

RESUME FACT SHEET ON BLACK STUDENT ACTIVITIES:
DECEMBER 17 and 18

Following an alleged rule infraction by Charles Griffis in the residence hall, the incident was referred to the Student Judiciary Committee for disposition. This committee met and rendered an opinion on the morning of December 17. Their decision was "guilty" ^{with a} ~~and the~~ recommendation of suspension for the remainder of this semester and next semester.

I arrived home from an Ann Arbor meeting at approximately midnight on December 16 and had an urgent call waiting for me from Pat Williams, who is the President of the Black Students Association. When I returned the call to Mr. Williams, he was very excited in telling me about the tremendous tenseness that existed in the black community because of the decision about to be rendered by the Student Judiciary recommending suspension of Charles Griffis. He told me that ~~in his corridors there~~ he was dealing with the Advisory Committee to the Black Students Association and that upwards of one hundred students were awaiting word from him as to what might be done with the situation.

At that moment in time, I knew nothing about the incident, so I called Dr. Kaiser who gave me the full description of what had happened. ^{He told me} ~~The fact~~ that at 3:45 in the morning ^{earlier} several nights ago two resident assistants had gone to the room of Mr. Charles Griffis on the basis of an anonymous phone call. They knocked on the door, and after considerable discussion through the door with Charles Griffis, ~~they were let in.~~ One of the R. A.'s was let into the room ^{by CA} and with just the bathroom light on he stated that he saw a naked girl standing in the closet.

The R. A. then walked out of the room across the hall with Charles Griffis and the other R. A., and they discussed the situation. Then the second R. A. went into the room, and at that moment the lights were turned on and the individual who had been identified as a girl in the closet was now at least partially clothed and lying under the bed. The R. A. had moved the bed a little bit, and the boots and slacks were showing. At that moment evidently the R. A.'s went down the hall to get some cigarettes. During this interval, the individual who was under the bed got up and ran down the hall, still being identified by the resident advisor as a girl.

The contention of the ^{black} students with whom I met at 7:45 in the morning on Wednesday, and I was accompanied by several members of the Dean of Students staff and also Dr. Rombouts, was that first of all Charles Griffis thought that he was not guilty and, secondly, that the Student Judiciary Committee had utilized a number of improper and irregular procedures during its hearing, and they insisted that the Student Judiciary Committee, in fact, was non-representative because there were no black students on it.

On this point the Student Government representatives indicated that they had carried out the appointments of members on the judiciary committee in the usual way, namely, advertising openly and receiving applications. There were some 35 applicants for these positions, but none of them were black. Deciding that there probably should be at least one black student on this judiciary committee, the Student Government people then contacted several black students personally about their possible interest in serving on this committee. They received no additional applications and, therefore, proceeded to appoint the committee which is all white.

After considerable discussion at that breakfast meeting on December 17, it was apparent first of all that Charles Griffis was unwilling, and he was supported by his colleagues, to proceed with an appeal to the next judiciary body, namely, the Faculty-Student Judiciary Committee. They insisted that the whole thing was irregular, and it was a mistrial and should be thrown out. Their insistence was that I, as President, now intervene in this whole process and arbitrarily throw out the whole judgement and declare him to be not guilty.

I continued to be insistent on a hearing through the established procedures. I, at that point, asked Dr. Rombouts to take under advisement by the Human Rights Commission the question of irregularities in the procedure and in the due process employed by the Student Judiciary. I urged, furthermore, that Mr. Griffis consider the appeal procedure. He still declined. Dr. Rombouts did meet with the Human Rights Commission, and a sub-committee was appointed to immediately begin studying this situation.

At approximately 9:00 on December 17, about 50 black students walked into the Dean of Students Office and occupied the seats and sat on the edges of the walkways. At that point they insisted that they were going to sit there until such time as the judgment against Charles Griffis was thrown out entirely. Some of them insisted that they were going to sit there until the Human Rights Commission decision was rendered. In any event, the Dean of Students staff, in talking with these people, agreed that they were orderly, quiet, and non-disruptive and did not indulge in any harrassing behavior. They were

after announcement by the BSA to the Dean of Students
that the sit-in would continue in an
orderly and non-disruptive manner.

permitted to stay there. And, as it will be seen later, they stayed until approximately 3:45 on the morning of December 18. And, they were orderly, quiet, and well-behaved, except for the last thirty minutes of that long period of time.

Later on during Wednesday, December 17, I met with the members of the Executive Committee of the Academic Senate. This included the chairman, David Meneghel, and several other members of that group. I presented the situation to them, and we discussed a variety of alternatives. Just prior to this meeting I discussed the situation with our University attorney, and also talked with the County Prosecutor about the possibility, where it became necessary, of resorting to legal action to remove the students from the Dean of Students Office. The discussion with the Academic Senate Executive Committee resulted in general support of what we were doing, and the suggestion that the injunction procedure might be utilized.

Following that session I met with the staff of the Dean of Students Office, and following this I met with representatives of the Associated Students of NMU. With each of these I explored the several possibilities in the situation at that moment.

It was my decision at that particular moment to continue to await the decision and recommendations of the Human Rights Commission and then, assuming the outcome to be what it turned out to be, to remand the whole situation for consideration by the appeal body, namely, the Faculty-Student

Judiciary. I decided we would do this even if Mr. Griffis refused to sign that he is appealing. Obviously, if he refused to participate in the appeal, we would not have a full hearing in the appeal sense of the word.

About mid-afternoon I talked further with our University attorney, feeling that we ~~ought~~^{should} to develop the injunction procedure. Dick Jones and Mr. Burleigh decided then to fly to Marquette, and in the meantime began to develop the necessary legal papers which would then be taken to Judge Davidson for his signature. They arrived in my office about ~~9:00~~^{8:30} that evening.

The materials which they had prepared were then properly typed and developed for presentation to Judge Davidson.

In the meantime, I wrote a letter to the Faculty-Student Judiciary and requested them to meet at 8:30 p. m. on December 17 to consider the case of Charles Griffis. At the same time, Charles Griffis actually signed a request for an appeal and waived all of the steps normally required in the 48-hour ~~waiting~~ period preceding the appeal of a case.

At approximately 10:00 p. m. on December 17, Dick Jones, Mr. Burleigh, and I went to see Judge Davidson with the formal papers for his signature to authorize an injunction. The attorneys and the judge discussed the legal substance of these materials at great length. Judge Davidson was being very careful and meticulous about the strength of the injunction request. After a lengthy discussion, it was agreed among the three of them that our attorneys should come back to the office and refine the injunction presentation by preparing a more specific affidavit in addition to the other papers.

We returned to the office, and the attorneys worked until 2:00 a. m. ~~on the morning~~ of December 18 developing these materials. In our discussion with Judge Davidson it was agreed that, should the situation become critical and warrant immediate action, he would be willing to have us come to his door any time during the night to have the injunction signed. At this same time it was also agreed that if the situation remained calm during the night, we would come to him at 8:00 on the morning of December 18 to have the injunction signed.

At the time our attorneys finished the papers, which was between 2:00 and 2:30 in the morning, I had visited in the Dean of Students area, as had members of the faculty and student body and the Dean of Students Office staff, ~~whom~~ were on duty all of this time, and it was agreed that the situation was normal, and everything was calm. There appeared to be no need at that moment to go to Judge Davidson and disturb him in the middle of the night for an injunction. We decided to wait until 8:00 in the morning.

In the meantime the Faculty-Student Judiciary Committee was deliberating the whole matter and about 1:00 in the morning decided that the situation warranted a full rehearing. They convened and decided to continue with a full hearing until such time as they could reach a decision. (They reached a decision at approximately 3:15 in the morning.)

At about 12:45 that same night, I visited the Dean of Students Office ~~also~~ to check on the conditions there. ^{one other student} Harry Campbell had visited there just prior and indicated that the situation was messy-looking because of some food that

had been eaten. By the time I had gone over there with the faculty group, the entire office had been properly cleaned up, and everything was in good order.

At approximately 2:30 or 2:45 the situation appeared to be reasonably calm so I took our attorneys to the Holiday Inn for the night, and I went home to sleep. The time that I turned out the lights in my own room was 3:00 in the morning of December 18. About five minutes later the telephone rang. At the other end of the line was Harry Campbell who had been requested by Dean Kafer to call me to indicate to me that the students had become restive. Furthermore, Dean Kafer expressed concern about the fact that just a few minutes prior to this there was some glass broken somewhere in the office, and that Dr. Niemi had gone in to investigate the broken glass. Dean Kafer's concern was that Dr. Niemi had not returned from within the office area.

I dressed and hurried to the scene of the Dean of Students Office. I stopped at the Security desk and indicated to them that I was going to go into the Dean of Students Offices, and if I were not back to the Security desk within fifteen minutes that they should call the City and State Police immediately.

I went to several of the doors leading into the area occupied by the students. I tried twice at one door and once each at two other doors and was refused entry with considerable force on the other side of the door.

Viewing the situation briefly, I decided immediately that we would proceed with the injunction procedure. I went down to the Security Office and called our two attorneys out of bed, whom I had picked up at the Holiday Inn and brought to the office. I also called our secretary to come to the office to do the typing. I then called the City Police directly and told them to bring

at one of the doors I was blocked out and for the door man to keep me out.

Plan

their men together on a standby basis and, with our usual agreement in existence, to notify the State Police to have additional police force on hand because we were proceeding with the injunction.

At the time I was making these calls, a telephone call came from ^{to me} Mr. Maust who had been working with the Faculty-Student Judiciary. The time was approximately 3:30 or so. Mr. Maust was giving me the message that the Faculty-Student Judiciary had reached a decision and found Mr. Griffis "not guilty because of insufficient and conflicting evidence" after studying the whole matter very carefully. At that same moment also, a student came to me with the message that the black students upstairs in the Dean of Students area wanted to meet with me.

~~Putting two together with an obvious result, I called the City Police and cancelled my request for law enforcement staff.~~ I went upstairs, and as I was admitted to the area, Mr. Pat Williams, the President of the Black Students Association, was making an announcement to the black student gathering to the effect that the decision had been reached finding Charles Griffis not guilty, and Pat Williams was ordering the entire membership to go directly to their dormitory rooms, *which they had already begun to do.*

It should be pointed out that when I came to the door just before this in response to Dean Kafer's call, the resistance at two of the doors was clearly under the direction (but not bodily by Mr. Williams) of Mr. Williams who was standing on top of the desk yelling that I must not be admitted into the room.

It was clear to me that Mr. Williams was clearly in command and was calling the signals in this particular situation.

As the students were filing out and I walked in with a number of members of the staff, as well as faculty and student representatives, it was obvious that in the several minutes preceding this moment considerable ~~destruction had taken place.~~ *damage had been done.* A window had been broken, a couple of chairs had been broken, two Christmas trees had been crushed, considerable paper had been torn and strewn around the floor, and some writing on the walls.

The room looked like a pretty bad mess. Several of the black students remained behind to assist in the cleanup of the area. *Dr. Niemi showed me the two sticks with which he had been threatened.*

On the morning of December 18 I visited the office area to see what it looked like. The extent of the damage was nominal. ~~I would estimate the damage to be perhaps around the \$200 mark, plus or minus some.~~ The staff there was making a list of damaged items and some items which apparently were missing, including some Polaroid film ^{some of} which had been evidently located in a student's room who was to be properly prosecuted.

On Thursday morning I went to bed about 8:00 in the morning, and I came to the office at 10:00 to respond to a request for a press conference at which the television studios and several news media were represented. I explained the situation in essentially the form above, indicating the substance of a statement which I had distributed before with emphasis on the fact that this University is committed to the basic principles of personal freedom and faculty

and student participation in campus governance, as well as the appropriate due processes as far as student regulations and hearings are concerned.

Furthermore, I emphasized the fact that this University has exerted, to the best of its ability, every effort to assist minority groups, especially black students, in a variety of ways, including the establishment of tutorial programs, increasing the financial and work study levels of these students, the designation of resident assistants who were black, the consideration of implementation of black study courses in the curriculum, and the like.

I also wrote a letter to the Faculty-Student Judiciary Committee, indicating to them that I felt that under the circumstances of what I thought was an extraordinary session of that committee I wondered whether there was any possibility that they would want to reconsider their decision, or if they felt that the pressure of time might have influenced their decision in any way. I met personally with that committee on the afternoon of December 18, and I now have a letter from them indicating that they are unanimous in the reaffirmation of their decision and that there were no external influences on their decision except the judgment of the facts as they heard them.

In the press conference and subsequent discussions I also emphasized the fact that the University, with its procedures, had responded very promptly in all situations and that I was simply adhering to these procedures which I considered to be just and adequate. I insisted, and still do, that my intrusion into these in any arbitrary way would have destroyed the very essence of the thing which we have been trying to develop and particularly ^{the} ^{fact} essence of equity and justice for which all of us, including the black students, have apparently been

looking for. I also indicated that in the course of the deliberations we had involved, to the fullest extent, the faculty and student representatives who stayed with the situation the whole night through.

What are the next steps being taken?
~~The questions now remaining are what next steps are to be taken.~~

First of all, there is the damage in the Dean of Students Office which ^{is being} ~~estimated~~ ^{announced,} ~~might be \$200 or whatever figure the staff comes up with after~~

~~they have made a complete study of it.~~ My ~~stance on this is that~~ ^T the Black

Students Association ^{has been sent} ~~will receive~~ a letter ^{requesting that they} ~~indicating that they are being~~

~~requested to pay~~ ^{for} the damages which were caused by their presence in that office during the activities of that last half hour of their lengthy stay ~~in there.~~

There was some possibility that the Black Students Association might, in fact, write a letter indicating that they were sorry about this whole half hour incident, and that they would pay for the cost of the damages. Whether this comes about or not remains to be seen. In any event, I ^{have written} ~~shall be writing a letter on Friday~~

to the Black Students Association stating these facts and requesting payment.

The second question is the issue of Dr. Niemi's forced detention in his office for a period of about thirty minutes. ~~The Mining Journal, of course, carried the headline that "An NMI Official Was Held Hostage by the Blacks."~~

I asked Dick Jones, our attorney, to discuss this matter with Ed Quinnell, the County Prosecutor. On Friday of this week, Mr. Gauthier, one of the detectives, was going to meet with Dr. Niemi to explore the various facts available and to ~~hopefully~~ determine what kind of legal action can be taken in

civil courts. *I have requested the Prosecutor to pursue*

this matter to the fullest extent of the law.

Third, I have ~~conferred~~ with the Dean of Students Office staff that ^{has} they undertake a careful study of what disciplinary action, within the general procedures of the University ^{is} ~~are~~ to be instituted against the Black Students Association and individual students who may be identifiable by name.

Today ^{(Monday) was} there has been a general rumor brought to me by some of our University officials to the effect that the black students intend to sit-in at the basketball game ^{on} this Friday. My directive to the athletic department ^{is} that the game be properly scheduled ^{as it is}, and it will be played. I have ^{made} made proper arrangements with the City Police and the State Police for man power available on hand to guarantee that this particular game ^{will} be played.

Late ^{in the} this afternoon on Thursday, I was asked for an appointment by Arnold Avant and Melvin Payne. Only Arnold showed up at first. The purpose of this meeting, according to him, was for him to obtain the University's position on what is to be done next so that he might convey it to the Black Students Association which is meeting ^{tonight} ~~tonight~~.

Shortly after the meeting started, without Mr. Payne present, David Williams and Charles Moore appeared and were invited in by Arnold Avant. I indicated to them the two or three points resumed above and then followed an intensive repartee with Dave Williams who took the rather usual position that the University had done nothing for black students, that the black students were completely ignored here, that the black students had no confidence in the University, etc. I forcefully indicated to him that he was 100% wrong, and that this University was doing all it could within its power to provide for black students.