

INTERROGATION - C. E. HOLLON

Q. Please state your name and address?

Q. What is your occupation and educational background? (I am a co-partner in the lumber and contracting business known as Frontier Lumber Company at Lusk, Wyoming I attended elementary and high school in the Lusk, Wyoming school system. I received my B.S. Degree through the Department of Geology, University of Wyoming, during the year 1942. and my Masters degree at the University of Wyoming during the year \_\_\_\_\_).

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

(I am presently serving as President of the Board of Trustees of the University of Wyoming. I was appointed to the Board of Trustees during the year 1964 and was elected president of the board during the year 1968. )

Q. With respect to the specific dispute involved in this case relating to the dismissal of some fourteen football players from the University of Wyoming football team, how and by whom were you first notified of the dispute?

(I was in Cheyenne, Wyoming on a business matter during October 17, 1969 when I received a long-distance telephone call from President William D. Carlson of the University of Wyoming notifying me that Coach Lloyd Eaton had dismissed some fourteen football players from the University of Wyoming football team for an alleged violation of a football coaching rule relating to demonstration or protest by these players. At this time President Carlson informed me that he had been meeting with the fourteen football players and with Coach Eaton and members of the football coaching staff for some time prior to the call which he placed to me. I determined that it would be necessary for me to go to the University of Wyoming and at that time I determined that an emergency hearing-meeting should be held by the Board of Trustees relating to the dispute and for the purpose of making a decision,)

Q. What did you do then?

(I requested that the office of the President of the University make contact with each member of the Board of Trustees advising that an emergency hearing-meeting of the Board would be held in the Executive Offices of the Board of Trustees, Old Main, University of Wyoming, Laramie, Wyoming, commencing at eight o'clock p.m. on the evening of Friday, October 17th. I also requested that each and all of the interested and affected parties be notified of the meeting and requested to appear before the) Board so

that the Board could explore all of the facts and circumstances and arrive at a decision and order. It was not possible for all of the members of the Board of Trustees to arrange to be personally present on such short notice, but it was agreed between all of the members of the Board that in order for all members to be fully informed that all statements and proceedings at the meeting would be communicated to the absent members by telephone using microphone and recording facilities of the University. When the meeting convened at 8 o'clock p.m., each and all of the interested and affected parties had been contacted and did thereafter appear before the Board. All of the - statements made at the meeting were conveyed by recorded telephone communication to

the absent members of the Board who, in turn, made inquiries and observations by use of this type of communication.)

Q. Who were the members of the Board of Trustees personally present at this meeting? (In addition to myself, the voting members present were William R. Jones, Eph Johnson, Mrs. J.JC Hickey, and Mr. Alfred Pence. The ex-officio members of the Board present were Governor Stanley K. Hathaway and President William D. Carlson).

Q. What specific arrangement was made in relationship to communicating matters of the hearing and statements made to the absent members of the Board of Trustees? (Direct telephone communication was set up with each of the absent members of the Board of Trustees in such manner that they could hear all of the statement, observations and opinions rendered in the course of the meeting and, in turn, make any inquiries of any parties present which they wished or desired. The telephone communication by reason of microphone and recording facilities made available in the conference room related to absent members Gordon Brodrick, Paul O. Hines, Robert W. McBride, John C. Ostlund, Patrick J. Quealy, Joseph B. Sullivan and H. A. True, Jr.).

Q. Please relate how the Board of Trustees proceeded with the hearing 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 coaching football rule prohibiting demonstrations and/or protests by members of the University of Wyoming football team. The coaching staff advised that Coach Eaton had, earlier during October 16, 1969, received a hand-delivered letter addressed to William D. Carlson from one, Willie S. Black, as Chancellor of the Black Students Alliance, University of Wyoming, setting forth

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certain demands upon the University of Wyoming and the Athletic Department relating to a protest of that organization going to the claimed religious beliefs of the Church of Jesus Christ, Latter Day Saints, which owns and operates Brigham Young University. This letter specifically demanded that as part of the protest, the Black Athletes on the University of Wyoming football team wear black arm bands during the scheduled football contest. Coach Eaton and other members of his staff advised that after Coach Eaton received this letter he determined to speak directly and personally with Joe Williams, one of the tri-captains of the football team, and that Coach Eaton did so following 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 Williams that there were not to be any demonstrations or protests by members of the University of Wyoming football team. Coach Eaton and the other members of the coaching staff related at the meeting that this particular football coaching rule, prohibiting members of the football team from participating in demonstrations or protests, had been in effect for at least three years and was known to each of the fourteen affected players, and each of them, during the spring practice of 1968, the opening of the fall practice 1969, and specifically, again on October 14, 1969. The coaches then related that on the morning of Friday, October 17, 1969, at approximately 9:30 o'clock a.m. the fourteen football players came to Coach Eaton's office and later held a meeting with Coach Eaton at which Coaches Shurmar and Baker appeared, each of the football players wearing black arm bands in protest to claimed religious beliefs of the Church of Jesus Christ, Latter Day

Saints, and Brigham Young University; that a meeting between the coaches and the football players did occur in the field house, which lasted approximately 15 minutes. Coach Eaton related that he did observe that the purpose of the wearing of the arm bands was to protest certain religious beliefs of the Mormon religion and that one of the players, Ted Williams, stated that he intended to join the church and that Coach Eaton responded that it was odd that anyone would protest against a religion which he intended to adopt as his own. At the conclusion of this short conference, Coach Eaton stated to the fourteen affected football players that they were dismissed from the University of Wyoming football squad.)

Q. What, if any, justification did Coach Eaton relate to the Board at this meeting concerning this particular football coaching rule?

(Coach Eaton stated that the purpose and intent behind this coaching rule was to avoid any dissension, conflict or loss of unity between the members of the University

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of Wyoming football team. Coach Eaton stated that he had been concerned for some time with respect to protest demonstrations and the effect that these demonstrations would have in relationship to team unity and morale. He also remarked that he did not believe that any person had a right to openly protest anyone else's religion and that the University of Wyoming football team was not the proper place for anything of this sort\*.

Q. Approximately how long was the hearing conducted with Coach Lloyd Eaton and members of the football coaching staff?

(For approximately one hour and during this time each member of the Board, together with the absent members of the Board who were connected by telephone communication, asked a number of questions of Coach Eaton and other members of the staff. I recall that at one point Coach Eaton remarked that during the spring of 1968 the athletic department had received a list of membership in the Black Students Alliance and that most of the Black football players were listed as members. Coach Eaton stated that he related the demands contained in the letter from Willie S. Black directly to the Black members of the football team in relationship to their intent concerning the intercollegiate football game scheduled between the University of Wyoming and Brigham Young University.)

Q. After the hearing conducted with the football coaching staff how did the Board then proceed with the hearing? (The Board next met with each of the fourteen football players who had been dismissed from the squad, who were accompanied by Willie S. Black, who appeared as Chancellor of the Black Students Alliance, an organization at the University of Wyoming. The Board met with this group for a period in excess of two hours, perhaps two and one-half hours. Each and every one of the effected football players and the said Willie S. Black made statements, expressed opinions, and the Board members fully explored all of the facts and instants involved in the dismissal, the football coaching rule and the intention of the dismissed players in relation thereto. Each of the members of this delegation, including the fourteen football players, were wearing black arm bands at all times during the hearing. Each of them specifically objected to the religious beliefs of the Church of Jesus Christ, Latter Day Saints, which owns and operates Brigham Young University, in relationship to what they claim to be racist beliefs against the black race. Each of the effected football players indicated that they did intend to wear the black arm

bands during the football between the University of Wyoming and BYU. They were fully and completely heard on all issues.)

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Q. Following this portion of the hearing, were any other contacts made by the Board and the affected fourteen football players who had been dismissed by Coach Eaton?

Yes, after their appearance which I have testified to, it was determined by the Board that in an effort and an attempt to find some common ground to settle the dispute that Governor Hathaway and President Carlson should again meet with the fourteen football players and report back to the Board. Governor Hathaway and President Carlson did meet with each of the fourteen football players who had been dismissed by Coach Eaton and following this conference Governor Hathaway and President Carlson reported to the Board and Governor Hathaway had informed the football players that the Board was anxious to arrive at some basis to settle the matter, the Governor then asked each of the fourteen players whether they would play in the football game scheduled with BYU October 18, 1969 without wearing the black arm bands. Governor Hathaway and President Carlson reported back to the Board that each of the football players answered negatively or "No". They further reported that Governor Hathaway also inquired of the players whether, without regard to the football game scheduled October 18, 1969 between the University of Wyoming and Brigham Young football teams, the players would return to the University of Wyoming football squad and play football for Wyoming again. Governor Hathaway and President Carlson reported that in response to this specific inquiry, Joe Williams, Willie Hysaw and Ron Hill responded negatively and that none of the other players answered affirmatively. Williams, Hysaw and Hill responded to the effect that they would not play football at the University of Wyoming so long as Lloyd Eaton was head football coach.)

Q. How long did the hearing proceed?

(Well, the hearing, including the hearing with the coaches, the effected players and the Chancellor of the Black Students Alliance, together with other contact made, continued on until midnight or thereafter. Then the Board met in executive session, and fully and completely discussed all of the facts and circumstances together with all of the matters related to the Board at the hearing, all of which was communicated to each of the absent members of the Board by reason of the telephone hookup communication.)

Q. Did the Board then arrive at a decision or establish a position regarding the dismissal of the fourteen football players?

(Yes, the Board arrived at a definite decision.)

Q. What was the order or decision of the Board?

(The Board ordered the dismissal of the fourteen effected football players from the University of Wyoming football squad but determined to continue their athletic scholarship awards in full force and effect, subject to later review.)

Q. In arriving at the decision regarding the order of dismissal of the fourteen football players please relate the basis or reasons for this order by the Board of Trustees.

(There were a number of reasons and it is difficult to relate where particular emphasis may have been placed by any individual member of the Board. However, there were three relevant and particular reasons for the Boards order for dismissal. First, the Board

felt that the members of the Board, the coaches and officials of the University of Wyoming were under a mandate not to permit the use of the University facilities or any of its representatives or agents to protest or object to any particular religion or anyones religious beliefs or disbeliefs. This particular instance the fourteen football players were wearing the arm bands in open protest demonstration against the religious beliefs of the Church of Jesus Christ, Latter Day Saints- which owns and operates Brigham Young University. The players insisted upon wearing the black arm bands during the scheduled football game on Saturday, October 18, 1969, and the Board felt that this was entirely impermissible and that the Board could not permit the use of the University facilities or to permit its representatives on the Wyoming football team to display openly any religious protest. Second, the Board felt that when the fourteen athletes took the athletic scholarship awards from the University that they were informed of the coaching rule against demonstrations of protest, that they knew about the rule during the spring football practice of 1968, the fall football practice of 1969 and as recent as October 14, 1969. The Board felt that they had accepted the benefits of the athletic scholarship knowing of the rule prohibiting the players from participating from any demonstrations or protests and that by accepting the rule they were violating their scholarship awards to protest under the circumstances of this case. Thirdly, the Board felt that Coach Eaton had made a very firm point with respect to the need to establish discipline among members of the University of Wyoming football team and that such activities as those undertaken by the fourteen players would, in fact, create dissention and disunity, lower morale and team work insofar as the football squad is concerned. I am sure that the Trustees felt that those who agreed to play on the University of Wyoming football team do agree to a particular type of discipline that would not otherwise pertain to general matriculating students.)

Q. Was the order of the Board relating to the dismissal of the fourteen players the unanimous decision of the members of the Board of Trustees?

(Yes, before the final decision was announced, the matter was fully discussed between the Board members present and those absent and the decision was unanimous).

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Q. How long did the hearing-meeting of the Board of Trustees last?

(The meeting started at approximately eight o'clock p.m. on October 17, 1969, and continued until approximately 3:15 o'clock a.m. on October 18, 1969).

Q. Are the athletic scholarships of the fourteen football players who were dismissed from the University of Wyoming football squad presently in force and effect?

(Yes, they are in full force and effect.)

Q. What, if any, decision was made by the Board of Trustees at the hearing you just testified to relating to the continuance of the fourteen dismissed football players scholarships?

(The decision was made that the athletic scholarships would continue in full force and effect, subject to later review. There was no decision whatsoever to terminate or cancel the scholarships. The Board felt that this was a matter which would have to be decided at some later date.)