. I didn't know what her title was.

Q You knew that she had made public statements.

A Yes.

Q And appeared on television and so forth.

A Yes.

Q You knew that she had met with Mayor Corning.

A Yes.

Q Were you present at some of those meetings?

A One.

Q And did you know that she, immediately prior to 10:30, had made a statement on television?

A No, I didn't, because I didn't see TV that night.

Q You subsequently became aware of that.

A That she made a statement on TV?

Q That night.

A No.

Q Before calling you.

A No.

Q O.K. And could you indicate what Mrs. Satterfield told you?

A She called. She called the desk officer and he came and got me and I went to the phone. And she said she was in fear of her life. She requested police protection.

Q Anything else?

A You mean the conversation, as best I can remember it?

Q Yes, sir.

A I asked her if she was afraid of any special group of persons or people and she indicated to me that she had just finished a meeting; that Michael Young was present and they had a disagreement. But she wouldn't go any further. And I assured her that we would furnish protection. I hung up and I notified Division One to have cars patrol her home during the night.

Q Now, did you have any other conversation with Mrs. Satterfield that night?

A No. I called Captain John Dale because I know he is a friend of hers, and she sounded worried. So I asked Captain Dale to get in touch with her to see if she was o.k. and the Captain was unable to get in touch with her.

Q You were at Police Headquarters when you say you received that call.

A Yes.

Q And at that time, was Agent Rose at Police Headquarters?

A Yes, he was.

Q Mr. Donnelly?

A Yes.

Q Detective Tanchak?

A Yes.

Q Did anyone else overhear this conversation with Mrs. Satterfield?

A All they could hear, they were in another office. The only one that could overhear the conversation would be the desk officer and all he could hear was my part of the conversation because I took the call at the desk.

Q Is there a tape recording of that conversation, to your knowledge?

A No.

Q That phone is not taped.

A Detective Office phones aren't taped.

Q And at the time you received that call, were you in the process of drawing up a search warrant for an apartment 7-K, 400 Central Avenue?

A Yes.

Q And is it correct that you were personally in charge of the execution of that search warrant?

A Yes. I was Senior Officer at the scene.

Q When was the last time you executed a search warrant, sir?

MR. KATZER: Objection.

THE COURT: Sustained.

BY MR. OLIVER:

Q Did you communicate the information from Mrs. Satterfield to Detective Tanchak?

A Yes, in fact, everyone that was in the room.

Q And how many officers were involved in executing the search warrant?

A Let me see. There was, including myself, there was at least six or seven, at least.

Q Six or seven?

A Yeah. There might have been a couple more.

Q Was there an FBI Agent there?

A Yes.

Q Who was that, sir?

A I think Jim Rose as an observer.

Q Now, all right. Was there State Police there?

A Yes.

Q Who was that?

A Their names are on the report, but I couldn't give

it to you off the top of my head.

Q Their names are on the report?

A They should be somewhere in one of the reports.

Q What report would that be, sir?

A Some of the reports; the reports after the raid, the arrest report, the arrest record. I don't know if they are on there or not.

Q Did you complete any reports with regard to the search?

A To the raid or the search warrant, no.

Q And you are not really familiar with the reports that were filed.

A No. After the search warrant, I went home, grabbed a couple hours sleep and come back.

Q And what members of the Albany Police Department were present during the execution of the search?

A Sergeant Peter Lounsbery, he's now a Lieutenant; Detective John Tanchak; Detective Timothy Murphy; Detective James Malone; Detective Jay Cunningham and Art House.

Q Who is that last one?

A Arthur House.

Q Arthur House. And Detective-Lieutenant Murray?

A Yes. He arrived at the scene. He was at the scene.

Q And do you recall who the first one in the door was?

A I believe it was Detective Tanchak and Murphy. Again, I could be mistaken, but I believe it was Detective Tanchak and Murphy.

Q And do you recall whether one of them had a shotgun or rifle?

A We had two shotguns.

Q One of the shotguns went in first?

A First or second.

Q And would it be fair to say that most everybody in the group that went in first went in with guns drawn?

A Yes.

Q And were you among the first to go in or were you --

A Fourth or fifth, somewhere in there.

Q You wouldn't be among the first. And what did you see?

A What did I see?

Q When you initially went in.

A Two males sleeping and I guess it was a living room.

Q Where they asleep when you went in?

A They were roused when I went in.

Q And what was the first thing that happened when you went in?

A We woke everybody up.

Q Then what happened?

A We checked the apartment to see how many occupants were in it. Then we gathered all the occupants in the one central area. Then we searched the apartment.

Q How much time passed between the time that you entered and between the time that Mr. Young and Mr. Estes and Miss Michaelson were removed from the apartment?

A Were removed from the apartment, I couldn't tell you. That would be hard to say. I know the officers searched the apartment. When the marijuana was found, they were placed under arrest. Then they were removed.

Q Isn't it a fact that they were removed immediately?

A No. They were not removed immediately.

Q They were handcuffed immediately.

A Yes.

Q Behind their backs.

A Probably.

Q Did you have any criminal charges against them at the time they were handcuffed?

A No.

Q And to the best of your recollection, what were the names of the officers who conducted the search of the apartment?

A Detective Tanchak, Murphy and Sergeant, now Lieutenant Lounsbury.

Q And did the FBI Agents search?

A No.

Q And let me just ask you this, how long were you in the apartment, sir?

A I would say I left right after the subjects left. It would be hard for me to say. I couldn't give you a time, half hour? Forty-five minutes.

Q And did you see lists of members of the Albany coalition being removed from the apartment?

A No.

Q Could you indicate for the jury if there is any special procedure of the Albany Police Department with regard to identification, verification of a

searched premises?

A What do you mean?

Q I don't really know what I mean.

MR. KATZER: Objection.

THE WITNESS: I don't know what you mean either.

BY MR. OLIVER:

Q I see. O.K. Is there any -- when you went in the apartment, was Miss Michaelson there?

A Yes.

Q Did you know it was her apartment?

A Did we know it was her apartment?

Q Yes.

A We knew she lived there.

Q And Detective Murray knew Miss Michaelson, didn't he?

A Who?

Q Detective Murray knew Miss Michaelson.

A Lieutenant.

Q Lieutenant Murray, I'm sorry.

A Yes. He knew her.

Q He knew her.

A He wasn't there when we first went in. He does

know her.

Q Yeah, and he knew who she was. It was her, right?

A Yes.

Q O.K. And her purse was there.

A Yes.

Q With her identification in it.

A I don't know what was in it. I didn't look.

Q And then you left at about the same time you say that the people who were in there left.

A Probably shortly after them. I can't be sure if it's, you know, I can't remember. Either with them or shortly after them.

Q Now, could there have been 10 to 15 officers in the apartment during the searching?

A I don't think so.

Q O.K. Now, I'd like to focus your attention on a couple of events just prior to that, to the twenty-first. As the chief advisor to Chief Burke concerning planning for the demonstration, did you attend various court proceedings initiated by the Eastern Rugby Union to invalidate Governor Carey's order?

A You mean the Federal court?

Q Yes, sir.

A I went myself.

Q Yes, sir. And basically, you wanted to know whether the games would be on or off. Is that fair to say?

A Yes.

Q And so you were present in Federal court. Could you indicate to the jury when that was?

A I know it was late. I couldn't tell you the date, September 20, September 21. I'm not sure.

Q Was it the day before the game?

A I'm not sure.

Q O.K. And well, wasn't it earlier in the afternoon before Mr. Spearman was arrested?

A Probably could have been. Yes. I don't know the date. I don't remember the date.

Q Well, do you recall if it was the same day that Mr. Spearman was arrested?

A I couldn't tell you that either. I know I went over to the Courthouse, but I don't know what day it was.

Q And just for background information, could you explain to the jury what the history of the events was with regard to the Governor's action and the

court proceeding?

MR. KATZER: Objection.

MR. OLIVER: Judge, I don't think that's really been before the jury and I think that this witness would be an objective person who could explain it.

THE COURT: What's that got to do with the issue before the Court?

MR. OLIVER: Well, Judge, we --

THE COURT: This was a Federal court decision saying the games could go forward; isn't that correct?

THE WITNESS: That's correct.

THE COURT: That was the day before the game was scheduled, correct?

THE WITNESS: Correct.

THE COURT: The game was scheduled for September 22, correct?

THE WITNESS: Yes, your Honor.

THE COURT: The game was held on the twenty-second.

THE WITNESS: Yes, your Honor.

THE COURT: In Bleecker Stadium; is

that right?

THE WITNESS: That's right.

THE COURT: You were there, I assume.

THE WITNESS: Yes, sir.

BY MR. OLIVER:

Q Right. And would it be accurate to say that the Federal court invalidated the Governor's action?

A They permitted the game to go on.

MR. OLIVER: I have no other questions of this witness.

THE COURT: Mr. Katzer.

MR. OLIVER: Thank you, sir.

THE WITNESS: You're welcome.

CROSS-EXAMINATION

BY MR. KATZER:

Q You testified, Chief Reid, that you received information with respect to both of the defendants John Spearman and Michael Young prior to September 10, 1981; is that correct?

A Yes.

Q And this information was to the effect that both individuals intended to engage in violent demonstration on September 22 during the playing of the

rugby game; is that correct?

A That's correct.

Q And you took that information and you filed a confidential report to your employer, the Chief of Police, Chief Burke; is that correct?

A That's correct.

Q As a matter of fact, that report was stamped confidential.

A Yes.

Q Correct. And you gave a copy of that report to Chief Burke.

A Yes.

Q And you gave a copy of that report to Lieutenant Murray.

A Yes. Well, we were working together on the report.

Q Lieutenant Murray is also one of the Senior Officers within the Albany Police Department; is that correct?

A Yes.

Q And you also testified that a copy of this report was given to Detective Paul Hulslander; is that correct?

A Yes.

Q And Detective Hulslander was also working with you; isn't that correct?

A That's correct.

Q Isn't it also true that a copy of that report was not given to anyone else within the Albany Police Department?

A That's correct. We were the only ones that had the report.

Q Specifically, that would include Peter DePaulo who was working on September 21 assigned to unit 15; is that correct?

A The patrol officers didn't have that access to that report. Neither did the Detectives, just the people that we mentioned.

Q If I just may mention their names, Chief, that would include Detective John Tanchak, Officer Peter DePaulo, Officer William Igoe, Lieutenant Joseph Kozakowski; is that correct?

A That's correct. They had no access to the report.

Q Would it also include members of the SUNY security force? Did they have access to the report?

A No.

Q Now, let's call your attention to the evening of

September the 21st, 1981. You've indicated that you reported to duty, I believe, 4 or 5 p.m.; is that correct?

A No. I was working days that day but I stayed through.

Q O.K. Did there come a time when you went to the Thruway Motel across the street from the SUNY campus?

A Yes.

Q And you went there with Lieutenant Murray; is that correct?

A That's correct.

Q And one of your purposes in going there was to check out the security that you were in charge of at the hotel for the Springboks, correct?

A That's correct.

Q And you also went there to eat dinner; isn't that correct?

A Yes.

Q Now, you went there around 7 o'clock, I believe you testified.

A Approximately 7 o'clock.

Q And did there come a time when you sat down with

Lieutenant Murray to begin your dinner in the restaurant?

A Yeah, around 7:30 or so.

Q Now, after you did that, isn't it true that you received a call, let me withdraw that. Did you have a portable police radio with you at the time?

A No, not at that time.

Q Did there come a time when you received information that an individual had been arrested in the parking lot across the street from the hotel?

A Yes.

Q How was that information received by yourself?

A Either one of the officers, Detectives or uniformed officers on the detail at the hotel knew we were there and they came and told us.

Q And that was after the individual had been arrested across the street; is that correct?

A That's correct.

Q And that's after the gun had been found in that individual's car.

A Yes.

Q And after you received that information, Lieutenant

Murray went to the scene; is that correct?

A Yes. He went to the scene.

Q And you stayed at the hotel; didn't you?

A Yeah, because he was going to come back and we were going to eat dinner.

Q Now, there came a time when Lieutenant Murray returned from the scene to the hotel; isn't that correct?

A That's correct.

Q And you and Lieutenant Murray still intended to eat your dinner; isn't that correct?

A True.

Q And you ordered your dinner.

A Yes.

Q And then you received a phone call from Special Agent Paul Daly of the FBI; isn't that correct?

A Correct.

Q And do you know how Agent Daly got hold of you?

A I assume he went through the station because they knew where I was, and they probably told him where I was and he called me up at the --

Q Did you speak with Agent Daly by telephone at the hotel?

A Yes, I did.

Q Was that the first time you had spoken with Agent Daly that day?

A Yes.

Q O.K. Now, as a result of that conversation, isn't it true that Agent Daly and Agent Rose came to the hotel where you and Lieutenant Murray were attempting to eat your dinner?

A Yes. That's true.

Q And they sat down at the table with you; isn't that correct?

A Correct.

Q And you had some preliminary discussions with them about the events of the day and what you testified to earlier.

A Right.

Q And then isn't it true that you and Lieutenant Murray went down to the Albany Police Department Headquarters?

A Yes.

Q And the two FBI Agents met you at the Albany Police Department Headquarters.

A Yes.

Q And then you called Assistant District Attorney Joseph Donnelly; isn't that correct?

A Yes, we did.

Q And by this time, Detective John Tanchak had come and joined you; isn't that correct?

A Yes, he did.

Q And by this time, Detective John Tanchak had conducted a search pursuant to a warrant of the trunk of the Mercury; isn't that correct?

A Right.

Q And by this time, Detective John Tanchak had found two nightsticks in the trunk of that car; isn't that correct?

MR. KUNSTLER: Your Honor, I object to that characterization.

THE COURT: Yes. Sustained.

BY MR. KATZER:

Q Detective Tanchak had found something in the trunk of the car.

A Yes.

Q And he told you about that.

A Yes.

Q And there were several police officers involved,

including yourself, meeting with Agent Daley and Agent Rose; isn't that correct?

A That's correct.

Q And you were receiving information from them; isn't that correct?

A Yes.

Q And there came a time when an application for a search warrant was typed by Assistant District Attorney Donnelly; isn't that correct?

A Yes.

Q And Assistant District Attorney Donnelly was receiving information from the several police officers who were present; is that correct?

A That's correct.

Q And they were recounting to him the events of the seven or eight hours that had preceded the time that you were there; isn't that correct?

A Yes.

Q And the result of obtaining that application was obtaining a search warrant from Judge Keegan; isn't that correct?

A That's correct.

Q And then pursuant to that search warrant, you

conducted a search of apartment 7-K, 400 Central Avenue as you've testified to previously; isn't that correct?

A Yes.

Q Also Chief, and finally, during the time period you were at Albany Police Department Headquarters that night, you did, in fact, receive a phone call from Clara Satterfield; isn't that correct?

A Yes, I did.

Q And she spoke about the defendant Michael Young.

A Yes.

Q And she expressed some fear for her life; isn't that correct?

A Yes, she did. She said she was in fear of her life.

Q And in response to that, you contacted an Albany Police Captain; isn't that correct?

A Captain Dale.

Q Captain Dale and Captain Dale happens to be a black Officer; isn't that correct?

A Yes.

Q And you also contacted Division One and instructed them to be on the lookout and to ride by her house on patrol.

A Yes, because she told us there was only going to be two cars in the driveway. That's all that should be there and we had cars patrol her home. We had a uniformed Sergeant make sure that everything was o.k.

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

THE COURT: Mr. Kunstler.

MR. KUNSTLER: Yes, Judge.

CROSS-EXAMINATION

BY MR. KUNSTLER:

Q Chief Reid, my name is William Kunstler. You and I have never met or talked before.

A No, sir.

Q Now, Chief Reid, I just want to ask you a few questions about information you received early in September of 1981. Is it not a fact, Chief, that as early as September 3 of 1981 you had received information from the FBI that Mr. Spearman was coming to Albany.

A I don't have the report with me. I can't tell you the exact dates. It's possible because --

MR. KUNSTLER: With reference to the report, and to refresh your recollection, may I