

INTERROGATION — WILLIAM D. CARLSON

Q. Please state your name and address.

Q. What, if any, official position do you hold as an officer of the State of Wyoming by reason of appointment or otherwise?

(I am serving as President of the University of Wyoming and ex officio member of the Board of Trustees of the University of Wyoming. I was appointed to serve as President of the University of Wyoming on _____).

Q. With respect to the specific dispute involved in this case relating to the dismissal of the 14 Plaintiffs as football players from the University of Wyoming football team, when and where did you first learn of the dispute?

(I received a telephone communication from Mr. Glenn A. Jacoby, Wyoming Athletic Director, while I was in my office on Friday morning, October 17, 1969, at about 9:30 or 10:00 a.m. Mr. Jacoby informed me that the Wyoming football coaching staff had directed the dismissal of the 14 Plaintiffs in this case from the University of Wyoming football team).

Q. What, if anything, did you do or direct following this notification?

(I requested of Mr. Jacoby that he and the entire coaching staff come immediately to my office at Old Main. Mr. Jacoby, Coach Lloyd Eaton and the entire University of Wyoming football coaching staff immediately came to my office).

Q. What transpired at that time?

(At that time the entire administration staff, including myself, Elliott Hayes, James Rantz and Mr. Joseph Geraud met with Mr. Jacoby, Coach Lloyd Eaton and the entire Wyoming football coaching staff for a period of about one hour).

Q. During this meeting was there any discussion relating to the re-instatement of the 14 Plaintiff football players?

(Yes. Coach Eaton and the coaching staff said that if the 14 Plaintiffs would come back to the coaching staff and discuss re-instatement on an individual basis that the coaching staff would be glad to talk to them about re-instatement, but that they would not discuss reinstatement with them as an entire group).

Q. After the conference which you had with the football coaching staff and Athletic Director, Jacoby, did you conduct any other meetings, and if so, with whom?

(Yes. My office had already been contacted by the Black Students Alliance who had stated that representatives of this organization wished to meet with me and the administration together with the 14 football players and that they wanted to be heard)-

Q. Did you meet with the Plaintiffs and representatives of the Black Students Alliance?

(Yes. We met with the 14 Plaintiff football players who had been dismissed by Coach Eaton and with Mr. Willie S. Black, Chancellor of the Black Students Alliance. This meeting commenced at about 11:00 a.m. on Friday, October 17, 1969. Mr. Willie S. Black, as Chancellor of the Black Students Alliance, and Joe Williams, one of the 14 football players, acted as spokesman for the entire group. There were a number of other representatives of the Black Students Alliance present too. Each and all of those in attendance had an opportunity to speak. All of them were wearing the black armbands).

Q. What contentions or positions were presented to you and the administrative officials during your meeting with the Plaintiffs and representatives of the Black Students Alliance?

(A great deal of the meeting time was consumed in relationship to complaints voiced by the Plaintiffs and representatives of the Black Students Alliance against claimed racial discrimination on the part of the Church of Jesus Christ of Latter Day Saints, and Brigham Young University which is owned and operated by this Church.

They stated that they wanted to meet with Coach Eaton, but I informed them that the coaching staff had stated that they would meet with them individually, but not as a group, to discuss re-instatement to the football squad.

I then requested that Glenn J. Jacoby, Wyoming Athletic Director, come to my office and meet with the Plaintiffs and representatives of the Black Students Alliance, and Mr. Jacoby did come to the office.

During this portion of the meeting, the Plaintiffs and representatives of the Black Students Alliance unloaded against the racist policies of the Church of Jesus Christ of Latter Day Saints and Brigham Young University).

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Q. How long did the meeting with the Plaintiffs and representatives of the Black Students Alliance in your office last?

(The meeting continued until approximately 4:00 p.m. or 5:00 p.m. It started at approximately 11:00 a.m. on October 17, 1969. Before the Plaintiffs and representatives of the Black Students Alliance left the office, I told them that an emergency hearing-meeting would be held by the Board of Trustees of the University of Wyoming and that they would be asked to appear so that the Board could make an independent decision relating to their dismissal from the University of Wyoming football team. I stated to the group that I felt that the Board of Trustees should decide the issues of the dispute, and that the Board of Trustees likewise felt that the matter of dismissal or re-instatement of the 14 football players would be decided by the Board of Trustees).

Q. When, if you know, had a determination been made relating to a hearing-meeting by the Board of Trustees of the University of Wyoming?

(The decision had been made by Mr. C. E. Hollon, as President of the University of Wyoming Board of Trustees during the afternoon while I and other members of the administration staff were still conferring with the Plaintiffs and representatives of the Black Students Alliance. Mr. Hollon had directed that the hearing-meeting be called for 8:00 p.m. in the Board of Trustees conference room, Old Main, University of Wyoming).

Q. Did Mr. Hollon relate to you the purpose of the hearing?

(Yes, Mr. Hollon stated that the purpose of the emergency hearing-meeting of the Board of Trustees would be held to investigate and hear all of the facts of the dispute, so that the Board could make a final decision with respect to the dismissal of the 14 football players or their reinstatement to the University of Wyoming football team).

Q. Did you make or cause to be made any arrangements for the emergency hearing of the Board of Trustees?

(Yes, in view of the emergency status of the hearing-meeting, and the terrible weather conditions which then prevailed, which were blizzard conditions, it was not possible for all of the members of the Board of Trustees to arrange to be personally present on such short notice, or to arrive because of weather conditions. However, it was agreed between all members of the Board of Trustees that, in order for

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all members to be fully informed of the proceedings to be conducted, that the meeting would be communicated to the absent members by telephone communication. For this purpose, we set up microphone and recording facilities, with direct telephone contacts to each of the absent members. When the hearing-meeting was convened at 8:00 p.m. on the evening of October 17, 1969, those members present were C. E. Hollon, President, , Mr. William R. Jones, Mr. Alfred M. Pence, Mrs. Winifred E Hickey and Mr. Eph Johnson. In addition, Governor Stanley K. Hathaway and I attended as ex officio members of the Board of Trustees. Telephone communications were set up with each of the members of the Board who were not physically present).

Q. Employing this system of communication relative to the emergency hearing-meeting, were the absent members of the Board of Trustees able to hear all of the proceedings and to make inquiries by reason of the. communication system?

(Yes, each of the absent members heard out all of the parties who appeared before the Board, and made specific inquiries which were communicated through a loud-speaker system, and related back by microphone connections).

Q. Please relate how the Board of Trustees proceeded with the emergency hearing-meeting and the manner in which it was conducted.

(The Board of Trustees first met with Coach Lloyd Eaton and his coaching staff at which time the Board made full and complete inquiry and received full and complete responses relating to the football coaching rule prohibiting demonstrations and/or protests by members of the University of Wyoming football team, with particular reference to the dispute which arose earlier on the morning of October 17, 1969).

Q. What did the Defendant, Lloyd Eaton, and/or members of the Wyoming University football coaching staff relate to the Board of Trustees in regard to the dismissal dispute? (Coach Eaton stated that earlier during October 16, 1969 he had received a hand-delivered copy of a letter addressed to me from one, Willie S. Black, as Chancellor of the Black Students Alliance, University of Wyoming, setting forth certain demands upon the University of Wyoming and the Athletic Department, relating to a protest by that organization going to claimed religious beliefs of the Church of Jesus Christ, Latter Day Saints, which owns and operates Brigham Young University.

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This letter specifically demanded, as part of the protest, that black athletes on the University of Wyoming football team wear black armbands during the scheduled football game between the University of Wyoming and Brigham Young University on October 18, 1969, to be held at Memorial Stadium at Laramie, Wyoming. Coach Eaton stated that after he had received the copy of this letter, that he discussed the matter with members of the coaching staff, and that he then determined to speak directly and personally with Joe Williams, one of the tri-captains of the Wyoming football team, and that Coach Eaton did so following football practice on October 16, 1969. Coach Eaton related that he conveyed the context of the letter received from Willie S. Black to Joe Williams and advised Mr. Williams that there were not to be any demonstrations or protests by members of the University of Wyoming football team- Coach Eaton and other members of the coaching staff related at the emergency hearing-meeting that this particular football coaching rule, which prohibited members of the Wyoming football team from

participating in demonstrations or protests, had been in effect for at least 3 years, and was known to each of the 14 affected football players, and each of them, during the spring practice of 1969, the opening of the fall practice, 1969, and specifically again on October 14, 1969).

THE QUESTIONS TO BE ASKED OF DR. CARLSON WILL BE THE SAME AS THOSE TO BE ASKED OF C. E. HOLLON, FROM THIS POINT FORWARD IN RELATION TO THE HEARING-MEETING CONDUCTED BY THE BOARD OF TRUSTEES. HOWEVER, WHEN WE GET TO PAGE 5 OF THE INTERROGATION SHEET PREPARED FOR MR. HOLLON, THE FIRST QUESTION ON THAT SHEET WILL BE CHANGED TO READ AS FOLLOWS:

Q. The Defendants in this case have filed the separate affidavit of Governor Stanley K. Hathaway, wherein he has stated that you and he, on behalf of the Board of Trustees, met with the 14 Plaintiffs during the course of the emergency meeting. Do you have personal knowledge and recollection of this meeting? (Yes).

Q. Please state where and when this meeting took place between yourself, Governor Hathaway, and the 14 Plaintiffs (Governor Hathaway and I met with the 14 Plaintiffs in my separate offices in the Old Main building, University of Wyoming, at approximately _____ p.m. on the evening of October 17, 1969).

5.

Q. What was the purpose of this meeting?
(The purpose of this meeting was to attempt to further search out some common ground for settlement of the dispute if at all possible).

Q. During this conference what was said or related?
(Governor Hathaway informed the 14 Plaintiffs that the Board of Trustees was searching for any way or basis of settlement of the dispute.

Governor Hathaway then specifically inquired of the 14 Plaintiffs whether they would play football on the University of Wyoming football team during the game on October 18, 1969 against Brigham Young University, without wearing the black armbands. All of the 14 Plaintiffs responded negatively or "no".

Governor Hathaway then inquired of all of the 14 whether, disregarding the Brigham Young University football game, any of the 14 Plaintiffs would again play football for the University of Wyoming. To this inquiry, 4 or 5 of the 14 responded negatively, and none of the 14 responded affirmatively. Some stated that they would not play football again for the University of Wyoming so long as Coach Lloyd Eaton was Head Football Coach. None of them responded negatively to these remarks.

Governor Hathaway then remarked to the 14 Plaintiff football players that they had selected the wrong issue, and he observed that they were demonstrating against Freedom of Religion).

Q. After this conference held between yourself and Governor Hathaway and the Plaintiffs, what did you and Governor Hathaway do?

(Governor Hathaway and I then reported back to the Board of Trustees meeting and related the statements made to us by the 14 Plaintiffs, and thereafter these matters were again fully discussed and explored by the entire Board of Trustees).

Q. President Carlson, from time to time you have made reference to one, Willie S. Black, and an organization known as the Black Students Alliance at the University of Wyoming. What is this organization?

(This organization is a duly qualified organization, recognized by the University of Wyoming, composed of black students and faculty on the University of Wyoming campus).

6.

Q. You have previously testified that at each of the meetings held between the University administration and the Board of Trustees that one, Willie S. Black, was present. In what capacity, if you know, did Mr. Black appear before the administration and the Board of Trustees?

(Mr. Willie S. Black appeared both at the administration meetings and before the Board of Trustees emergency hearing-meeting as Chancellor of the Black Students Alliance, an organization at the University of Wyoming).

Q. In what manner did Mr. Black participate in these hearing-meetings?

(Mr. Black was the primary spokesman for the entire black group, including the 14 Plaintiffs).

Q. Immediately prior to October 17, 1969, had you received any communication from Mr. Black relating to a protest in connection with the scheduled football game between the University of Wyoming and Brigham Young University to be held on October 18, 1969?

(Yes, my office received a hand-delivered letter from Mr. Black as Chancellor of the Black Students Alliance, University of Wyoming, on the morning of October 16, 1969. The letter was dated October 14, 1969).

Q. I am handing you a document consisting of two sheets which has been marked as Defendants' Exhibit "A" for identification, and ask if you can identify it.

(Yes, this is a hand-delivered letter received in my office on the morning of October 16, 1969, dated October 14, 1969, from and signed by Willie S. Black, as Chancellor of the Black Students Alliance, University of Wyoming, which made demands upon the University and the Athletic Department in relationship to the Wyoming - Brigham Young University football game scheduled for October 18, 1969).

Q. Do you identify the signature on Defendants' Exhibit "A" as that of Willie S. Black? (Yes).

Q. I move the admission of Defendants' Exhibit "A" into evidence. (In the event that the Court permits the motion for introduction of Defendants' Exhibit "A" into evidence, I will then proceed with the following questions:)

Q. President Carlson, will you please read Exhibit "A" ?

7.

(Yes. The heading on this letter is Black Students Alliance, University of Wyoming, University Station, Box 3801, Laramie, Wyoming. It is dated October 14, 1969. On the right hand margin of the letter is a stamp placed on the letter by my office, showing that

the letter was received October 16, 1969. It is addressed to William D. Carlson, President, University of Wyoming - Old Main - Room 206, Laramie, Wyoming. It commences "Dear Sir" and reads as follows: ((Now at this point read the entire letter, and when you have concluded the body, simply state, "Sincerely yours, signed Willie S. Black, Chancellor of the Black Students Alliance".)) (Now we will proceed to Page 6 of Mr. Hollon's interrogations in relationship to the decision of the Board and the reasons for dismissal, etc.).