May 26, 1970

BY LIAISON

- Mr. C. D. DeLoach
- Mr. A. Rosen
- Mail Room (5531 JB)
- Mr. W. C. Sullivan
- Mr. C. D. Brennan
- Mr. G. H. Menzel

Dear Mr. Ehrlichman:

By letter dated May 15, 1970, you were furnished the initial report of investigation by the Federal Bureau of Investigation concerning the burning of a Reserve Officers' Training Corps Building at Kent State University on May 4, 1970.

There is enclosed for your information a copy of the report of Special Agent [redacted] dated May 21, 1970, at Cleveland, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

Enclosure

GHM: kks

NOTE:

See memorandum C. D. Brennan to Mr. W. C. Sullivan dated 5/25/70, captioned as above, prepared by GHM: ant

56 JUN 4 1970
MAIL ROOM TELETYPewriter
The purpose of this memorandum is to advise as to the status of investigation which has been conducted concerning the captioned matter since the receipt of the initial Cleveland, May 14, 1970.

Suspect, previously identified in photograph as having started the ROTC fire, has reportedly left Ohio. Advised that he was going to California and noted that he has suicidal tendencies. Efforts to locate him and his known associates are being vigorously pursued. Suspect, has been interviewed and denied involvement in storing or setting fire to the ROTC building at KSU, but admitted he is affiliated with Students for a Democratic Society and has participated in previous anti-war demonstrations.

Interviews of students, faculty and others to assist in the identification of subjects in this case are being conducted. One student, admitted throwing rope at ROTC building during incident May 2, 1970, and student, Douglas Cormack, admitted hindering efforts of firemen to put out the ROTC fire. Another student, refused to be interviewed stating he desired to consult an attorney. Professor Thomas B. Lough has been described as a member of the ROTC at KSU fomenting dissent and disrupting the University community. A former student advised Professor Lough distributed literature to students which contained instructions on assembling Molotov cocktails. Lough refused to be interviewed in this case since
Memorandum to Mr. J. C. Sullivan

RE: UNKNOWN SUBJECT:

Fire Bombing of Army ROTC Building
Kent State University (Ksu)
Kent, Ohio, May 2, 1970

I am not in agreement with FBI civil rights investigations
in the South. Two professors who were interviewed were of the
opinion that KSU
was involved in the burning of the ROTC building.
I have been interviewed
and stated my only participation during that incident was to
act in the capacity of a marshal designated by the University
by help maintain order.

Cleveland is expediting preparation of its report
containing specific details summarized above. It is expected
to be forwarded to Bureau this weekend, and a copy will be
promptly furnished the Director for his information on Monday.
Appropriate dissemination of report will be made as soon as
it is received. Investigation is continuing and being closely
followed to insure case will be brought to logical conclusion
as soon as possible.

ACTION:

None. For the information of the Director.
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For your information:

The following number is to be used for reference regarding these pages:
TO: DIRECTOR, FBI (98-46475)
FROM: SAC, CLEVELAND (98-2140)
RE: UNSUBJ:
   Firebombing of Army ROTC Building, Kent State University (KSU), Kent, Ohio, 5/2/70
   SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY;
   DESTRUCTION OF GOVERNMENT PROPERTY

Re Buairtel, 5/19/70.

Cleveland Division estimates at this time that outstanding leads in this extensive investigation, along with further leads developed therefrom, will require approximately one and one-half to two weeks for completion.

The third report in this matter will be submitted by forthcoming weekend, via mail.

Bureau (RM) 1ca904D
2 - Cleveland
JNO/1me
(4)
OF AN ENDTENMEN FRONT OR ONE FIFTH TO ONE HUNDRED ENDTENTS. THEY WERE REFUSED ASSITANCE BY NATIONAL GUARD PERSONNEL FOR INJURED THAT HOUSE BY STUDENTS.

ONCE AT FORTY SEVEN FIFTEEN HUNDRED STUDENTS IN THE GATHERED IN THE VICINITY OF ROIC TO NATIONAL GUARD BEING ON CAMUS. EIGHTEEN TO TWENTY

PARITY FROM MAIN GROUP, PROCEEDED TO FENCE AND "HEP" AROUND AND CAME BACK. THE HAD NOT HEARD

WORLD TO LEAVE BUT MOST WERE LEAVING AT THIS POINT.

THER HAD BEEN SOME ROCKS THROWN BUT BECAUSE THE WERE VPII BACK FROM THE FRONT LINE THEY DID NOT SEE OR

SUFFERED.

SUDENLY, THERE WERE SOUNDS OF RAPID FIRING AND A BOY "$HHEH" NEAR THEM FELL WOUNDED.

"HEH" NEAR A PARKING LOT, PULLED UNDER A CAR

INJURING HIS HAND.

THE VIDEOS OF INTERVIEWS WILL FOLLOW. P.
Reference is made to my letters dated May 15, 1970, and May 20, 1970, which furnished you copies of reports in question. 

Enclosed is a copy of the report of Special Agent [redacted] dated May 26, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of the enclosed report is being furnished to Honorable John D. Enlication at the White House.

The Deputy Attorney General (Enclosure)
Assistant Attorney General (Enclosure)
Civil Rights Division
Assistant Attorney General (Enclosure)
Armed Division
Assistant Attorney General (Enclosure)
Internal Security Division

[Signature]

16 Jun 2
CV 98-2140

ADMINISTRATIVE

On May 2, 1970, Ohio, telephone (Protect identity), telephonically contacted the Akron Resident Agency and furnished the following information:

wife, whose identity is withheld by personnel is employed at the Ohio, telephone

One of the college campus was a Tom and wife of the Kent State University (KState) student is about 18 years old and is suspected of being affiliated with Students for a Democratic Society (SDS).

On Oct 14, 1970, an inquiry at the United States Post Office, Kent, Ohio, ascertained that the parents of

The following investigation was conducted by

SA

Kent, Ohio:

7c

7d
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__________________________________________________________________________________________
The information set forth on the following FD-302 is being included in the Administrative Section of the report as [redacted] did not want anyone to know he had talked to or assisted the FBI, nor did he want his name included in any report.
Kent, was interviewed concerning his knowledge of the burning of the ROTC building at Kent State University on May 2, 1970, in that it was reported to the Federal Bureau of Investigation by Dr. Robert I. White, President of Kent State University, that he had contacted him and had requested that the FBI get in touch with him concerning this incident. At the time of the interview he advised the interviewing agents that he had not contacted President White and knew nothing about the burning of the ROTC building at Kent State University or any of the other incidents which took place at Kent State University with the exception of what he had read and heard through the news media. He advised he could not understand why the FBI would want to talk to him and that if he learned any information in the future that he would contact the FBI.

He stated he could provide no further information at this time.
FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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XXXXXXXXXXXXXXXXXXXXXXXXX
furnished the following information:

On May 2, 1970, he said at about 8:05 PM, he had gone to the KSU campus, at which time he learned there was a large group of young persons, whom he believed to be mostly KSU students, in the area of the Tri-Towers dormitory complex. He remarked he started walking toward the Tri-Towers area and upon arriving in the area of the construction site of the Eastway Center, he met this group and they returned to the Commons area, which is located near the center of the KSU campus. He estimated the group to be in excess of 1000 persons, and they arrived in the vicinity of the U.S. ROTC building about 8:30 PM. He commented the ROTC building is immediately adjacent to the Commons and is located in the northern portion of the Commons near the KSU Student Union.

Advised that after being on the Commons for about 10 minutes, the persons in this crowd began throwing stones and firecrackers at the ROTC building and one person, who appeared to be one of the leaders, had taken a stick or some other object, and had broken windows in the building. He described this person as being a white male, 20 to 22 years of age, 5'9" to 5'10", 150 pounds, short blond hair, fair complexion, wearing a green field jacket and Army issue boots. He said this individual had also been attempting to set fire to the ROTC building. He commented in one instance he had observed what appeared to be railroad flares thrown at the building. He stated he did not know the above described individual and has not seen him again since May 2, 1970.

Advised there was another person who also appeared to be active with this group of students and described him as a white male, 22 to 23 years of age, 5'9" tall, 125 to 200 pounds, dark black bushy hair, wearing blue jeans, a blue denim-type work shirt and blue tennis shoes. He said he had not observed the second individual set any fires at the ROTC building, but he had appeared to

On 5/7/70 at Kent, Ohio

File Cleveland 83-2140

by SS

Date dictated 5/13/70

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be very active in directing the group. He noted that the majority of persons in the crowd were onlookers and that there was only a very small group, possibly 10 to 20 persons, who were actually attempting to break windows in the ROTC building or set it on fire.

advised he had observed another young white male, who he could not otherwise describe, with what appeared to be a flare, and this person was in the southeast corner of the building. He noted that the individuals who had attempted to set fire to the ROTC building had been trying to do this with matches and had set some of the drapes on fire. He commented that at about this time, the activities of the group attempting to set fire to the building had been interrupted when someone in the crowd had spotted a young man with a camera. The activity then centered on this person and they began to beat him and take his camera and film away from him. He described one of the persons engaged in this activity to be a white male, about 22-23 years of age, 6' tall, 175 pounds, having reddish blond bushy hair, wearing an American flag as a headband and dressed in light blue dungarees and wearing cheap white tennis shoes.

advised the ROTC building was not burning at that time, but he had seen what appeared to be a light inside the building and had asked the person next to him if the building was on fire. This individual had replied that it was not, but that a flare was burning inside the building. It is his opinion that a flare had not started the fire that caused the ROTC building to burn.

stated that very soon after this activity, the Kent Fire Department had arrived and had placed their equipment on the opposite side of the crowd, which was assembled on the Commons.

He said he did not see all of the activity in connection with the firemen, but a portion of the crowd had pulled part of the fire hose out on to the Commons area and the hose had been cut. He said the person he had first described above and two other individuals, who he did not closely observe and could not describe, had charged the firemen, jostled them about, took the fire hose away from them, and then directed it on the firemen. He commented that
it was at about this time that the fire hose was cut by
unknown persons on the Commons. After this, the Kent Fire
Department withdrew from the area. He said he did not know
if any fires or flares had been left burning in the ROTC
building after the Fire Department withdrew.

He advised that following this activity the
crowd then went to a small archery shed located in the
opposite corner of the Commons, where they had broken the
windows in the shed and had set fire to some straw that had
been used for archery targets. He commented the person he
had first described as being active in the area of the ROTC
building had also been actively engaged in burning the small
archery building, and in fact had been successful in kicking
in the east wall of this building. He said during this same
activity, the assembled crowd had bent over a chain link fence
that had been erected alongside the sidewalk in the area of
the tennis courts. He said this had been a very controversial
fence in that the students previously had opposed its creation
and he feels this was the reason for damaging this fence. He
noted that active in the group destroying the small archery
building and damaging the fence was a Negro male, 20 years
of age, 6'1" to 6'2", thin build, medium complexion, who
wears glasses and always wears a black beret. He noted he
has previously observed this individual on the KSU campus,
but does not know his identity and could not furnish any
further information or description.

He advised after the small archery building had
been set alight, the crowd began walking across the campus,
past the dormitories and in the direction of the KSU presi-
dent's residence. The crowd had decided not to continue to
the president's residence and had returned to Terrace Drive
where they followed this street to East Main Street (Ohio State
Route 59) and had then started walking toward the downtown
area of Kent. He commented that at this time the crowd
learned from an unknown source that the Ohio National Guard
was coming and they had moved up onto the KSU campus adjacent
to East Main Street and as the Ohio National Guard had passed,
the crowd had thrown stones at them.

He advised the second individual he had described
above as being active in leading this group had continued attempting to get the crowd to go into downtown Kent, but because of the arrival of the Ohio National Guard, the crowd had decided not to go into the downtown area. He added that this individual had talked with him previously and had been very excited about the fact that their activities would make "national news" and that this individual had hit the Ohio National Guard with stones.

...advised the crowd then had gone across the campus in the direction of the Administration Building and as they arrived in the vicinity of the Student Union, they had been "gassed" with tear gas and the crowd could not go in the direction of the KSU power plant since there was a group of Portage County Deputy Sheriff's in that area. He remarked the crowd had then moved in the opposite direction and had moved around the end of Engleman Hall and back on to the Commons area. It was at this time he first observed flames coming from the ROTC building. He estimated these flames coming from the ROTC building were approximately 15 feet in height and the building had been burning for some time before he had arrived back at the Commons.

...said the crowd had moved across the Commons and several of them sat on the hillside below Taylor Hall and watched the ROTC building burn. He said he had been sitting with the second individual who had been an apparent leader, who he has described above, and while they were together, an unknown white male, about 35 years of age, 5'6" to 5'7" tall, 165 pounds, wearing a black or dark brown leather jacket, white shirt, slacks and low cut street shoes, had been attempting to "work up the students" again. He advised the person with whom he was sitting had told him not to pay any attention to this individual and this same person had said the above-described man was with the "Socialist Party."

...advised the person he had observed at the ROTC building, and later who had been active in setting the small archery building afire, had not been seen in the group after they left the small archery building. He commented he had later seen this person at about 11:00 P.M. that evening when the crowd moved back to the Tri-Towers area and when it was about to break up. He advised he attempted to learn this person's identity and talk with him on that evening, but had been unsuccessful.
advised the only person he has observed since Saturday night among those who were active in the area of the ROTC building was the young white male, who had been wearing the American Flag headband. He commented he had seen this person the following day in the vicinity of the ROTC building and had attempted to get his photograph, but this effort had been unsuccessful.
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Copy to: 1 - USA, Cleveland

Report of: SA   Date: 5-26-70

Office: CLEVELAND, OHIO

Field Office File #: (98-2140)  Bureau File #: 

Title: UNKNOWN SUBJECTS;
Firebombing of Army ROTC Building,
Kent State University (KSU),
Kenton, Ohio, 5/2/70

Character: SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT PROPERTY;
CIVIL RIGHTS ACT OF 1968 -
INTERFERENCE WITH FEDERALLY PROTECTED FACILITY

KSU faculty, advised he was one of the "Marshals" who attempted to "cool down" students during campus disruptions evening of 5-2-70. Observed starting of fire at Army ROTC Building and cutting of fire hoses by unidentified subjects, and expressed desire to assist in identification of these individuals.

Also a KSU faculty Marshal on 5-2-70, stated she could not identify subjects involved and that she is in sympathy with campus movement. 

Within KSU student, present at burning and observed the unidentified subject cut fire hose with large knife, or machete.

Also observed unknown individuals at fire carrying bags filled with rocks and stated that unknown individuals in crowd threw rocks at police officers.

Eyewitness to burning, viewed a photograph of a group in which and another unidentified white male with long hair and a beard were displayed. Stated that he was not person he observed throwing burning rag into ROTC building, as he had indicated during a previous interview. Identified the second bearded white male as the burn. Photo album records reveal the second person
CV 93-2140

identified by [redacted] to be PETER CHARLES BLEIK. BLEIK is described as white male, born 4-11-48. Home address is 312 Northwood Road, Rochester, New York. No criminal record located on BLEIK at Kent, Ohio, Police Department or at Portage County Sheriff's Office, Ravenna, Ohio.

DOUGLAS CHARLES COOK, Cleveland, Ohio, admitted pulling hose away from flames during burning of R O C C Building. He refused to say whether he realized he was hampering efforts of the firefighters.

ANONYMOUS, a C U student, refused to discuss his activities on 5-3-70.

KEVIN H. and MARIANNE FROSTON also refused to be interviewed.

ANONYMOUS, Ohio, furnished signed statement indicating he participated in burning of R O C C building. He maintained he joined a mob on route to R O C C Building in burning of 5-3-70, with the [last name unknown] of [redacted] in Ohio. Mob appeared to be led by three or six persons, whose identities were unknown to him. However, he indicated he believes he could identify these individuals if he observed them again. On route to the R O C C building, the mob stopped at a construction site and leaders instructed everyone to pick up rocks. After arrival at R O C C Building, he observed JERRY ROFF burn an American Flag, admitted throwing two rocks at R O C C Building. He observed [last name unknown] cut fire hoses. Unidentified white male named NICK, tank of nearby motorcycle and handed to unidentified white male and [last name unknown] placed rag into R O C C Building and ignited it, and this individual then broke out window of R O C C building in order to allow more air to get to fire. [last name unknown] also observed JERRY throw two metal milk containers through R O C C windows. Denied starting fire himself or cutting fire hoses.

THOMAS MILLER, also known as Agnus, admitted being present at burning but refused to identify anyone taking part. MILLER told [redacted] that he cut hoses. [last name unknown] told [redacted] that MILLER said he had been 'right in there with the guys who started the fire.' [last name unknown] also furnished information to both [redacted] and [redacted] that [redacted]
was headquarters of revolutionary activity in Kent, Ohio. 

furnished signed statement on 5-20-70, indicating he was not in Kent at time of ROTC burning, but was at home with three other persons. The other three persons verified story. Author indicated he did not know identities of persons involved in burning.

(Last Name Unknown), white female, age about 18, advised two KSU students she had "stolen their pipes and cut their hoses."

Kent, Ohio, advised fled from campus immediately after shooting incident on KSU campus. was identified by as an active revolutionary.

ALFIE EATZ identified by as individual rallying students to their position at time of burning. ALFIE EATZ also identified by as carrying machete. 

advised he could not positively identify burners or hooligan cutters and would not do so even if he could. professed to believe in non-violence at the present, but stated might resort to violence in future if goals not met.

Photographs were made of numerous items taken from residence at 237½ North Water Street, Kent, by Kent Police Department. Included in items was letter from ABBIE HOFFMAN to regarding Hippie organization.

Interviews of students of various KSU faculty members concerning classroom statements urging participation in demonstrations, or violence, are set forth. Several faculty members declined to be interviewed as their information previously furnished to other organizations. Interviews of SDS members and KSU students arrested in SDS demonstration at KSU in 4/69, are set forth.

- 1c -
On 5-19-70, a search warrant for the residence located at 230 East Main Street, Kent, Ohio, was returned to United States Commissioner CLIFFORD E. BRUCE, Cleveland, Ohio. This search warrant was executed on 5-10-70, at the above residence. On 5-26-70, Commissioner BRUCE filed this warrant with Clerk of the U.S. District Court, Cleveland, Ohio.

CAUTION SHOULD BE EXERCISED IN ANY CONTACTS WITH

[INSCRIPTION CROSSED OUT]

TO DETECT.


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I. PHYSICAL SCENE
PHOTOGRAPH DEPICTING ANY ROTC
BUILDING AT KENT STATE UNIVERSITY
PRIOR TO ITS DESTRUCTION ON MAY 2,
1970
On May 23, 1970, furnished one photograph and negative depicting the FBI Building before its burning on May 2, 1970. Advised that the photograph was taken in April, 1970.

On 5-23-70 at Kent, Ohio                      File #: Cleveland 93-2140

by                                      Date dictated 5-27-70

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II. BURNING OF THE RTC BUILDING
II. BURNING OF THE ROTC BUILDING

A. INTERVIEWS WITH KSU STUDENTS
Ohio, advised that on Saturday, May 2, 1970, in the presence of persons when the ROCC class returned in the afternoon from the high velocity rifle range. He observed the class exiting from the bus, and he noted that there were several individuals around the bus attempting to talk to cadets as they departed the bus. It seemed he was too far away from these persons to know their identity or to be able to recognize them again.

In regard to his having called on the morning of May 2, 1970, in Dayton, i.e. in view of the previous night's trouble on campus and in the City of Lima, he realized that the ROCC public program would probably be targets for demonstrations. He felt that a call to [redacted] might serve to cause a change in plans for the ROCC event in order not to provoke demonstrations on May 2, 1970. [Redacted] had no specific information that the class would be the object of any demonstrations nor did he have information that the ROCC building would be burned.

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is issued to your agency. It and its contents are not to be distributed outside your agency.
Kent State University (KST), advised that at approximately 7 PM on the evening of Saturday, May 2, 1970, a great number of people began to gather on the Commons at KST. She stated that these people were there for the purpose of attending a rally which she believed to be a continuation of anti-war rallies that had taken place during the previous week. 

She advised that the individual who handed her the instruction sheet advised her that they wanted a peaceful demonstration, but it was up to you what happens tonight. She believes she could recognize this individual in the future to see him again.

She stated that the crowd, realizing it did not have enough strength, decided to go over to the tri-leaders to get more support. She stated at this point she and her roommate returned to Anglesman Hall.

At approximately 9 PM, the crowd returned to the area of the Commons and began to gather around the MOST Building. She stated that a few individuals when she could not recognize because of the darkness began to throw rocks at the windows of the building and someone opened the windows of the building with此次活动. At this point, she recognized the windows at which time she stated to them to thought they weren't supposed to be doing that. She replied, "well, it looks like that's what they're going to do."

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appeared to be in a daze as his voice was unusually soft. He was standing looking around the area while talking to her and after their brief conversation was observed to be wandering aimlessly around the outside of the crowd. She stated that she observed him with his wife; and later on that evening, she observed him in or around a group of people that were passing around a marijuana cigarette. She stated that it was a marijuana cigarette because it did not look like a regular cigarette, and she overheard individuals in this group saying, "give me some."

She stated after the brief conversation with him, she observed someone whose identity she did not know throw a flare into the ROTC Building, after which time a fire truck came and part of the crowd ran toward the firemen. She then observed water going all over the place and assumes that the hoses had been slashed. She stated that there was a small fire in one corner of the ROTC Building at this time.

The crowd then moved over to the athletic shed when individuals in the crowd began to attack it and attempt to set fire to it. She observed people say, "Let's go to White's house," at which time they left the area heading toward Main Street. At this point, the Ohio National Guard came onto the scene. She advised she followed the crowd to the area of Main Street where she overheard members of the crowd say, "Let's burn ROTC," at which time the crowd started to return to the campus.

Upon returning to the area of the ROTC Building, she and the crowd determined that the ROTC Building was already in flames. She stated she does not know how it got started into such a big blaze, as when she left the area there was only one small fire in one corner of the building.

Later that evening, [Name] who resides in Mowrah Hall and is from South Bend, Ohio, advised that he had thrown rocks at the ROTC Building.

Advised that on Monday, May 4, 1970, she observed some of the initial confrontations between the crowd and members of the Ohio National Guard from the tennis court area of the Commons, but that she did not see the shooting that took place in the vicinity of Taylor Hall and could not
identify any of the active participants of Monday's activities.

The following description and background of was obtained through observation and interview:

Name
Residence
Permanent Address
Home Telephone
Date of Birth
Place of Birth
Social Security #

*advised that her mother, Mrs. of the above permanent address would always knew her present whereabouts.*
1970, he is a first year student at Kent State University, Ohio, and resides on campus in Mc Dowell Hall.

On the evening of May 2, 1970, a student rally had been announced to be held on the campus at 8 p.m. That evening, persons arrived at the Commons area some time after 8:30 p.m., with fellow students. Approximately one to two thousand students were in the Commons at the time which began moving away from the Commons about the time the arrived. He heard no inflammatory speeches urging the burning of the ROTC building or any other college buildings.

The crowd circled around the campus until approximately 9:30 or 10 p.m., when the students returned to the Commons area where observed the ROTC building on fire.

The crowd of students went up to a hill overlooking the Commons area and watched the fire. There were numerous firemen and fire apparatus at the scene. By this time, had become separated from and and was alone.

Later on at perhaps 11 p.m., or after, Ohio National Guard Troops arrived and began firing tear gas to disperse the crowd of students and forced their return to the dormitory area.

Denied any knowledge of which person or which group was responsible for the fire and estimated about 500 to 1,000 Kent State students are hard-core militants who would destroy the system by violent means and said there were many more who are sympathetic to such militants.

stated that he himself is sympathetic but would not participate in violent action too, as an expression of protest.

Can furnish no information on those responsible.

On 5/16/70, File # Philadelphia 93-2592
by SA Date dictated 5/16/70

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for the burning of the ROTC building nor can he furnish the identity of any possible witnesses to the burning.
Ohio, was interviewed at Canton, Ohio, where she is staying with a friend.

She stated that she is a freshman at Kent State University (KSU) and has a KSU address of Room 201, Koons Hall. She advised that she did not witness the burning of the ROTC Building, KSU, on May 2, 1970, or the student confrontation with the Ohio National Guard (ONG) on May 4, 1970.

However, she stated she is pledging the Gamma Phi Beta Sorority on KSU campus and has been given as a pledge sister.

She advised that on May 3, 1970, she knew of a meeting where plans were made by radical KSU students to burn the ROTC Building on the KSU campus. She believed she received this information from a former boyfriend, name unknown, who associates with radical student faction on the KSU campus.

She also furnished her permanent address as Massachusetts.

She also furnished a copy of a signed statement of a KSU student, who told her he had prepared numerous copies of same at the request of KSU Professor ( ).

A copy of that signed statement is attached hereto.

On 5/10/70 at Canton, Ohio

By SA Date dictated 5/20/70

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I am writing this so that people will know exactly what I saw on Monday, May 4, 1970, at Kent State University. If this coincides with the story that has been given by the news media, that's good; if it doesn't, I want to relate another side of the story.

When I went to school on Monday, I took my gas mask. I did not intend to cause trouble. Sunday afternoon, a friend had told me that a rally was planned at 12 noon on the Commons. I also knew that Kent State was under martial law. This would mean that no gatherings would be permitted. Because of this, I felt that the chances of any demonstration being gathered were fairly high. There are two reasons that I was on the Commons: 1) I don't want any part of President Nixon's policy of invading Cambodia, and 2) I wanted to protest the presence of the Ohio National Guard on the Kent State campus. I felt strongly then, as I still do, about why I was there. I feel that the guard should have been off campus (possibly at the new football field) until a time that they were needed.

I arrived at the site of the demonstration at approximately 11:00 A.M. A group of students numbering near 1,500 had gathered near the Victory Bell on the Commons and continued up the hill to Taylor Hall. It looked as if another 3,000 - 5,000 people had assembled on the other side of the Commons behind the National Guard lines. Another 2,000 people were on the northern edge of the Commons near the tennis courts. I can't be sure of the exact number of people, though. It was awfully hard to tell.

At about 12:05 P.M., a jeep pulled out from behind the National Guard lines with two National Guardsmen and a campus policeman in it. They drove within 100 feet of the crowd and started going around
circles. The policeman had a bullhorn and kept repeating the message: "Disperse! Disperse! This is an unlawful gathering! Disperse immediately for your own safety!" We answered with boos, jeers, and chants of "Pigs off campus!" A few people threw rocks at the jeep but none hit the jeep. The warning was repeated three or four times, and then the jeep went back behind the National Guard lines at about 12:10 P.M.

Shortly after the jeep went behind the National Guard lines, they started firing canisters of pepper gas. (I was told that pepper gas differs from tear gas in that it not only irritates the eyes, but also causes minor burns to the skin and causes nausea.) Since I had my gas mask, I ran forward and threw several gas canisters back in the direction of the guardsmen. After I had thrown back four or five canisters of gas, I was winded. I went back about halfway up the hill towards Taylor Hall to get some fresh air. I thought that I was out of range of the gas, but the wind had shifted and blew gas into my face when I took off the gas mask. (The mask was working beautifully, but I couldn't get enough air.) I wandered around blindly for a minute or two until two girls led me into Taylor Hall and rinsed my eyes out. By the time I had recovered enough to know that was happening again, it was near 12:20 P.M.

I was on the balcony at Taylor Hall and, about this time, the National Guard started to advance on the people who were still on the hill. (I couldn't see how many people were still on the hill, but I would estimate at least 200 were still there.) As the guardsmen advanced, a steady barrage of gas continued. By the time I was able to get out of Taylor Hall into the parking lot located between
Prentice Hall on the north, Taylor Hall on the west and the practice football field on the south, the Guardsmen were starting to come between Johnson/Stephan Hall and Taylor Hall and between Taylor Hall and Prentice Hall. There were about 50 men in each group.

The troops near Prentice Hall stopped between the two buildings, the others continued driving people to both sides, but most people were going into the crowd. They took up firing positions, although no shots were fired, and kept up the gas barrage. Many people fell back into another parking lot across the street from Prentice's lot. This is unpaved and there are lots of rocks about the size of golf balls.

I would estimate that between 25 and 30 people were throwing rocks, but most were falling short by 15 to 20 feet. I did see one soldier stagger. I don't know if he was hit with a rock or if he just tripped. I did not see any bricks, bottles, or rocks larger than golf balls being thrown at the soldiers. Most of the people were between Prentice and Prentice about 100 yards from the athletic field. The Guard ran out of gas and started to retreat rapidly but orderly. People started to follow the troops back towards the space between Taylor and Johnson/Stephan Halls.

About this time, I started running around telling people not to follow because it looked like a trap. I thought that they would try to get most of us into the large parking lot, then bring troops in from the rear to trap us. There were at least 200 people on the Prentice Hall parking lot and athletic field with another 150-200 in the unpaved lot and between Prentice and Prentice Halls.
The Guardsmen continued up the small hill to the top and stopped at the concrete wall. They turned and fired into the crowd. The Guardsmen were not being surrounded and were not being pelted with rocks. There was no shot before their volley, and there were no warning shots fired. They were on a hill about 25 feet higher than the level of the parking lot. The shots were fired directly into the crowd. When the firing started, people began dropping to the ground or running and running. I started yelling to people, telling them not to panic and to get down. I was about 200 feet from the Guardsmen and remained standing during the firing. I thought that only blank rounds were being fired, and I thought that until bullets started kicking up dust at my feet.

About four or five seconds elapsed after the shooting stopped before people started to get up. It was then I noticed that very few cars remained in the parking lot and were intact. Then people got up and tried to help the wounded. It seemed like there were dead and wounded all over. One boy was holding a rag over one girl's throat, only there wasn't much of her throat left. Another boy was lying face down in a pool of his own blood. When the ambulances finally arrived and the attendants lifted him onto a stretcher, I could see that half of his face was blasted away. People were screaming for help, but there just weren't enough ambulances. It took about 15 to 20 minutes before all of the dead and wounded were taken away. People were so shocked they were ready to change the Guard regardless of the consequences.

About this time, I just sat down and started crying. I still can't believe that it really happened.
Kent, Ohio, was asked of the identity of the interviewing agents. He voluntarily agreed to furnish the following information to the interviewing agents:

He advised that he had been admitted into the infirmary at 3:00 p.m., on May 1, 1970. He advised that a diagnosis of mononucleosis and strap throat confined him in the infirmary until his release at 3:00 p.m., on May 4, 1970. He advised that because of the above confinement that he had no personal knowledge of the confrontation between National Guardsmen and persons on Kent State Campus. He also advised that he had no personal knowledge of the burning of the ROTC Building.

The following description was obtained through observation and interview:

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
</table>
| Home Address | Kent, Ohio  
| College Address |  
| Social Security Number |  
| Date of Birth | July 23, 1944  
| Place of Birth | Canton, Ohio  
| Selective Service Number |  
| Marital Status | Single  
| Eye | Hazel  
| Hair | Light brown  
| Height | 5'11"  
| Weight | 160 lbs.  
| Father |  
| Mother |  
| Brother |  
| Sister |  

On 5/22/70 at Kent, Ohio  
By  
File #: Cleveland 57-2140  
Date dictated 5/25/70  

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was advised of the identities of the interviewing Agents, and furnished the following voluntary information:

She advised that she was not present at the disturbances that took place in the downtown area of Kent, Ohio, on May 1, 1970.

On Saturday, May 2, 1970, she and her roommates had a spaghetti dinner at a restaurant in Kent, Ohio. This dinner was attended by approximately 20 people. Because there was an 8:00 PM curfew in that city on May 2, 1970, the dinner ended prior to 8:00 PM and most of the people at the dinner left prior to 8:00 PM. She had heard that there was a planned rally on the campus of Kent State University (KSU) known as the Commons for Saturday, May 2, 1970. The purpose of this rally was to protest the war in Vietnam and the movement of United States troops into Cambodia.

After the dinner concluded, she and seven other people drove to the university school parking lot, parked their car and walked to the KSU campus. She and the seven other people who went to the KSU campus all went in one car. They drove to the Commons Area and parked their car there. She entered the Commons Area. She observed a crowd of approximately 500 to 1,000 people gathered on the Commons. She observed the crowd approach the ROTC building on the following occasions: the crowd approached the ROTC building on the first occasion and threw rocks at the building. The third time the crowd approached the building, a flare was thrown at the building and hit the building and bounced off. At this point, she and the other people decided to leave the area and go to the ROTC Administration Building and attend a film festival at the auditorium in the Administration Building. The plans to attend this film festival had previously been planned by the group.

When she and the seven other people arrived at the scene of the ROTC disturbance, the group was with

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separated and did not see anyone she came with except for . Approximately 20 to 30 minutes after and the group arrived at the ROTC building and got separated, she and were located and gave the car keys to and left before the building began to burn. Stated she is unable to identify anyone that was throwing torches or flares at the ROTC Building.

The film festival concluded at approximately 11:45 PM and walked home and when they arrived, all of the people that they had gone with to the campus were already home.

also stated that is his fiancé. is presently traveling around the United States telling people of the events that took place at KSU during the weekend of May 1 through 4, 1970. As a member of a group called Kent State Massacre Witnesses.

is a boyfriend of , a boy of from Canton, Ohio, and is employed at the in Ohio.

The following description was obtained through observation and interview:

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Birth</td>
<td>July 30, 1950</td>
</tr>
<tr>
<td>Place of Birth</td>
<td>Cleveland, Ohio</td>
</tr>
<tr>
<td>Height</td>
<td>5 feet 7 inches</td>
</tr>
<tr>
<td>Weight</td>
<td>160 pounds</td>
</tr>
<tr>
<td>Social Security Number</td>
<td></td>
</tr>
<tr>
<td>Home Address</td>
<td></td>
</tr>
<tr>
<td>Parents</td>
<td></td>
</tr>
<tr>
<td>KSU Address</td>
<td>Kent, Ohio; KSU sophomore</td>
</tr>
</tbody>
</table>
a sophomore at Kent State University (KSU), residence at the Dowd Dormitory, was interviewed concerning the burning of the ROTC Building and the shooting incident at KSU. He was advised of the identities of the interviewers as Special Agents of the FBI and the purpose of the interview. During Saturday, the telephone number stated at approximately 8:00 PM, he went to the rally at the Commons with and the group of people proceeded toward Tri Towers. He passed the ROTC, then down into the town of Kent and then back to the campus passed the ROTC building where some individuals were throwing stones. He said at this time, it was dark and some individuals were also trying to set the building on fire. He saw some flares thrown and he saw reflections of individuals in the dark but he could not identify or recognize any of the persons involved primarily because it was dark and secondary because he was from 1 - 1/2 football fields distance away. Stated that approximately 40 - 45 minutes later the fire was raging and the fire department came and as he thought, had put it out. He was at this time at the top of the hill. He added that he then accompanied the group back downtown only as an observer and saw them break windows and demonstrating. It was at this time that he observed the National Guard and various police stationed throughout the area. Advised that he accompanied the group back to campus where a confrontation occurred with the local police. It was at this time that they were gassed, their position being held at the Student Union Building. At that time, he observed flames coming from the direction of the ROTC Building. The firemen then came and attempted to put out the fire. He did see individuals pulling on hoses but he did not recognize any of them because he was too far away and

On 5/16/70 at , Ohio Cleveland 98-2149

by EAS Date dictated 5/16/70

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it was too dark. He had no idea whether the people involved were students or outsiders. He added, however, while the firemen were attempting to extinguish the flames, approximately 30 individuals were involved in an attempt to take the hoses away from the firemen. At this same time, stones were continuing to be thrown at the ROTC Building.

On Sunday, he advised he spent the day with his girlfriend.

stated that on Monday, May 4, 1970, his first class was in Merrill Hall at 12:05. At that time he proceeded through the Commons, his normal route of travel, where he observed a gigantic crowd of people. At approximately three quarters of the way through the Commons, he had seen the National Guard and the crowd was told to disperse. At that time, tear gas was being thrown with some rocks being thrown by students and tear gas being thrown back to the National Guard. advised that the crowd split into two sections, one went behind Taylor and Johnson Hall and the other group went around by the Women's dormitory. All he can recall was that there was a lot of tear gas being discharged and that the students were returning the tear gas in the area of the National Guard. At this time, he was proceeding up toward the gate over the hill. He said all he could observe was a handful of students throwing stuff at the National Guard, however, he had no idea what it was since he was from 1 - 2 football fields away. He said in that area, there are not many rocks just a few sticks and stones.

He does recall at this time the students were retreating and then he heard some shots being fired at which time he hit the ground. He then observed a student lying in the street, believed to be JEFFREY MILLER. He ran toward him with the intent of assisting. He believes this was over by the parking gate. While he was doing this, he observed what appeared to him, several shots hitting the ground and ricocheting just in front of a group of students, who were helping JEFFREY MILLER. He did not see anyone fire these shots; however, he looked up and observed four or five guardsmen coming near that group. It was at this time that the students there rebuked the National Guard and told them to get out of there because they were trying to help this student who was already dead.
stated at this time, everything was in a chaot__ state; however, he does recall a few professors going around trying to calm things down. He believed it was approximately ten to one that afternoon. This group of students that he was with, then proceeded to sit down on the Commons. When the word was received for the group to break up, he went back to his dormitory and after ascertained that the school was closed or it was rumored that the school was to be closed, he gathered a few clothes together and returned home.

He advised that he felt from what he saw the agitation by the small group of students was not strong enough to provoke the shooting. He reiterated again that he did see people throw things, but feels the group was very small, approximately 7 or 8 people. However, he could not identify any of these individuals and he stated that he did not hear any shots being fired prior to the shooting by the National Guard. He did state that there was constant jeering occurring prior to the shooting but he felt that there was plenty of distance between the guards and the students.

He viewed the following photographs:

COLIN NEUBERGER

He stated that the only individual he saw during the burning incident and the shooting incident was the person
identified as having been in the area during the burning and shooting incidents; however, he does not recognize him as being involved in any activities, that is throwing things, lighting fires or causing any incidents. Further, he added that the names of INBERGER, and are familiar to him only because of the incidents that occurred on campus last year. All the other individuals are unfamiliar to him and he advised, to the best of his knowledge, he did not see them at the fire or shooting. He advised that this is the only information he has concerning the incident and if any other information is developed, he would definitely furnish all that comes his way.
Ohio, advised he is a junior at Kent State University (KSU) and lived in Wright Hall.

On Friday, May 1, 1970, he was not in the downtown area of Kent, Ohio.

On Saturday, May 2, 1970, he observed about 400 to 500 people located in the Commons at about 5:00 PM. Someone rang the Victory Bell and someone proposed that the group go to the Tri Towers to secure more students for the rally. After this, someone suggested someone to propose that the students go to President WHITF's house. This did not materialize.

He advised that he was standing in the area of Taylor Hall when a group went to the vicinity of the ROTC Building. He observed some people throw stones at the Building and believed this group could number about 50. He moved to the middle of the Commons but was still approximately 100 yards from the ROTC Building when he observed flares being thrown at the Building and saw someone ignite a curtain in the ROTC Building. This was approximately 8:30 or 8:45 PM.

He observed fire men arrive and noted that their hoses were severed.

He could not identify any of the individuals responsible for throwing stones or setting fire to the ROTC Building. It was his impression that the fire had terminated and he returned to his room but subsequently observed that the fire was re-ignited.

On May 4, 1970, he did not attend his 9:45 AM class. About 12:00 noon, he was located on the sidewalk in front of Taylor Hall. He observed a number of people on the Commons in the area of the Bell. He could not identify any of the individuals who were speaking at this time.

He observed several men in a jeep request the students to disperse and he did observe what appeared to be a...
croquet or softball thrown at the jeep.

The guard marched toward the students and fired tear gas in their area. Some of the students threw tear gas back at the guards.

He stated he went to the area of the parking lot of Prentice Hall and subsequently to the parking lot near Dunbar Hall. He observed the guardsmen march to the football field and the various people in the area dispersed in several directions. He believed there were approximately 100 people in the parking lot opposite the guard and some of the students were throwing stones about the size of golfballs at the guard.

He observed the guardsmen begin to march back toward Taylor Hall and observed some of the people move in that general direction from the parking lot.

He stated he noticed that some of the guardsmen when they reached the top of Taylor Hall seemed to be kneeling but this might not be exactly accurate and they may have been actually standing. He didn't observe the guardsmen shooting, but he heard what seemed to be repeated shots. He could not identify any of the individuals throwing stones at the guard nor could he identify any of the guardsmen who fired any shots. He observed one person in the road near Taylor Hall, who had been shot at this time.

He stated that he was not acquainted with any of the leaders of the students in connection with any of these incidents and to his knowledge, there was no leadership. He said he could not identify anyone who proposed violence and he had no information as to the identity of any person being on the KSU campus who came from another university or area.

He advised that he knew the four people who had been in custody until the latter part of April as having previously attended KSU but he was not personally acquainted with them and he had no information indicating they were on campus between May 1 and 4, 1970.
A sophomore majoring in Elementary Education at Kent State University (KSU), was informed of the identities of the interviewing agents as well as the fact that she was being interviewed regarding the incident involving the burning of the ROTC Building at KSU on May 2, 1970, and the shooting of four KSU students on May 4, 1970. She furnished the following information:

She resides in Verder Hall at KSU and is a friend of , a KSU student whom is described as being friendly and level-headed. She is going with (Name Unknown), a KSU student who resides off campus.

stated that in the a.m. of May 2, 1970, she came home to her residence in , Ohio, and returned to KSU at approximately 8:00 p.m. on same date. She advised she did not witness the burning of the ROTC Building since she was attending a party at that time. She advised during the shooting of the four students, she and were in Verder Hall but did not witness or hear anything. She advised has said nothing to her regarding either of the above incidents and she does not know what was present at the burning of the ROTC Building. She advised , a KSU student, was told by people the above mentioned that there was going to be a riot or trouble soon. stated that either (Name Unknown) informed her that six other buildings at KSU were going to be burned. She stated that resides off campus in either the Glen Morris Apartments or College Towers Apartments. She advised he is a hippie-type individual whom she believes may be a Student for a Democratic Society (SDS) Weatherman. She stated that her girlfriend, who at one time dated , advised Black United Students (BUS) was planning a march at KSU the weekend of May 2, 1970, but canceled these plans when incidents started, so as not to be affiliated with these incidents.

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advised she has no knowledge of "the project" or the identities of the participants of [Last Name Unknown], her boyfriend. She advised that she is very independent. She does not think she is a member of SDS. Furthermore, she stated that she herself is not a member of any subversive group and does not know any such individuals.

She was exhibited photographs of the above individuals and other individuals possibly involved in the ROTC burning. She advised the only individuals who looked familiar to her are [redacted] and [redacted]. However, she advised she does not recall where she has seen them before.

The following description regarding [redacted] was obtained through observation and interview:

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<thead>
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<th>Race</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>Female</td>
</tr>
<tr>
<td>Date of birth</td>
<td>5-2-50</td>
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<tr>
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</tr>
<tr>
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<td>Complexion</td>
<td>Single</td>
</tr>
<tr>
<td>Marital status</td>
<td>Single</td>
</tr>
</tbody>
</table>
Ohio, was advised of the identities of the interviewing Agents. She voluntarily agreed to furnish the following information to the interviewing Agents:

She advised on May 2, 1970, that she and [redacted] were returning from the Ohio Valley Sociological Society convention in Akron, Ohio. She advised that at approximately 3:00 a.m., upon their return to Kent, demonstrations in downtown Kent were ending. She stated that they proceeded to Wright Hall and went to his room and left her standing in the Wright Hall lounge. While standing in Wright Hall lounge, she observed a young man who came rushing into the building (Party One) and stated to another individual who was getting off the elevator (Party Two), "We did it; we did it; we got the riot started." Party One exclaimed, "Why in the hell didn't you call me?" Party One stated, "Don't worry about tonight, wait until tomorrow night. We're going to burn the ROTC Building." He also exclaimed, "We had better get the stuff and distribute it starting with Tri-Towers first and then hitting the other dorms." Party One stated, "What about the floor...?" By this time Party One saw her and told Party Two, "Shut up. Let's go upstairs." She looked to see that floor they were going to in Wright Hall, but the elevator numbers were not operating.

Further events regarding Saturday night were overheard in Lowry Hall between 10:15 a.m., and 1:45 a.m., on May 4, 1970. She had met her boyfriend, [redacted] outside Lowry Hall and went into the "Lowry Building together," but separated when she had to go to the restroom. Upon returning from the restroom, she met [redacted] standing in front of a Sociology Professor L. [redacted] was reading a newspaper. She asked her if anything was in the newspaper about last night. [redacted] related the following information concerning the burning of the ROTC Building:

[redacted] stated that she was glad they burned the "fucking" building. She was in on it and she also helped to cut the firemen's hoses and helped with the flares.

On 5/16/70 at Ravenna, Ohio  File: Cleveland 92-2140

by SA SA Date dictated 5/17/70

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asked what she cut the hoses with and explained that she used a machete which she got at the secret meeting on Saturday. She advised that most of the kids got them on Friday night. She also advised that she was totally against the war in Cambodia.

stated she did not press for any more information concerning the meeting Saturday night.

then proceeded to question her further about Saturday's happenings. mentioned ganging up on the firemen and pushing the firemen out of the way so they could pull the fire horses off the fire trucks. stated that "that ass, tried to stop us with logical reasoning. We pushed him out of the way and proceeded."

stated she told her boyfriend, what he said and then went back to the lounge where a lot of students were arguing about the previous day's events. advised that and another girl were participating in the above conversation.

At this time entered the room. He stayed for a while and then left. When he left, she followed him. She stated she stopped to talk to a Mrs. (Sociology Instructor). When their conversation was over, she told what she had heard about her being beaten up last night. exclaimed "those stupid asses shoved me around a little bit but that's about all." He stated that the building would not have burned if the police had listened. He stated that he went straight to the police after the students had thrown the first flare. He told them that there was a fire in the ROTC Building. The policeman on duty said he knew nothing about it, and that no one else had called to report a fire in the ROTC Building. He stated he asked the policeman what he was going to do about it and the policeman said nothing. stated the policeman told him he had done his duty by reporting it and that he may leave. He stated he was totally disgusted by the reaction of the policeman so he left, but if they had listened to him, the chances are that the building could have been saved.
advise she returned to Lowry lounge where the conversation concerning Saturday night's events was still being discussed. She advised that she was repeating her story and (LMO) stated that they had been there when the ROTC building was burned. She stated she questioned them as to whether there was going to be a meeting on the Commons at 12:00 and they all said yes. They indicated that they would be at the meeting.

At 11:45 a.m., the Liberty Bell rang summoning the people to the Commons. and she were on the side near the union and heating plant. She could hear the kids shouting, "Come and join us." At this time the National Guard fired tear gas and many of the students picked up the containers and threw them back at the Guard. Shortly thereafter the Liberty Bell had been rung several times. She stated the new National Guard reinforcements came in, lined up, and proceeded up the hill. After about five minutes, she stated she saw the Guard start to come down the hill between Johnson and Taylor Hall, turn suddenly, and simultaneous shoot. She stated she heard no previous sounds except a helicopter overhead which had shot off tear gas in that area shortly before. The Guards on her side shot in the air but she ducked and exclaimed, "My God, they're killing them." Everybody near me laughed. Shortly kids from the other side began drifting to outside saying that four kids were dead and describing the "mysterious" events that had just transpired. Nobody believed them but she stated she did because she had heard gun shots many times before. After about 20 minutes had passed, she found a girl who had been on the hill and she proceeded to relate what had happened after got her coffee and a Vanquish.

stated that she found intriguing was the girl's description of the aftermath. She said that everyone was in shock and started walking down the hill towards the Guards, when somebody in the crowd said to pick up the shells. The girl said that everybody got down on their hands and knees including herself and started picking up shells.
CV 98-2140

stated that she has no personal knowledge of any other activities that happened during the confrontation of National Guardsmen and persons from Kent State Campus on May 4, 1970. She also advised that she could not furnish any additional information concerning the burning of the ROTC building.

Gave the following descriptions of the individuals discussing the demonstrations in Kent on May 1, 1970:

**Party One**

<table>
<thead>
<tr>
<th>Hair</th>
<th>Black brown (mid neck length)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>5'7&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>150-140 lbs.</td>
</tr>
<tr>
<td>Age</td>
<td>19-20</td>
</tr>
<tr>
<td>Build</td>
<td>Slender</td>
</tr>
<tr>
<td>Clothing</td>
<td>Green fatigue jacket, brown slacks, sandals on feet</td>
</tr>
</tbody>
</table>

**Party Two**

<table>
<thead>
<tr>
<th>Hair</th>
<th>Brown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>5'7&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>150 lbs.</td>
</tr>
<tr>
<td>Age</td>
<td>21</td>
</tr>
<tr>
<td>Build</td>
<td>Medium</td>
</tr>
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</table>

The following description of was obtained through interview and observation:

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>Ravenna, Ohio</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>July 10, 1946</td>
</tr>
<tr>
<td>Place of Birth</td>
<td></td>
</tr>
<tr>
<td>Social Security No.</td>
<td></td>
</tr>
</tbody>
</table>
CV 98-2140

5

Height
Weight
Eyes
Hair
Scars or Marks
Occupation

5'2"
90 lbs.
Blue
Red

Student (Kent State University, major social)

The following information was obtained from who was present in residence during an interview of

Name
Address

Date of Birth
May 30, 1929
Place of Birth
Cleveland, Ohio
Social Security No.
Kent, Ohio, was advised of the identity of the interviewing Agents. She voluntarily agreed to furnish the following information to the interviewing Agents:

She stated that she had attended the Sociological Convention in Akron, Ohio, from 6:30 PM until 12:00 AM on May 1 through May 2, 1970.

After returning from the convention, she advised that she returned to her residence and remained there until 2:00 or 3:00 PM on May 2, 1970. She advised that a friend of hers, picked her up and transported her to his residence, where they remained until approximately 6:00 PM, May 2, 1970.

Upon her return from the convention, a spaghetti dinner was being prepared. There were approximately 15 to 20 people in attendance at the spaghetti dinner. The dinner was for her friend of hers, a non-student, and some of the students at Kent State University (KSTU), who were at the same residence. She advised that the following girls are residents of 340 South Davenport Street, Kent, Ohio:

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

They shared a bedroom upstairs directly across the hall. The other bedroom was not used by either of them. She advised that she remained at her residence until 7:30 or 8:00 PM on May 2, 1970. She advised that early Saturday morning she heard that there was a curfew in effect as a result of the demonstrations on Friday. It was also understood that if you were going to the Film Festival on campus, you would be allowed

On -5/16/70 at Kent, Ohio
by -SA

Files: Cleveland-92-2120

Date dictated 5/18/70

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to attend the festival. It was understood that you could use an automobile as the mode of transportation but that you could not walk to your destination.

At approximately 8:00 PM on May 2, 1970, a group of persons at 240 South Beesley Street, decided to attend the Film Festival at University Auditorium, (boyfriend), and two friends of whom she did not know, made up the group who went to the Film Festival. She stated they went to the Film Festival in a light blue 1965 or 1966 Plymouth. They parked in the University School parking lot because they were not allowed to park on campus. Upon parking the automobile, they walked passed Bowman Hall on the way to the Film Festival, at which time they heard yelling and loud noises coming from the vicinity of the Commons. Instead of continuing to the Film Festival, they were diverted to the Commons where they viewed 200 to 500 people gathered in the middle of the Commons. They viewed these people from the southeast corner of Johnson Hall. They also viewed another group of approximately 200 people gathered near the ROTC building. They observed persons throwing flares and breaking windows in the ROTC building; however, the building was not on fire at the time of their arrival at approximately 8:15 PM. Because of the distance from their position to where the students were participating in the burning of the ROTC building, she could not identify any of the individuals.

The firemen arrived on the scene first and then the policemen came and began to throw tear gas. The wind was blowing in their direction; therefore, the tear gas forced her to leave her position at the southeast corner of Johnson Hall. It was at this point that she got separated from the rest of the group. Upon the throwing of tear gas by the police, she panicked and took off in a direction which was opposite from the rest of the group.

She advised she went to Recell Hall and called and told them to come and get her at Recell Hall. Upon their arrival back at Recell Hall, everyone in the group who left with the intentions of attending the Film Festival were back at the house with the exceptions of and who had attended the Film Festival. She advised the in the house for the rest of the evening.
She also advised that she had no personal knowledge of the confrontation between the National Guardsmen and the persons on Kent State University campus.

The following description was obtained through observation and interview:

<table>
<thead>
<tr>
<th>Name</th>
<th>[redacted]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary Address</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>June 9, 1960</td>
</tr>
<tr>
<td>Place of Birth</td>
<td>New York</td>
</tr>
<tr>
<td>Permanent Address</td>
<td>New York</td>
</tr>
<tr>
<td>Height</td>
<td>5'3&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>130 lbs.</td>
</tr>
<tr>
<td>Hair</td>
<td>Brown</td>
</tr>
<tr>
<td>Eyes</td>
<td>Brown</td>
</tr>
<tr>
<td>Social Security Number</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Parents</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Brother</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Sister</td>
<td>[redacted]</td>
</tr>
</tbody>
</table>
Cleveland, Ohio, was interviewed on May 15, 1970, at the Office, Federal Office Building, Cleveland, Ohio. SA advised that he was being questioned regarding his knowledge of the incidents which occurred at Kent State University (KSU), May 1-4, 1970. SA stated that he would fully cooperate and furnish the following information:

SA is 21 years of age and a Junior at Kent State University. He has been a member of the ROTC at KSU for 3 years.

SA stated that he was not on campus May 1, 1970, but returned to KSU at about 5:30 PM, Saturday night, May 2, 1970.

At 6:00 PM, SA accompanied his girl friend and her parents to dinner. He arrived back at KSU at 7:45 PM. SA dropped off his girl friend at the dorm of a friend she was staying with. At approximately 8:10 PM someone set fire to the athletic shack across from the ROTC building. Students from Johnson Hall ran out with fire extinguishers to put it out. About 8:45 PM the victory bell on the Commons sounded. Students converged around the bell. About 300-350 students moved to the ROTC building and said that only about 25 of those actually helped with the burning and agitating. SA first saw a fire in the office and then the whole building burned. He noticed that all of the lights had first been broken out. SA stated that because of the lack of lighting it was impossible to see who did the burning.

SA noted that a group of 7 to 9 people stood off to one side of the crowd looking for flashes and/or strobe lights. Upon seeing either of these they would pounce upon the person taking the pictures and take his film and in some cases, the entire camera. He said a friend of his had his camera taken at about 7:00 PM. He thought he might possibly have gotten another because he was so angered by this group. He described the desk manager in Johnson Hall. He said that he was of

On 5/15/70 at Cleveland, Ohio    File # Cleveland 98-2140

by SA JJE/JKY Date dictated 5/16/70

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Several photographs were displayed for a possible identification. He recognized and said that he had seen him going into the town Friday evening.

On Sunday, May 3, 1970, went back to look over the burned out ROTC building, said that he ran into and CRAIG MORGAN who acted as medics Monday. During the afternoon the bell on the Commons began sounding. Only about 50 people responded to the bell ringing. Watched the National Guard turn out and the arrival of Governor RHODES.

Sunday night said groups of students were gathering all over the Commons area. Reports of snipers brought helicopters with big search lights. He could see them diving onto different groups of students in an effort to disperse them. He watched the helicopters diving and the students running until finally the students moved off towards Tri-Towers. later heard that the helicopters were still at work in the area around Tri-Towers.

On Monday, May 4, 1970, went to a 7:45 AM class in Franklin Hall. The professor let them go early so took a walk around campus. He said he talked with several of the Guard whom he had met the previous 2 days. At 8:30 AM he went over to the ROTC building to work on the burned records. At approximately 9:30 AM he first heard the National Guard launching tear gas. Everyone went outside to see what was happening. The bell was ringing and gas was blowing all around. He noticed running around taking pictures. He watched the Guard move up the hill towards Taylor Hall to disperse the students who had gathered. watched the Guard until they had passed over the crest of the hill. He waited until he could see them again. The Guard came back a few minutes later. saw the Guard turn and look to the side of them. They went into firing position and began firing. Before the M-1s were fired heard one round, a pause, two rounds and then the M-1s opened up. stated that the first 3 rounds were definitely not M-1s. He said that they could possibly have been a .45 caliber but since he was not familiar with the rep of a .45 caliber, he was not sure.

his fellow cadets, and the officers present concurred in their opinion that 27 rounds were fired.
Further stated that he heard confirmed reports of sniper fire coming in over both the National Guard radio and the State Police radio.

said that he helped two National Guardsmen into jeeps to be removed from the area. Both were badly hurt, one being unconscious and the other having what appeared to be a broken arm.

He stayed at KSU until the campus was closed.

The following observations were part of the interview with said that he saw no display of either knives or guns by demonstrators, but he did see various weapons that they did display. These included golf clubs, baseball bats, golf balls with spikes in them, sling shots and ball bearings, and pieces of steel wire (like that used to reinforce concrete) cut into 8 to 12 inch sections.

said he saw "kids" with walkie talkies, home built AM-FM radios and other gadgetry used to monitor the police and Guard wave lengths. He stated that whenever there was a call for reinforcements, the students would disperse. He noted also that the bell seemed to coordinate all of the demonstrators' movements.

As early as Thursday night, lights were being broken out on and around the Commons area. Public telephones were smashed and dorm phones were left off the hook, in what appeared to be a move to cut the campus off from the outside.

stated that he would testify before a Grand Jury. He also gave the names of people who he thought were witnesses to the incidents at KSU. They are the following:
CRAIG MORGAN - KSU student

All of the above mentioned were reportedly on campus and witnessed some, if not all, of the demonstrations, May 1-4, 1970.
number was interviewed at his residence and furnished the following information:

He was in the crowd at the time the ROTC Building was burned at Kent State. However, he did not take part in this burning and although he saw several individuals run up to the building and throw in flares or ignite the curtains he did not recognize any of those individuals as it was nearly dark. He did state the individuals who did this wore red arm bands, and that they would run out of the crowd up to the building and then run back into the crowd.

Indicated he is a member of the Student Senate at Kent and that he does not condone violence such as that which occurred at Kent State.

Indicated he was also in the crowd on the day of the shooting but did not actually observe anything beyond a few students throwing rocks at the National Guard. He did not see the actual shooting but heard the shots as he was nearby.

Was unable to furnish any additional names as to possible witnesses concerning the ROTC burning or the shooting which occurred on the following Monday.
New York, a student in the freshmen class at Kent State University, 19 years of age, was interviewed at her residence and furnished the following information:

She is the president of the dormitory on campus and in which she described as representing approximately 6000 of the 20,000 student body at Kent State University. Concerning the burning of an Army ROTC Building at the University on the evening of May 2, 1970, she stated that on the previous night, Friday, May 1, 1970, she was working in the office with the
they heard that there had been trouble and some type of militant activity in the city of Kent off campus and they went out to attempt to determine what had happened. She and another student that she knew slightly asked if she was a student living in Manchester Hall. She knew to be a militant type individual and described him as a large white male, 200 pounds, wears a beard and usually wears a red band around his head.

She stated that told her that "they" had been in Kent and got rid of Water Street and had fires and the pigs could not handle us and will do a better job tomorrow night. She stated that there were two black men present that she did not know and she did not think the two blacks knew or either because made some comment to them about the blacks ought to join them. She commented that in her opinion the blacks were not responsible for the fire Saturday night because she did not see any of them around at the time and thinks most of them left campus after the Friday night trouble in Kent.

File #  Albany 98-963

5/7/70  New York

Date dictated 5/8/70

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On Saturday morning, May 2, 1970, after breakfast, she was present in a conference with vice-president of the University, NATSON (FMU), at which time discussion was had about an injunction that would give permission to the police to arrest any group of three or more persons. She stated also that a curfew was put out by city officials that day, and therefore, since most of the students would be on campus during the day and night she and the others in her office made several phone calls to get music and bands to help entertain the students on campus that night.

On Saturday night after working in her office all day, she went out with two associates who also work in the office, and lives in Ashland, Ohio. On Saturday evening, May 2, 1970, the three of them saw a flag being burned and then some white male photographer apparently was taking pictures of the flag burning and a group of students beat him up. She recognized one of these students but did not recognize any of the others and commented that she thought many of them were not actually students. The flag burning incident took place near the ROTC barracks and then the students started to break windows in the barracks throwing stones and rocks. She was able to see several students numbering approximately 100 in the vicinity of the ROTC building and then the fire started. She never saw specifically anyone actually start the fire but did recognize in the crowd of students. She stated that there were both male and female students but mostly males.

The firemen came shortly thereafter and the students grabbed the hoses from the firemen and turned the hoses against the firemen and some of the students. Sheriff's Deputies came shortly thereafter and used tear gas to split
the crowd. She recalled that shortly thereafter an archery shed on campus was set fire by some students and she does not know any identities and then some other students tried to put out this fire. She stated she thinks there were some other small fires started that were put out and then the crowd of students started downtown toward the city of Kent. At this point the National Guard stopped them and sent them back to the campus and ordered everybody to immediately get out of sight and into any dormitory they could. Shortly thereafter a grace period of half hour or so was given for all of the students to return to their respective dormitories.

On Sunday morning, May 3, 1970, she went back to her office to work and heard about a rally planned for that evening. The student body that night started marching all over the campus and she estimated the number to be two or three thousand. The National Guard tear gassed them on at least one or two occasions and when the crowd started downtown towards the city of Kent, the Sheriff's Department or Police Department told them to go back to campus and when the students did go back they were tear gassed again by the Guard.

She knew of no more incidents on that night and the following morning, which was Monday, May 4, 1970, classes were resumed and she knew that there were at least a few bomb scares some place on campus. She was leaving Fletcher Hall to go to Malton Hall and recalled seeing some tear gas and flares. She recalled hearing what she thought was firecrackers and then a few seconds later heard noise that sounded to her like a machine gun going off but then later thought it may have been a volley of shots from the Guard, one right after the other and that is why she thought of a machine gun. She could not see the Guard at the time due to her position but when she ran towards her destination she
passed the ambulance and saw one of the deceased female students.

She also advised that during the Spring of 1969, there were three militants arrested during Kent State riots and she had read in the Kent State University paper the previous week that they had just been released from jail and had heard a rumor that the three individuals were seen in the city of Kent on Friday night, May 1, 1970. She stated that she did not know if this last information was accurate as it was here-say.

Revised that she furnished a written statement to the Kent State University Police on Sunday, May 3, 1970, concerning the above information and there was nothing more which she could add to the statement. She stated it was a lengthy statement and she preferred not to write out another one at this time.
Ohio, was interviewed at his place of employment, Cleveland, Ohio.

He identified himself as a Freshman student residing in Johnson Hall, Kent State University (KSU), Kent, Ohio.

He said that on the night of Saturday, May 2, 1970, he observed the burning of the ROTC Building on campus from the roof of Johnson Hall. He stated he saw flares being hurled into the building by some demonstrators and other demonstrators chopping at fire hoses with machetes, however, he was too far away from the scene to be able to identify any of the demonstrators.

On Monday, May 4, 1970, he observed the demonstration on the Commons from Johnson Hall but again was too far from the scene to make any identifications. He observed the shooting by the Ohio National Guardsmen but was too far away to furnish any detailed information.

He recalled that on Sunday evening, May 3, 1970, while walking across campus, he observed some students including one known to him only as a third floor resident of Johnson Hall, remove what appeared to be some soft drink bottles from some bushes. He did not notice if they had been fashioned into molotov cocktails. These students were then lost in the crowd of demonstrators. He added he mentioned this incident to the Kent State University (KSU) police. He stated he did not actually see anyone making gasoline bombs.
II. BURNING OF THE ROTC BUILDING

B. INTERVIEWS WITH KSU FACULTY AND STAFF MEMBERS
A nine-page deposition was prepared and voluntarily furnished to the interviewing agents by [redacted] on May 6, 1970; which deposition contains all the pertinent knowledge which [redacted] had to furnish concerning the burning of the AME building on May 2, 1970. He stated that he had furnished copies to the following people:

[Redacted]

Advised that he did not have any personal knowledge of the confrontation between National Guardsmen and persons on Kent State Campus on May 4, 1970; therefore, he could not make any statement concerning the events which transpired on the Kent State Campus on May 4, 1970.

The following description was obtained through observation and interview:

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<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Kent, Ohio</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Birth</th>
<th>Place of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 23, 1895</td>
<td>Buffalo, New York</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Height</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>5'8&quot;</td>
<td>150 lbs</td>
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</table>

<table>
<thead>
<tr>
<th>Facial Characteristics</th>
<th>Social Security No.</th>
<th>Occupation</th>
<th>Wife</th>
<th>Children</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Sociology Professor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The following handwritten nine-page deposition was furnished by [redacted] and relates the following information:

On 5/17/70 at Kent, Ohio, File #4 Cleveland 93-2140

By 5/21/70

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"Events of May 2, 1970

"On the afternoon of Saturday, May 2, 1970, I was informed by my colleague, [redacted] that he had been asked by the Faculty Senate to request faculty members to act as 'marshalls' that evening on campus to circulate among students on campus to help keep them 'cooled down' so that the events of Friday evening (breaking of windows in downtown Kent) would not be repeated, to explain the effect of the curfew, and of the injunction which prohibited destruction of property and injury to persons. This initial injunction did not prohibit peaceful assembly, demonstration, dissent or movement on campus.

"I arrived at Lowry Hall at approximately 6:50 P.M. for the meeting of faculty marshalls scheduled at 7:00 P.M. At approximately 7:15 P.M., Dr. Glenn Frank called the meeting to order. I counted 59 persons in attendance. We were issued blue armbands, and told what our function was, as I have outlined above. We were also told information sheets would be made available to us, which we were to pass out to students, that we were not to get involved in demonstrations ourselves, and that if we had anything to report, we were to call one of two phone numbers, which were information control centers, so that Dean Newson could make decisions. We were told not to call the University police. We were assigned, in groups of three, to various places on campus. Myself, [redacted] and [redacted] were assigned to Activity Center, a four-storey complex. Prior to going there, we were to report to the Student Activities Center to pick up volunteer student marshalls. We were joined by the male students. [redacted] (I do not recall their last names), and proceeded to Activity Center. I would estimate the time at between 7:45 and 8:00 P.M. There were numerous groups of
"About 20, proceeding in the opposite direction to a rally we understood was scheduled for 3:00 P.M., although no one seemed to know who called that rally. When we arrived at Eastway Center, we informed the persons behind the desk of our presence and purpose. We were then joined by two female student marshalls, whose names are unknown to me. The students indicated they would stay in the building and talk to other students, but I felt it would be best if we walked around the building, occasionally walking through it, and talking to students who requested to know the meaning of the blue arm bands. Student activities seemed quite normal, and and I remarked several times that we would probably be on duty for three of four hours with nothing occurring to warrant our presence.

"At approximately 8:30 - 8:45 P.M., although I am not sure of the time, we and I were walking along the north side of Eastway Center (had left us at Lowry Hall to move his car, and joined us at about this time), we heard and saw a line of marchers approaching Wright Hall of the Tri-Towers complex. They were chanting: 'One, two, three, four, we don't want your fucking war,' and 'No, Ho, Ho Chi Minh, HAV is on the way.' The marchers assembled for perhaps five ten minutes, chanting and throwing fire crackers. A Kent State University Police car was standing with motor running on the north side of the Eastway complex near the intersection where the road runs between Clark and Allyn Halls on the west, and McDowell and Deall Halls on the east. I heard one of the demonstrators shout, 'There's the enemy,' and as they moved across the grassy area between Tri-Towers and Eastway-McDowell-Deall, the police car moved away. Firecrackers were being thrown, and as the marchers approached the Eastway, McDowell-Deall complex, they chanted, 'Join us, join us,' to the students looking down from the dorms. I heard one suggest that the fire alarm bell might be rung in the dorms to get the dorm residents out. The van-
"guard of the line of march, (which I would estimate to number 500-700 persons), seemed to include primarily persons dressed in 'hippie-type' clothing - i.e. bell-bottom trousers, vests, head bands etc. The line of march did seem to swell with students from the dorms joining it.

"The line of march proceeded along the east and south sides of the Eastway complex and moved generally northeast across campus, in the direction of Taylor Hall. I remained myself stayed at the Eastway complex in the vicinity of Manchester Hall for some three to five minutes after the crowd passed. We decided that we would be more useful if we followed the line of march than if we stayed at Eastway, and proceeded in the direction the demonstrators had taken. I remember remarking that they were moving quite rapidly, as they were already out of sight.

As we approached Taylor Hall, we could see that about one-third to one-half of the demonstrators had stopped at Taylor Hall and lined the hills surrounding the Commons to watch, while the remainder were gathered on northeast side of the R.O.T.C. building. I heard shouts of 'stray in the middle' as we approached. The crowd seemed to be milling around, and some of them were walking away from the R.O.T.C. building and back across the Commons.

"As we walked toward the R.O.T.C. building, I suggested to that it might be best if we stationed ourselves between the crowd and the R.O.T.C. building, on the off-duty parking lot which still separated the crowd from the building itself. As we drew closer, I saw a patch of flames about 2 feet x 3 feet burning on the ground about 12 feet from the building. Someone later told me this was a flag burning. One or two of the demonstrators commenced throwing objects through the R.O.T.C. building windows, and I attempted to tell the crowd to move back. I was pushed away from the building by one or two demonstrators, one of whom kept shouting, 'get away from here, pig.' A red railroad flare was thrown into the building, and I ran to report..."
"this to the University Police as I felt my efforts to restrain the crowd were futile. I saw no University Police in evidence at this time. I reported to the desk sergeant that 'they have thrown a railroad flare in the R.O.T.C. building, and will burn it down.' His response was to radio one of his patrol units, to ask if they could see the building burning. Their response was apparently negative, and I told the desk sergeant that if he and I stood there discussing whether or not the building was burning, for ten minutes, it certainly would be. He thanked me for my report, and was making other calls on the radio, so I left and returned to the vicinity of the R.O.T.C. building. The demonstrators were still throwing stones at the windows, and at one point two or three of them rushed the building with a log and threw it through a window, breaking the cross-frame. The first railroad flare apparently did not do the job, and at least two other attempts were made to set the building afire. One demonstrator set the curtains at one of the windows afire. They burned, but did not appear to set the building on fire. Several of the demonstrators then approached two motorcycles on the cinder parking lot, soaked rags in the gasoline from their tanks, and set these aflame in the building. I still did not see any law enforcement officials in the area.

"A fire truck arrived, and the firemen attempted to set up their hoses. One appeared to come from the direction of the Commons, as I saw water squirming up, and I assumed that the hose had been cut. I did see one demonstrator with a sheathed hunting knife on his belt, with an eight to twelve inch blade. One fireman succeeded in getting a hose attached at the hydrant at the northeast corner of the building, and was proceeding to drag it, with water coming from the nozzle, to the southwest corner of the building, where the fire was started. I heard shouts of 'get the hose' from the crowd, and four to six of the demonstrators ran up to the fireman, scuffled with him, and took the hose away from him. They appeared to turn the hose on the fire truck, and then cut it.
"I returned to the KU police station to report that the firemen's efforts had been successfully thwarted. Either just prior to or after this incident, a police car, without siren or flashing light, drove down Portage Drive behind the R.O.T.C. building, so that the building was between it and the crowd.

"Portage County sheriff's deputies arrived and stationed themselves between the crowd and firemen, and were being pelted with stones. At this time I was standing near the union building, and when the sheriff's deputies cleared the area around the fire truck, was separated from the main body of demonstrators, who remained on the Commons.

"I had become separated from during this activity. Reappeared, and we discussed what we had seen. Since he and I felt we were unable to control the crowd, I left campus to return home. I saw the National guard troops coming in at the intersection of S. Water and Summit Street on my way home. I reached home at approximately 9:30 - 9:45 P.M. After thinking the matter over, I decided I still could be of use on campus in talking to and trying to calm the students in the dormitories. I returned to the Eastway complex and Manchester Hall at approximately 10 P.M. and talked to several of the students and the dorm counsellors, who seemed to have the situation under control. As word came that the National Guard was sweeping the campus and intending to keep everyone in the dorms, I returned to my car in the parking lot in back of Eastway Complex, and returned home, not wanting to spend the night there. I did not return to campus until Monday, May 4, at 8:15 A.M. to begin classes."
"It is my opinion that a small group of persons, perhaps 15 to 20, planned to burn the R.O.T.C. building prior to the rally, and were successful in gathering a large crowd around them, some of whom were in sympathy with their actions. I base my opinion on the facts that some had railroad flares with them, I saw one with a hunting knife on his belt (which could be used to cut fire hoses), there was a definite attempt to swell the size of the crowd as the demonstration moved through the dorm complex, and another colleague who was also acting as marshall told me he later found one or two plastic containers filled with flammable liquids on the Commons, as well as a canned flare device, which could be used as an incendiary device.

"Because of the darkness and confusion, I feel I cannot make a positive identification of any of those involved in the attack on the R.O.T.C. building."

"/s/  Assistant Professor of Sociology"
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) [67c 62d] with no segregable material available for release to you.

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☐ The following number is to be used for reference regarding these pages: ____________________________

☐ DELETED PAGE(S)
☐ NO DUPLICATION FEE
☐ FOR THIS PAGE

FD-529 (10-20-78)
Dr. GLEN W. FRANK, Professor of Geology, Kent State University, was recontacted at that location. He was advised that [redacted] and [redacted] were Special Agents of the FBI, and he was advised of the nature and purpose of this investigation.

Dr. FRANK advised he previously had been interviewed by Agents of the FBI, and had given them considerable information at his disposal concerning recent rallies and disturbances at Kent State University (KSU).

Dr. FRANK stated he recalled the identity of a former student in one of his Geology classes during 1968, which student he met in the immediate vicinity of the ROTC Building on the KSU campus shortly before it was burned on the evening of May 2, 1970. He and this former student exchanged greetings on that occasion, but he was merely observing and did not seem to be participating in the demonstration. Dr. FRANK said this former student was [redacted], whose address is believed to be [redacted] in Ohio, telephone number [redacted].

Dr. FRANK viewed photographs of the following persons on this occasion:

1)
2)
3) COLIN NEIBURGER
4) [redacted]
5) [redacted]
6) [redacted]
7) [redacted]

On 5/13/70 at Kent, Ohio
File: Cleveland 98-2140

SAs [redacted]
Date dictated 5/14/70

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8) [Blank]

9) [Blank]

10) **UNKNOWN**, aka (1), a photo of unknown individual in group and with the number "1" in circle above.

Dr. FRANK picked out the photo of the unknown individual with the number "1" in circle as an accurate portrayal of a man observed by him on May 2, 1970, at the ROTC Building while it was burning. He said this man ran up to the ROTC Building on that occasion and then ran back into the crowd of people standing nearby. However, Dr. FRANK said he did not take note of what this man did or what was the purpose of his actions.
FEDERAL BUREAU OF INVESTIGATION

Date 5/19/70

[Redacted text]

Associate Professor of Sociology, Kent State University (KSU), was interviewed in his office in Lowry Hall, Kent State University. At the outset of the interview, [redacted] was advised of the identities of the interviewing agents and of the nature and purpose of the investigation.

[Redacted text] furnished the following account of his activities and observations during the evening of May 2, 1970. Before he furnished his account, he revealed that he was a witness to the burning of the ROTC building on the KSU campus on the night of May 2, 1970. He also revealed that he has given a taped account of his observations concerning this incident to officials of the American Civil Liberties Union, which organization has set up temporary quarters in Kent, Ohio.

[Redacted text] stated that, according to a pre-arranged plan, 25-30 other faculty members met at Lowry Hall at approximately 6:55 PM on May 2, 1970. The purpose of the meeting was to organize the faculty members to act as marshals to patrol the campus and attempt to control student activities to prevent crowds gathering and disorders from starting. [Redacted text] was in charge of this operation. Briefly their instructions were to call the "nerve center" Building or to call the police Department. He also invited to this meeting by [redacted] as among those who attended.

On 5/15/70 of Kent, Ohio

File # Cleveland 28-2140
by SA JJS/clp Date dictated 5/15/70

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the meeting and acted as marshals:

In addition to the faculty marshals, there were some students who had volunteered to act as marshals. [redacted] was unable to identify these students by name. For identification purposes, the marshals were issued light blue armbands by Doctor FRANK. Assignments were given to the marshals to patrol specific geographical areas on the campus.

[redacted], along with Professors [redacted] and [redacted] of the Biology Department, three of four professors and four or five students, whose identities are not known to him, were assigned to patrol the "old campus" area. They began their patrol of this area at approximately 7:30 PM and split themselves into two groups. They continued their patrol of this area until shortly before 9:00 PM. Their patrol included the area around the Library. They observed nothing unusual and there were no groups of students or demonstrators in the area.

Shortly before 9:00 PM he heard the roar of a crowd loud shouting, which seemed to be coming from the direction of the Commons and the University President's houses. [redacted] and his fellow marshals went to the Commons to investigate and he observed groups of students and onlookers also heading in this direction. [redacted] also noted that a mob was gathering in the vicinity of the ROTC Building and he proceeded to that location. He walked
around this building and at the back end he noticed 5 or 6 revolutionary looking young males. He described them as having long, shoulder length hair, red head bands, sleeveless shirts or denim jackets and blue jeans. Most, if not all, were wearing beards. He could not identify any of these individuals.

Two of these individuals appeared to be setting the building afire by throwing lighted objects through a window at this end of the ROTC building. Three or four of the others were gathered at a drum or a gasoline tank attached to what appeared to be either a small tractor or a couple of motorcycles located a short distance from the rear of the ROTC building. These individuals seemed to be trying to get fuel from this tank. He also observed these individuals throwing lighted flares and other flaming articles into this building.

continued walking around the ROTC building to the Commons side. He saw between 10 and 20 Portage County Deputy Sheriffs lined up along side the building at the opposite end from where the above described individuals were setting fire to the building. The students and demonstrators were throwing rocks, stones and other objects at the deputies and at the ROTC building. They were also shouting obscenities at the deputies. The deputies seemed to be occupied fully in protecting themselves from being hit by the thrown missiles and were doing nothing to protect the ROTC building or disperse the crowds. They made no effort to stop the arsonists at the other end of the building from setting the building afire.

vented that at this time the firemen arrived at the ROTC building and parked their trucks at the side of the building opposite that where the deputies were stationed. He also stated that a campus police car was parked at this side of the building but he did not see any police officers. The firemen unloaded their hoses and other equipment from the trucks and proceeded around the building behind the line of deputies to a position near the end of the building which had been set afire. As the firemen began their efforts to put out the fire the students and demonstrators began hurling missiles at them. In addition, he saw some individuals chop at the fire hoses with machetes and axes. They apparently cut through the hoses because the firemen lost water pressure and were helpless to put out the fire.
The deputies ultimately moved in to protect the firemen. Some of the crowd of students began to retreat across the Commons, apparently fearing that the deputies would attack them. They bent a section of cyclone fence over until it was flattened to the ground. A small storage building located at the fence was set afire by the crowd at this time. This storage building was used to store athletic equipment and was located near the tennis courts. It was the opinion that this building was not afire as a "demonstratory tactic" to distract the police and firemen from the burning ROTC building. Professor also pointed out that he did not observe any rifles or riot guns in the possession of the deputies, but he noted that they did use tear gas to disperse the crowds attacking the firemen. Also pointed out that when the equipment building was set afire, some students obtained fire extinguishers from nearby dormitories and tried to put out the fire. Others formed a bucket brigade and passed water basins full of water from the dormitories to the burning building. He heard some of these students express fear that flames from the storage building would set fire to a clump of trees in the vicinity.

went on to say that after the equipment building was burned he saw several students throwing rocks and stones at Taylor Hall, breaking two or three windows. Other students chased these people away to prevent further damage to this building. Then proceeded across the Commons toward the ROTC building, which he observed was still burning. He found a plastic container on the grass near a clump of bushes. He picked up this container, which had a one gallon capacity and observed that it was about 1/3 full. It contained a liquid which he determined to be kerosene or some similar type of fuel oil. He left this container at the spot where he found it. As he neared the ROTC building, he noticed that the firemen had left the area. The ROTC building burst into a roaring fire and the crowds of students cheered.

At this point, the deputies dispersed the crowds around the ROTC building by dispersing tear gas. He went down a long staircase to an area below the ROTC building where he had seen many of the students run. He stood on a landing on this staircase and tried to get the students to disperse.
Many of them were running in the area and some were climbing the stairs. They were shouting obscenities and making derogatory remarks about the police. He observed a group of six to eight long haired individuals, similar to those he had previously seen setting fire to the ROTC building, on a walk near the steps breaking large bricks and pieces of concrete into smaller pieces. They were cursing the police and discussing plans to get back up above and continue the disorder. He could not identify any of these individuals.

At approximately 11:00 PM, he returned to the Commons area where he joined a group that included a Professor of Education at KSU, three other graduate assistants and three student marshals, an graduate assistant in the History Department at KSU. At this time they saw the National Guard assembling near Bowman Hall. Several guardsmen were using bullhorns, pleading with the crowds to disperse. The crowd responded by calling the guardsmen "pigs" and other obscene epithets. The guardsmen lined up in formation shortly thereafter and began to march toward the crowds. The other professors entered the Student Activities Building, remained there a while and finally exited by a side door, went to his car and drove home.

Estimated that he arrived home at 1:30 AM, May 3, 1970.

Advised that he spoke with the course of the night and told him that at approximately 9:00 PM on May 2, 1970, before the ROTC building was set afire it became obvious that this building was a target for destruction by the crowds. He tried to mobilize the faculty and marshals in the area of the ROTC building to try to get them to line up between the ROTC building and the student mob. He was shoved by a student, who said, "Get out of the way, or you'll get hurt". He gave up his efforts to try to control the students and went to the Campus Police Station. He spoke with a Desk Sergeant and told him that the ROTC building was under attack and requested that police assistance be sent to protect the building. Stated that the Desk Sergeant indicated that he was unable to send assistance and gave
the impression that no action would be taken by his department.

He advised that he wanted to make the following observations:

1) The Police and Deputy Sheriffs did not get to the ROTC building as promptly as they should have.

2) They took no positive action to disperse the crowds after their arrival; they stood around dodging the thrown missiles.

3) The Police forces made little or no effort to protect the firemen at the scene of the ROTC Building.

He expressed a willingness to be recontacted and shown photographs of the scenes during the disorders in order to help identify individuals in the photos.
FEDERAL BUREAU OF INVESTIGATION

Date: May 23, 1970

Ohio, furnished the following information:

Incident occurred at Kent State University (KSU). The witness stated she acted as a faculty marshal with one other on May 2, 1970, at the time of the burning of the ROTC Building. She arrived at about 4:00 P.M., was called and asked to be at a meeting at Perry Hall at 7:00 P.M. for the purpose of forming a faculty marshal group. The individuals who were to be faculty marshals, including herself, met at 7:00 P.M. and blue arm bands were passed out to them. She was then sent to the Student Activities Office. She was left without taking a student marshal and walked to the ROTC Commons. There she talked to a number of students. At that time she could not remember seeing anyone she knew by name who was a student at the university either now or later in the evening and could therefore, furnish no names of students who attended the demonstration that evening. When they got to the Commons the crowd was very fluid and amounted as far as she could tell to approximately 500 people.

A short time after they got to the Commons, for no apparent reason, the Commons cleared and the crowd moved toward Tri-Towers Dormitory. She then saw a while later the crowd returning towards the Commons after having picked up some support at that location. The crowd was very hostile and it was obvious that the target was the ROTC Building. She did not at this time or at any time during the evening see anyone she could say was the leader of the mob. She stated in fact that she felt that the crowd had no leadership but the entire course of events was spontaneous. She also stated that as far as she could tell, most of the individuals taking part in the events of the evening were students at KSU.

When the crowd returned to the Commons, they drifted towards the ROTC Building. Some people started throwing rocks and flares at the building. She stated that at no time did she see any of the former KSU members at the ROTC Building.

5-17-70 Kent, Ohio

On

by

Files

Cleveland 93-2140

Date dictated 5-22-10

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She stated that before 9:00 PM, the ROTC Building had been on fire. Initially, a couple of flares were thrown at the building but they did not go inside. The building caught fire when someone set fire to the curtains. She saw the back of the individual and could describe him only as not too long-haired, dark clothing, approximately 5'10", medium slender build. She could not identify this individual again. He appeared to light the curtains on fire by holding up to them a piece of what looked like paper, which he had lit. He reached through the window from the outside to do this.

At this time, [redacted] reported the fire in the building. She saw no unknown policemen on the scene. She had heard during the evening a number of people saying the ROTC Building was the target that evening. She could recall the identity of no other individuals. She stated that she was fully in sympathy with them, feeling that the present government was decadent and should be done away with. The only reason she has not joined the SDS or similar groups is that none of these groups can show her a constructive plan of any sort.

The ROTC Building burned slowly for approximately 20 minutes by the time the fire trucks showed up. Shortly after the fire truck pulled up, she saw a number of students running with the fire hose and taking it from the fire department. Dozens of persons were involved in this activity as well as changing the hose, and she could not see them or identify them. She estimated the crowd at this time as at least 2500 people. She was unable to see the firemen or whether or not the firemen were disturbed that their hose was being taken. Shortly after this, police, when she could not further identify, arrived on the scene and started throwing tear gas. At this time, the crowd moved away. As they went around the end she saw a shed by the tennis courts on the campus set on fire. She had no idea who had done this.

She was walking on the campus when the Ohio National Guard moved in. They walked around towards the center of town but came back to the Commons a short time later. When she returned to the Commons the ROTC building was burning brightly. The Ohio National Guard then moved onto the campus, and the crowd was broken up.

[redacted] advised that at one point in the evening, [redacted] had gotten in front of a group of students and had actually prevented them from going to downtown Kent. She stated that [redacted] had been a leader of the "COC Steering Comm"
last year. She stated that he had been elected to that position because he was the most politically naive individual in the group.
II. BURNING OF THE ROTC BUILDING

C. INTERVIEWS WITH LAW ENFORCEMENT AND FIRE DEPARTMENT OFFICIALS
May 19, 1970

University Police Department, Kent, Ohio, was advised of the identity of the interviewing Agent. He furnished the following voluntary information to FBI Visual Information Specialist and Special Agents while describing the events that took place at the burning of the ROTC Building, KSU:

Advised that at approximately 8:00 PM on May 2, 1970, he activated the uniformed officers in the parking lot located behind Fawd House for the purpose of containing a disturbance in the area of KSU campus known as the Commons.

At approximately 8:40 PM, he led his uniformed unit down Portage Drive onto the Commons and formed a skirmish line on the Commons between the burning ROTC building and the crowd of people assembled on the Commons. He and his men were hit with rocks as they formed the skirmish line, and he saw several people throwing rocks and saw about five people carrying leather bags from which they took rocks and threw at the police. He also saw other student aged people go to the people carrying the bags and get rocks from the bags.

Noted in particular one individual who was carrying a leather bag as he was standing under a street light on the Commons. He described this white male as having long, dark hair; a red headband; light blue shirt; Levis; and wearing boots. He had a leather bag over his left shoulder. He was approximately 5 feet 5 inches to 5 feet 10 inches, 160 pounds, and average build. This person also had a beard.

After the KSU Police formed the skirmish line on the Commons and fired tear gas at the crowd, the crowd moved in an easterly direction on the Commons and knocked down a fence that is located on the northwest side of the Commons.

Advised that he observed the events that took place at the ROTC Building on May 2, 1970.

On 5/13/70 at Kent, Ohio. File: CV 93-2140

by 5/17/70

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The Kent, Ohio, Fire Department that had attempted to fight the fire at the burning ROTC Building had left the campus and prior to the return of the KSU Fire Department, 400 student aged people began marching southwest on Terrace Drive toward Portage Drive. After the crowd on the Commons had moved from the Commons area because of the tear gas, some of the men and formed a skirmish line at Portage Drive and Terrace Drive in an effort to stop the crowd of approximately 400 student aged people from advancing down Terrace Drive. This advancing crowd threw rocks at the KSU Police and the police responded with tear gas, which caused the crowd to disperse.
Fire Department, described what he observed on the night of May 2, 1970, the night he participated in the fighting of a fire at the ROTC building. Kent State University (KSU), Kent, Ohio, to Special Agent and FBI Visual Information Specialist and Special Agent checked his Kent Fire Department radio log and determined the following times of calls concerning the ROTC KSU burning:

<table>
<thead>
<tr>
<th>Time</th>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:49 P.M.</td>
<td>May 2, 1970</td>
<td>Fire alarm received and Kent Fire Department (KFD) Truck #3 dispatched to KSU ROTC building.</td>
</tr>
<tr>
<td>8:53 P.M.</td>
<td>May 2, 1970</td>
<td>KFD Truck #3 at KSU ROTC fire.</td>
</tr>
<tr>
<td>9:23 P.M.</td>
<td>May 2, 1970</td>
<td>KFD Truck #3 departs from KSU ROTC fire</td>
</tr>
<tr>
<td>10:02 P.M.</td>
<td>May 2, 1970</td>
<td>KFD Truck #2 arrives at KSU ROTC fire</td>
</tr>
<tr>
<td>10:03 P.M.</td>
<td>May 2, 1970</td>
<td>KFD Truck #3 arrives again at KSU ROTC fire</td>
</tr>
<tr>
<td>11:52 P.M.</td>
<td>May 2, 1970</td>
<td>KFD Truck #2 returns to KFD Station</td>
</tr>
<tr>
<td>1:00 A.M.</td>
<td>May 3, 1970</td>
<td>KFD Truck #3 returns to KFD station</td>
</tr>
</tbody>
</table>

On the first trip to the KSU ROTC building, Fire Truck #3 entered the KSU campus on Portage Drive and

5/12/70 Kent, Ohio

5/15/70

Cleveland SS-2140

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dropped off Kent fireman at a fire hydrant on Portage Drive and continued down Portage unrolling fire hose and stopped at the west end of the ROTC building.

I observed a student-age person run over from South Hall to the base of the south side of the ROTC building and throw a flare at the base of the ROTC building. I could only describe the person as wearing a light jacket or sweater and dark pants and this person had long hair.
Portage County Sheriff's Office, Ravenna, Ohio, advised that the only persons brought into its jail May 20, 1970, had been one

[Redacted], Ohio. [Redacted] was brought to Ohio being arrested by the Kent State University (KSU) Police Department for malicious mischief. [Redacted] was charged with having broken a window in the ROTC building at KSU, at approximately 2:00 AM, May 2, 1970.

[Redacted] was sentenced to thirty days in jail which he was to start serving May 20, 1970. He was also fined $200.
FEDERAL BUREAU OF INVESTIGATION

5/21/70

On May 2, 1970, [redacted] was on duty at the FSH Police Department when approximately 3 PM he went to the vicinity of the HOIC Building, FSH campus. He situated himself at the southeast corner of the Student Union at the food service entrance. The Student Union is located next to the HOIC building. He was accompanied by [redacted]. The uniform division of the FSH police was stationed in the parking lot at Terrace Drive and Occult Road on the FSH campus.

[Redacted] advised that when he arrived at the vicinity of the HOIC building, he observed 500 to 700 people gathered on the area of the FSH campus known as the Commons. This crowd of people were approximately 150 feet from the HOIC building at the northeast end of the building. [Redacted] heard a voice holler, "Let's burn it before they get here." [Redacted] left the area of the HOIC building for the purpose of reporting what he had heard to the headquarters of the FSH police. On his way to the headquarters, he met the Safety Director, FSH, and advised him of the threat to burn the HOIC building.

[Redacted] returned to his post near the Student Union and observed several stones being thrown at the HOIC building. These stones were directed at the north side of the HOIC building. [Redacted] observed two or three individuals throw rocks at the windows, however, he cannot identify these people because he was too far from their position, and it was starting to get dark.

[Redacted] observed a white male run up to the HOIC building and attempt to start the curtains on fire. The white male reached through the broken glass and tried to start the fire. This person's attempt was not successful.

Then observed an unknown individual,
white male, approximately 6'1"; 180-190 lbs.; wearing a brown 3/4 length Army jacket with long sleeves and brown pants. This person had long brown hair reaching a few inches above the shoulders. This person went to a motorcycle parked in the parking lot adjacent to the KOTC building and took a rag or handkerchief and set it in the gas tank of the motorcycle. This person was accompanied by a second white male, approximately 5'9"; weight - 160-180 lbs., wearing a light-color jacket and having blond hair with an average haircut. After the first white male soaked the handkerchief into the gas tank, the second person accompanied him, and they walked to the northeast corner of the KOTC building, where the first white male believes that the white male, 6'1", held the rag and a second man lit it and walked away while the first man stuck the rag in the window and caught the curtains on fire. After this incident, the building seemed to begin to burn very rapidly. A man stated that because of his distance from the people who started the fire and because it was starting to get dark, he stated he cannot identify the people who started the fire.

He left the scene of the burning and called the fire department. He then returned to the area and watched the fire truck come down Portage Drive to the west end of the KOTC building. As the fire truck came down Portage Drive, about four people from the crowd gathered on the Commons run to the hose on the fire truck and began dragging it out onto the Commons.

A fireman trying to put out the fire with his hose. When he turned his back to the crowd on the Commons, a white male, approximately 5'10"; 160-180 lbs.; chunky build, approached the fireman from behind and grabbed the fireman with a bear hug while a second individual from the crowd pulled the fireman's fire hose away from him and dragged it out onto the Commons.

Another person kneeling on the ground near a fire hose and pounding on the hose with what appeared to him as a rock. It appeared that this person was attempting to cut the fire hose.

Again advised because of his distance from the incidents that he described and because of the darkness of the night, he could not identify any of the people who started the fire or interfered with the fireman.
Fireman, Kent, Ohio, Fire Department, was advised of the identity of the interviewing agent. Mr.  furnished the following voluntary information:

was advised by who lives on in the Kent, Ohio, was at the ROTC Turning at Kent State University, Kent, Ohio, on May 2, 1970.
FEDERAL BUREAU OF INVESTIGATION

KENT STATE
SHOOTING

PART 5 OF 8

FILE NUMBER: 98-46479
REFERENCES

Report of SA 5-21-70, at Cleveland

LEADS

CLEVELAND:

AT CLEVELAND, OHIO

Will continue intensive investigation to identify persons responsible for the burning of the Army ROTC Building at Kent State University, Kent, Ohio.
REPORT OF SPECIAL AGENT
DATED
MAY 26, 1970, AT CLEVELAND,
OHIO, CAPTIONED "BUNS;
FIREBOMBING OF ARMY ROTC
BUILDING, KENT STATE UNIVERSITY
(KSU), KENT, OHIO, MAY 2, 1970"
II. BURNING OF THE ROTC BUILDING

D. INTERVIEWS WITH MEMBERS OF NEWS MEDIA
HAROLD LAWSON SCOBIE furnished the following information:

He resides in Wright Hall, Kent State University, Kent, Ohio, and is a photographer for the Kent State University (KSU) newspaper, "The Kent Stater."

On May 2, 1970, he had just arrived on campus from his parents' residence in Richfield, Ohio, and was walking past the ROTC building on the Commons when he saw that a large group of people was milling around the Commons.

He went to his room in Wright Hall to obtain his camera. After he obtained the camera, he began taking pictures of a large group of people which he estimated at 500 to 1,000 persons, which group was walking toward Tri-Towers on the campus. This group then walked toward the Commons, and he remained in Wright Hall.

At approximately 8:30 PM he looked out his window and saw what he believed to be smoke coming from the area of the Commons near the ROTC building.

SCOBIE left the building and started to proceed toward the ROTC building when he passed someone on the Commons who told him that he should not go near the ROTC building because there were people on the campus and that he might get shot. He did not go near the ROTC building, but instead walked over to a shed located near the tennis courts on the Commons. This shed was burning intensely, and at this time he noticed a lot of people standing around in the trees near the Commons while another group of people had formed a bucket brigade and was attempting to put out the fire in the shed.

Shortly afterwards, he walked behind Engleman Hall between the Education Building and Houlton Hall. At this time he saw a large group of people running towards the Commons shouting that the National Guard was coming. He could see flames coming from the area of the ROTC building on the campus. It appeared that the ROTC building was burning intensely.

5/19/70

Kent, Ohio

File # Cleveland, Ohio 98-2140

Date dictated 5/20/70

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II. BURNING OF THE ROTC BUILDING

E. INTERVIEWS WITH OTHERS
Telephone number [redacted] was interviewed regarding the firing of the ROTC Building and shootings at Kent State University on May 2 and May 4, 1970, and furnished the following information:

[redacted] advised that he is a graduate student majoring in Public Administration. He stated that on Saturday, May 2, 1970, he was answering telephones in the Rumor Control Center which was maintained in the Administration Student Activity Center at Kent State University. [redacted] advised that along with himself was [redacted], a Kent State University undergraduate student; [redacted] a Kent State University graduate assistant; and [redacted] a Kent State University;

[redacted] stated that he answered telephones and furnished information to individuals requesting same and that he kept in touch with events on Saturday by contacting the Administration Building at Extension 2770. He further stated that he had a police radio and he monitored the transmissions of the Kent City and Campus Security Force and through this monitor was able to keep abreast of events.

[redacted] stated that on Saturday he did not actually answer telephone calls but worked in the Rumor Control Center and on Sunday he worked telephones at extensions 2480, 2481, and 2483. [redacted] advised that any rumors received via telephonic communication were logged and names of callers were noted. He stated most of the complaints and rumors came from female callers and primarily most of the calls requested information and did not furnish any information for the Control Center.

On: 5-19-70 at Kent, Ohio File #: CV 93-2140

by: [redacted] MPX:tit Date dictated: 5-20-70

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advised one of the major problems both on Saturday and Sunday was that the center did not have much information and had to call to the Administration Building to keep abreast of campus events.

stated that a group, most of whom were members of the Student Rights Party (SRP) named their own Rumor Control Center in the Student Activity Center and were trying to decrease the effectiveness of his operation. stated that the SRP is a legitimate body on campus, are basically anti-administration, and they occupy the offices of the Student Activity Board and the Major Events Committee offices, both of which are located in the Student Activities Center.

stated any calls that were logged were noted on two or three sheets of manila note paper and copies of these reports could be secured from

further stated that the Rumor Control Center closed at 1:00 AM, May 4, 1970. He stated that the Control Center's operation was effective and that both faculty and students, along with campus residents, called and were most sincere in furnishing or requesting information regarding the events on campus on Saturday and Sunday, May 2 and 3, 1970.
FEDERAL BUREAU OF INVESTIGATION

Date: May 22, 1970

![7d7c]

She furnished the following information:

... advised that she is the mother of .

She stated that he left the Saturday before the he.

She did not know when he was going to come back.

She could furnish no information beyond this regarding his whereabouts.
FEDERAL BUREAU OF INVESTIGATION

May 23, 1970

The father of [redacted] advised that to the best of his knowledge, his son was now on his way to California to try and locate his wife, who moved somewhere in California after [redacted] was incarcerated due to his activities in 1969 at Kent State University.

[Redacted] advised that his son had mentioned that he might possibly go camping with an individual he called [redacted], identity unknown to Mr. [redacted], and that he just wanted to unwind after having spent six months in jail. Mr. [redacted] also made known that he had in his possession a diary of his son's activities and whereabouts during the period May 1 - 4, 1970.

[Redacted] advised that his son told him that he was not in Kent, Ohio, during the activities, because he did not want to be associated with them and definitely did not want to be placed in prison again. [Redacted] advised that he is his son's lawyer and would definitely recommend to his son that he not say anything to the Federal Bureau of Investigation concerning the activities at KSP and destruction of property in the town of Kent on May 1, 1970.

He also advised that when his son contacts him from California, which he is supposed to do, he will advise his son that the Federal Bureau of Investigation would like to talk with him as soon as possible.
Based on information furnished by [redacted] of Ohio, which he
furnished to the Federal Bureau of Investigation, Kentville, Ohio; Special Agents [redacted] and
accompanied by Kent State University (KSU) Police
Department [redacted], went to Kent
State University Johnson Hall dock area and found in a top
right-hand shelf, bearing the name "General Fruit", a broken
Kodak Instamatic film cartridge. It was noted that there
was no film contained in this broken cartridge.

The shelf that the film was located in was
described by [redacted]. Based on May 10, 1970, he gave his
permission and direction to the Federal Bureau of
Investigation to locate the film.
Ohio, advised that she is the
Kent State University (K.S.U), Kent, Ohio. She
was employed in this capacity on May 2 - 4, 1970, and was
in Terrace Hall Saturday evening, when the ROTC Building was
set on fire. She stated that several kids came into the building
after receiving small doses of tear gas and girls were screaming
and people in general were running around and talking about the
disturbances on campus.

She indicated that shortly after hearing that the ROTC
Building had been set on fire, she went out the rear door of the
cafeteria at Terrace Hall and after walking toward the crest of
the hill by the corner of the tennis courts, she could clearly
see the flames from the ROTC Building. She was walking back
towards Terrace Hall when five male students were running up the
hill west of Terrace Hall in the direction of
. She
recognized one of the students as
(last name unascalled),
and the four other individuals with him are associates of his.
They came towards her and upon seeing that she was accompanied
by her husband, they continued running and headed toward the
direction of the ROTC Building fire. They were shouting slogans
and expressions, and were constantly talking about "the pigs".
It appears as though the five of them were going towards the
ROTC Building and probably had not been there that evening before
this time.

These individuals, specifically
have frequently
called in the cafeteria at Terrace Hall, and all of them have
caused small incidents in the cafeteria regarding complaints
about food and opposition to cafeteria policy.

Mentioned above, is known to
and he has recently been made the food and housing
representative of Houlton Hall on campus. He is a white male,
long curly hair, slender build, and is approximately 5' 3"
and is approximately 5' 3"
tall. One of his associates is also a white male, who is at least 6'
tall, slender build, and this person has long blond hair and
wears plain glasses. Advised she could identify these
individuals by photograph, although she has no information to

5-22-70	Kent, Ohio

by

Cleveland 93-2140

On 5-22-70

Date dictated 5-22-70

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indicate that they were involved in the burning of the ROTC building. They were seen running towards that direction at approximately 8:30 to 8:45 PM that evening.
College Towers
Apartment 1800, Kent, Ohio, advised that one [REDACTED] is an occupant of apartment [REDACTED] College Towers. He stated that he had no idea whatever of whether or not [REDACTED] was still at that location.
FEDERAL BUREAU OF INVESTIGATION

[Redacted]

Foods Service at Terrace Hall, Kent State University, was interviewed at Terrace Hall. He recalls the burning of two buildings on campus Saturday, May 2, 1970, and he specifically recalls that, contrary to newspaper articles, the equipment shed near the Commons was set on fire before the ROTC building, and he watched the equipment shed burn from Terrace Hall before the fire started in the ROTC Building.

[Redacted] could not furnish any information regarding individuals responsible for setting fire to the ROTC building, and he indicated that he was not present on campus to see the demonstrators and the shooting which took place on Monday, May 4, 1970.

5-22-70 Kent, Ohio

Cleveland 98-2140

File

[Redacted]

Date dictated 5-22-70

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College Towers Apartments, Kent, Ohio, was advised of the identity of the interviewing Agent and that the interviewing Agent wished to determine if there is anyone living on the fifth floor of the College Towers Apartments from Canton, Ohio. He furnished the following voluntary information:

[Redacted] advised that by checking the rental agreements in the files of the College Towers Apartments he could determine if anyone living on the fifth floor of College Towers Apartments, 1610 Rhodes Road, Kent, Ohio, is from Canton, Ohio. [Redacted] and SA [Redacted] examined the rental records of the College Towers Apartments for all apartments on the fifth floor of the College Towers Apartments. No record could be located indicating that any of the tenants living on the fifth floor of the College Towers Apartments is from Canton, Ohio.

On 5/15/70 - Kent, Ohio

SA [Redacted]

File: 26-2140

5/17/70

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FEDERAL BUREAU OF INVESTIGATION

Date: May 22, 1970

We interviewed a person who resides at that address with [redacted] and was interviewed concerning his knowledge of the incidents which took place at Kent State University campus from May 1, 1970 to May 4, 1970. [Redacted] advised that he was no longer a student at Kent State University and consequently very seldom went to the Kent State University campus.

He advised that the only personal knowledge he had concerning the incidents on the campus was that he went to the campus out of curiosity on the evening of May 2, 1970, after hearing over the radio that the ROTC building had been burned. He advised that by the time he arrived on campus that the ROTC building was burned to the ground and that everyone had departed the area. He also advised that he had passed through the town of Kent to see the damage which was done to the business district but had not stopped.

He stated that he knew no more information but that if he learned something in the future, he would contact the FBI.

On 5/10/70 at [redacted], Ohio File: Cleveland 96-2140

SA [redacted] KE/CE Date dictated 5/22/70

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2 3 0
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

A. PETER CHARLES BLEIK
Ohio, furnished the following false and voluntary statement:

May 25, 1970
Kent, Ohio

I, [], of Kent, Ohio, make this false and voluntary statement to Special Agent [redacted] of the Federal Bureau of Investigation. I am a senior at Kent State University, Kent, Ohio, majoring in speech. I am 21 years of age and was born September 7, 1948, at Cleveland, Ohio.

I have observed a group photograph designated as X-8, which was displayed to me by Special Agent [redacted] and was one photograph in a series of numerous smaller-type photographs. In photograph X-8 is an individual designated as number two, who was wearing dark trousers, dark shirt and has a jacket hanging on his right shoulder. I have previously observed other photographs of this same individual and believe him to be identical to the person I observed on the evening of May 2, 1970, throw a gasoline-soaked rag into the ROTC building located on the Kent State University Campus. This gasoline-soaked rag had been ignited before it was thrown into the building. In observing photograph number X-8, I have observed another individual who was located in the center left quarter of the photograph. This individual is bearded, has a beard and is wearing a shirt opened at the neck, under which appears to be another horizontal striped t-shirt. Special Agent [redacted] has identified this individual as number three on photograph X-8.

The unknown person who has been designated number three in photograph X-8 positively is identical to the person I observed throwing the gasoline-soaked rag into the ROTC building on May 2, 1970.

On May 25, 1970, at Kent, Ohio

[Redacted] by [Redacted]

Date Dictated: 5-27-70

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I have read the above statement consisting of this page and any other. I have initialed these pages and all corrections. This statement is true and correct to the best of my knowledge.

"/s/ [Signature]

Witnesses:

"/s/ [Signature] Special Agent, FBI, Akron, O., 5/25/79
"/s/ [Signature] Special Agent, FBI, Akron, Ohio, 5/25/79
Ohio, viewed photographs taken in the vicinity of Kent State University (KSU), Kent, Ohio, during the period May 1-4, 1970, and made the following identifications and remarks:

<table>
<thead>
<tr>
<th>PHOTOGRAPH</th>
<th>IDENTIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1-1</td>
<td></td>
</tr>
<tr>
<td>A47-2</td>
<td>Individual placing ignited gasoline-soaked rug into KOTC Building, KSU, 5-2-70</td>
</tr>
<tr>
<td>A74-1</td>
<td></td>
</tr>
<tr>
<td>C31-3</td>
<td></td>
</tr>
<tr>
<td>C82-4</td>
<td>Individual placing ignited gasoline-soaked rug into KOTC Building, KSU, 5-2-70</td>
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<tr>
<td>F2-5</td>
<td></td>
</tr>
<tr>
<td>F3-2</td>
<td></td>
</tr>
<tr>
<td>F13-1</td>
<td></td>
</tr>
<tr>
<td>F13-6</td>
<td>&quot;FARCO&quot; KSU student and Negro poet</td>
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<tr>
<td>P43-5</td>
<td></td>
</tr>
<tr>
<td>P45-6</td>
<td></td>
</tr>
<tr>
<td>N60-2</td>
<td>&quot;FARCO&quot; KSU student, Negro poet</td>
</tr>
<tr>
<td>P33-2</td>
<td></td>
</tr>
<tr>
<td>P108-4</td>
<td></td>
</tr>
</tbody>
</table>

On 5-25-70 at Kent, Ohio

Files: Cleveland 93-2140

by  S4

Date dictated 5-27-70

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PHOTOGRAPH

27-3

28-3

Z11-1

IDENTIFICATION

Individual placing ignited gasoline-soaked rag into ROTC Building, KSU, 5-2-70
Ohio, furnished the following free and voluntary statement:

"May 25, 1970
Kent, Ohio

I, Ohio, make this free and voluntary statement to Special Agent [redacted] of the Federal Bureau of Investigation. I am a senior at Kent State University, Kent, Ohio, majoring in speech. I am 21 years of age and was born September 7, 1948, at Cleveland, Ohio.

I have observed a series of photographs displayed to me by Special Agent [redacted], one of which is designated as A-47. In this photograph, located in the right center, is an individual who is braced, and his shirt is hanging from around his waist. This person is designated as number 2 in photograph A-47.

The person bearing designation number 2 in photograph A-47 is identical to the person whom I observed throw a lighted gasoline-soaked rag into the RWC Building located on the Kent State University campus, on May 2, 1970.

I have read the above statement consisting of this one page. I have initialed this page and all corrections. This statement is true and correct to the best of my knowledge.

/s/

Signature:

Special Agent, FBI, Akron, O. 5/25/70
Special Agent FBI Cleveland, O.

On 5/25/70 at Kent, Ohio

Filed Cleveland 93-2140

by [redacted]

Date dictated 5-27-70

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The following investigation was conducted by [Redacted] and SUA, JR., on May 26, 1970.

AT FIRE AND RAVENNA, OHIO

The Records Office, Bowman Hall, Kent State University (KSU), Kent, Ohio, advised that his records reflect that PETER CHARLES BUNK transferred during spring Quarter 1970 to BSC from Monroe Community College, Rochester, New York. BUNK attended Monroe Community College from 1968 to 1970. He is a last quarter sophomore at KSU and had 90 quarter hours transferred from Monroe Community College.

PETER was born April 11, 1948, at Rochester, New York. His campus address is Kenton Hall, KSU. His home address is 34 Highwood Road, Rochester, New York. He has Social Security Number 053-49-4012. His parents are CARRIE A. and CHARLES H. BUNK, 34 Highwood Road. Rochester. BUNK attended Eastridge High School, Rochester, New York, where he graduated in June 1966.

Portage County Sheriff's Office, Ravenna, Ohio, advised that he could locate no record for PETER CHARLES BUNK.

Patrolman, Kent, Ohio, Police Department, advised that he could locate no record in his files for PETER CHARLES BUNK.
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

B. DOUGLAS CHARLES CORNACK
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) b7c b7d with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ____________________________________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):

________________________________________________________________________

________________________________________________________________________

☐ For your information: ______________________________________________________

________________________________________________________________________

☐ The following number is to be used for reference regarding these pages:

__________________________________________
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

F. [Redacted]
Ohio, was advised of the identity of the interviewing agents and furnished the following voluntary signed statement:

"Hudson, Ohio
5/14/70
12:45 P.M.

I, [redacted], furnish the following statement to [redacted] and [redacted], who have identified themselves to me as Special Agents of the Federal Bureau of Investigation.

I am a senior at Kent State University, Kent, Ohio and am 22 years old and reside in [redacted], Ohio. I am presently in residence in Kent, Ohio. I also reside in [redacted], Ohio, also known as College Towers.

On May 8, 1970 (Friday) about 3:30 P.M. I returned to my apartment at College Towers to obtain some clothes because I have been living at my home in [redacted], Ohio because of the recent trouble at Kent State University (KSU). On May 8, 1970 then I was coming down in an elevator in College Towers from the 7th floor, the elevator stopped on the 5th floor, and a white, male, age about 19, height 5'10"-5'11", average build, poor teeth, bad complexion, long light brown straggly hair, reaching half down his neck, got on to the elevator. This person was wearing a long vest type garment and bell bottom jeans.

This man said he had just come from his brother's apartment. He further stated that one of his friends had just got 'busted'. The man told me that 'they' had pictures and films of his brother and friends. 'They' also had picture of his brother leading the demonstration. I do not know what demonstration he was referring to.
"This man and I walked out of the College Towers and he asked me for a ride to Main St. in Kent, Ohio. I told him I would take him there. He further continued his conversation and said he did not live in Kent, Ohio that he lived in Canton, Ohio and he just came up Friday May 1, 1970 to visit his brother in College Towers."

"The man further stated 'they' had questioned his brother and friends but had not caught up with him yet. I believe at this point the man said his brother and his friends were glad he came to Kent because he could be more involved because he was not a student at Kent State University (KSU). The man said his brother was a student at KSU."

"I asked him how he was involved in all of this and he said that he was afraid 'they' had him on film of crawling into a window of the ROTC building on the KSU campus on May 2, 1970. He further stated that his friends and others had started the fire from the outside of the building and since he wasn't from Kent, Ohio he went into the inside of the building to start the fire from the inside."

"I did mention I had a roommate from Canton Ohio and I asked him if he would know her, and he stated he went to McKinley High School and lives in South Canton, Ohio. The man stated he did not know my roommate from Canton, Ohio but asked me to ask her if she knew him and he said his first name was [redacted] and said two of his brother's names, but I cannot recall their names."

"I left him off at the corner of Main St and Rt. 43, downtown Kent, Ohio about 3:40 PM May 6, 1970."

"I have read this statement consisting of this page and two other pages. I have initialed the other two pages and all corrections. I now sign this statement because it is true.

/s/ 5/14/70 [redacted]

Special Agent FBI Cleveland, Ohio 5/14/70
Special Agent FBI Cleveland, Ohio 5/14/70"
The following description was obtained through observation and interview:

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Alias</td>
<td></td>
</tr>
<tr>
<td>Sex</td>
<td>Female</td>
</tr>
<tr>
<td>Race</td>
<td>White</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>February 14, 1948</td>
</tr>
<tr>
<td>Height</td>
<td>5'2&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>105 pounds</td>
</tr>
<tr>
<td>Residence</td>
<td>[Redacted] Ohio</td>
</tr>
<tr>
<td>Telephone</td>
<td></td>
</tr>
<tr>
<td>Occupation</td>
<td>Student</td>
</tr>
<tr>
<td>Employment</td>
<td>Kent State University (senior)</td>
</tr>
<tr>
<td>Marital Status</td>
<td>Single</td>
</tr>
<tr>
<td>Address at KSU</td>
<td>[Redacted] College Towers Apartment Kent, Ohio</td>
</tr>
</tbody>
</table>
Canton, Ohio, voluntarily viewed photographs taken at disturbances on the Kent State University (KSU) campus, Kent, Ohio, from May 1, 1970 through May 4, 1970. These photographs are in the possession of the FBI and viewed these photographs at the Administration Building, KSU campus, and furnished the following statement concerning a person he observed in these photographs:

"May 26, 1970
Kent, Ohio

"I, make the following voluntary statement to who have identified themselves to me as Special Agents of the Federal Bureau of Investigation.

"During the night of May 2, 1970, I was in a large crowd of people on the Kent State University Campus, Kent, Ohio. This group of people numbering about 1000 was marching around the Kent State campus and ended up at the ROTC building on the Kent State Campus. Prior to arriving at the ROTC building the crowd of people walked past a construction site near the Tri-Tower complex on the KSU campus. When the crowd of people walked by the construction site about five to ten people who were in front of the crowd instructed the crowd to stop and pick up rocks and stones.

"I was standing next to a white male, curly black hair, black beard about 5'9" in
height, hulky build wearing an army jacket. This person acted like a leader because he was with the other leaders in front of the crowd. This person said to the crowd something to the effect: "Jims on pick up some rocks. The people in the crowd began picking up rocks. The crowd continued on to the ROTC building. I again saw this same person briefly near the ROTC building. I did not see him throw anything at the ROTC building.

"Today, May 26, 1970 I viewed photographs of disturbances on the KSU campus from May 1, 1970 through May 4, 1970. I identified this person I described above in these pictures which are in the possession of the FBI. I identified this person in picture C-12 standing in the middle of the picture looking to the left of the picture. I identified this person also in picture C-13 standing to the right of the picture bending forward and wiping his right eye. I also identified this person in picture C-14 resting on the ground on his left side looking to the left side of the picture.

"I have read the above statement consisting of this page and one other page. I have initialed the other page and I now sign this statement because it is true.

"/s/ [Signature]

Special Agent FBI Cleveland, Ohio 5/26/70

Special Agent, FBI, Cleveland, Ohio 5/26/70"
was located for interview in Ohio.

He was advised of the official capacity of the interviewing Agents, and he was orally advised of his rights. He read same, however declined to execute a Warning and Waiver of Rights. He was advised he fully understood his Constitutional rights and had no objection to the interview.

He advised he was desirous of furnishing full information regarding his involvement in the burning of the ROTC building on the Kent State University (KSU) campus, Kent, Ohio, May 2, 1970, and indicated he would freely and voluntarily accompany the interviewing Agents to Kent, Ohio, for the purpose of furnishing a signed statement.

He was transported to Kent, Ohio, where the following signed statement was prepared and signed by him at Kent, Ohio:

---

On a date of 5/26/70 at Kent, Ohio

Signed by

Date dictated 5/27/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.
May 26, 1970  
Kent, Ohio

I, [redacted], freely and voluntarily furnish the following statement to [redacted] and [redacted] who have identified themselves to me as Special Agents of the FBI.

I have been orally advised of my rights by Special Agent [redacted] and I have read same; however, I declined to sign a warning and waiver of rights, which constitutional rights I fully understand, but freely and voluntarily furnish the following statement:

[Redacted]

I currently reside with [redacted], Ohio, and I have freely and voluntarily traveled to Kent, Ohio, to make this statement. I understand I am not under arrest and no threats or promises have been made in order that I make this statement.

On May 2, 1970, Saturday, I traveled from Cuyahoga Falls, Ohio, alone to Kent, Ohio, arriving at approximately 1 PM. Upon my arrival, I went to the
residence of

, Kent, Ohio. The previous listed
persons, along with

who is from Akron, Ohio, were at the
residence. At the time I arrived, there were
approximately eight other white males at the house
whose names I do not know; however, I recognized some
of these individuals as residents of Canton, Ohio.

At approximately 6 o'clock, I "dropped three hits"
of LSD at the house, and at approximately
the same time, , who is a white
male who resides at Peninsula, Ohio, arrived at the house.

, a high school student and attends school in or
near Peninsula, Ohio. Shortly after his arrival, he
and I and two unknown friends of white males, also
of Peninsula, Ohio, walked from the house to downtown
Kent, Ohio. However, we returned to the house after a
short period of time, which was approximately 7 o'clock,
in order that we could drive to the Kent State University
campus. 27J
and I and his four friends drove out to the Tri-Towers in his 1970 green Maverick. At about 7:55 PM, a group of approximately 300 to 500 individuals came to the Tri-Towers where and I joined them enroute in a group to the ROTC building, Kent State campus. The group appeared to be led by five or six white males who seemed to know right where they were going. These individuals were all white males with long hair between the ages of 19 and 23, names unknown, however, all had been seen by me in the Kent area prior to this date, and I feel certain I can identify all of them should I see them again. The group stopped at a construction site, and this stopping appeared to be pre-planned by the leaders; and at this time, these leaders instructed all of us to pick up rocks. I picked up four rocks, and as the group then proceeded toward the ROTC building I gave two of them away.

At approximately 8:15 PM, the entire group arrived at the ROTC building, and I observed a small group in the driveway with Jerry Rupe holding an American flag on a stick over his head. The flag was thrown on the ground, and Jerry set fire to it; and at approximately
this same time, someone in the background threw a rock into a window of the ROTC building. I do not know who threw the first rock, however, I do recall the organizers or leaders saying at this point, "something had to be done or the riot would die," and I feel when they made this statement they meant the ROTC building would have to be burned. I noted at this time a photographer who was attempting to take pictures and he was physically assaulted by Jerry Rupe and approximately 20 other individuals, and this photographer's film and camera were taken from him and destroyed.

I had noted in the crowd his girlfriend from the house. At approximately the same time, an unknown white male walked up to the side of the ROTC building; lit a flare and dropped same into the building through a broken window. I threw two rocks, the first of which went over the ROTC building, and the other went through a window. At this time, the flare which was thrown into the window glowed and the police officers and firemen arrived on the scene. The officers and the firemen got stoned as they were taking out their hoses; and at this point,
I and many others pulled on the hoses and stretched them out, and unknown individuals cut the hoses with knives they were carrying. I did observe cutting the fire hose with a knife he had strapped in a sheath to his leg.

I did not have a knife and did not cut any of the fire hoses myself.

I was standing by two parked motorcycles on the driveway on the Commons side of the ROTC building following the cutting of the hose, and a white male dipped rags in the gas tank of one of the motorcycles; kept one rag and handed me the other; however, I did not keep it but merely passed it on to an individual I could identify if I saw him again, and he and the "dipper" took the rags; lit them; and dropped them in the corner window of the ROTC building. I would describe the individual who dipped the rags into the gasoline tank as a white male; 5'11"; 165 lbs.; blond, long hair, curly; having a mustache and short blond goatee; age approximately 20; wearing Army field jacket with red fist on the back; black Levi's; black greasy "biker's" boots. I felt this individual was one of the leaders, and I can identify him should I see him again. I would describe the individual who I handed
the gasoline rag to as a white male; age 19; 5'10"; reddish-brown hair, almost shoulder length; no beard or mustache; 145 lbs.; slender build; wearing cream-colored windbreaker jacket and striped bell-bottom trousers. I also noted approximately ten other individuals around the motorcycles at the time the rags were dipped in the gasoline, and it is possible that some of these individuals might have also dipped rags into the gas tanks of the motorcycles; however, I did not personally observe anyone else dipping rags into the gasoline.

I ran to the other side of the ROTC building; noted policemen coming my way; ran back; and at this time, the individual I had handed the gasoline rag to was standing at the window after having dropped same into the building. I ran down the side of the building and noted police officers coming my way. I turned around and ran back to the end of the building, and at a window on the end of the building where no rags had been dropped I and the individual who I had handed the gasoline rag to tore the screen from the window and broke out the window with our bare fists as we felt the fire needed air. The individual with me tore down the drapes by reaching through the
window and threw them on the floor where the room was burning. This individual and I stood at the window and watched a telephone burning on the desk. I have observed a map of the Kent State University campus; noted the fire was started by dropping gasoline rags in a window on the northeast side near the east corner, and the window we broke out was on the southeast end near the east corner.

I did observe Jerry Rupe throw two milk containers, metal, through the ROTC building windows, and the other unknown individuals throw a metal trash barrel through the window.

At this time, the entire group moved away from the ROTC building toward the archery shed, and I would estimate that this was approximately 9 to 9:15. I did not enter the ROTC building during this period of time, and I did not observe any other individual inside the building. At the archery shed, I observed same being torn down and set afire and the same group of people who appeared to be the leaders set this shed on fire.

I and the rest of the group, which would have been approximately 500, moved from the Commons area toward Main Street, and I noted Jerry Rupe still in the
crowd, and the group moved along smashing windows with rocks and other items. At this time, I heard shouts, "The Guard is coming," and the group moved back toward the ROTC building; and upon my arrival with the group, I noted the ROTC building was engulfed in flames.

I returned to the Tri-Towers Dormitory, and it was approximately 11 PM, and I stayed there until [redacted] who had been at the Tri-Towers with me. At the time we arrived, [redacted] and his girlfriend [redacted] were at the house, and I was told [redacted] and his friends had already left town. I know [redacted] to have formerly been a student, art major, at Akron University; and Jerry Rupe, formerly lived in Miami, Florida, and none of the group, including myself, who I know, are now students at Kent State University.
We have read this statement consisting of this page and certify it is true and correct. We have initialed each page top to bottom and all corrections.

5/22/20

Witness by:

[Signature]

[Signature]
In addition, furnished the following information with regard to his activities at Kent, Ohio, as a means of further identifying individuals with whom he had contact, and information regarding Kent, Ohio.

He stated he travelled to Kent, Ohio, on the afternoon of May 2, 1970, with an unknown individual driving a late model vehicle with New York license plates; and this individual advised that the ROTC building at KSU was going to be burned. This individual indicated he was a student at KSU and could provide no descriptive information other than this individual was a white male.

He stated from Peninsula, Ohio, could be identified by contacting and also high school students at Peninsula, Ohio.

He also advised that at the time of the rioting, he received information from an unknown white female from a communication center called "Student Defense," located in Room 559 of College Towers. He stated this center was for the purpose of providing free legal counsel and assistance to any individual arrested in connection with the Kent disturbances.

He further advised that on the night of May 2, 1970, he heard and JERRY RUPE bragging that they had rung the bell in the Commons prior to the group marching to the Tri-Towers dorm at approximately 6:00 PM and they stated they had shouted "Let's go to Tri-Towers."

freely and voluntarily gave verbal permission for his photograph to be taken and same was accomplished at this time.

The following descriptive information was obtained from through observation and interview:

Name:
Age:
Race:
Sex:
Date of Birth:
Place of Birth:
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

G. THOMAS D. MILLER
was advised of
the identities of the interviewing agents. He voluntarily
agreed to furnish the following information to the inter-
viewing agents:

He advised that ALFIE, of Apartment 102,
Dubetz Apartments, 134 West Summit; JIM COSCO, Apartment
204, Dubetz Apartments, 203 Cincin, Apartment 204, Dubetz
Apartments, 203 Cincin (Last Name Unknown), roomate of TON
GIBO, Apartment 204, had advised her that they smoked "pot".
She also advised that the above individuals had made statements
to her to the effect that they were against the United States
Government. She also advised that she considered these
individuals as radicals.

She advised that these individuals had made
several statements to her concerning the use of dope and
"pot", but she stated that she had not been in their presence
when using any type of drug or any type of dope or "pot".
was advised of the identities of the interviewing agents. Voluntarily agreed to furnish the following information to the interviewing agents:

Advised that [redacted] of 134 West Summit Street, used "pot" and would be considered radicals. She also advised that she had never been in their presence when they were using "pot". She advised that [redacted] was a weird acting individual but that she would consider him as a non-violent individual. She also advised that the individuals living at the above address were against the Establishment.
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

H.
Ohio, voluntarily appeared at the Kent State University (KSU) Administration Building at approximately 9:00 A.M. and requested to speak to Special Agents of the FBI regarding his knowledge of the incidents which took place on the KSU campus on Saturday, May 2, 1970.

He advised that he had just returned to Kent from Santa Barbara, California at 2:00 A.M. and several of his friends had indicated that the FBI was attempting to locate him for interview.

At the outset of the interview, he presented a Rights and Waiver of Rights form, which he read, stated he understood, and signed. He indicated he was fully agreeable to being interviewed by the FBI and in giving an account of his activities on May 2, 1970.

He advised he is a freshman at KSU and is majoring in English with the intention of becoming a writer.

Regarding his activities on May 2, 1970, he furnished the following signed statement:

"Kent, Ohio
May 20, 1970

I have voluntarily appeared at the Kent State University Administration Building to be interviewed by Special Agents of the Federal Bureau of Investigation because I understand that the Federal Bureau of Investigation has made inquiries to locate me. At the outset of the interview I was presented a Rights and Waiver of Rights form which I read, fully understood, and signed. I furnish the following signed statement, being aware that I am not under arrest and I do it freely and voluntarily without coercion."
I am aware of the identities of the Special Agents of the FBI. I am 22 years of age and am a sophomore at Kent State University.

On Friday, May 1, 1970 I went to Akron, Ohio to see the movie 'All the Loving Couples.' I went with [last name unknown], and [last name unknown], and we drove in their model Ford Torino.

We returned after the movie to [redacted] house where I stayed over night. The two girls went home.

Saturday morning I got up at around noon and called [redacted] from [redacted] house. After that, I went home to the apartment I rent, 421 N. Water St., #6.

Shortly after arriving there I went for a walk toward the Police Department as I was interested in finding out what was happening in town that day. I returned home after a short walk.

At approximately 3 or 4 P.M. [redacted] called me at my apartment and we made arrangements to go to Chippewa Lake in the Barberton, Ohio area that evening. I was to pick her up at her house at seven or eight o'clock.

After I talked to [redacted] called me to see if I wanted to go out that evening and I told him I already had plans.

I left my apartment at about 6:30 P.M. and went to get a hamburger at the BBQ restaurant on So. Water St. in Kent, O. I had something to eat inside that restaurant and proceeded in my 1955 Cadillac to Peggy's house on 19th St. SW, Akron, Ohio.
"A [redacted] house I watched TV for about 1 hour and recall watching the show 'Teacher, Teacher' for a while. [redacted] brother and two friends were there also.

"We left [redacted] house in her car, leaving my car at her house, and went to [redacted] house at [redacted], in Dayton, Oh. Her last name is [redacted] We waited for [redacted] to get ready and then the three of us went to Portage Lakes to meet a friend of [redacted]. I don't know this young man's name. We waited for him a while as he had to clean up, and while we were at his house we had several beers.

"All of us went to Chippawa Lake and Amusement Park with [redacted] driving her car and we first went to watch the band that was playing there. After watching the band, we went on a few rides in the park, with the 'snake' ride being last. The operator had to open the ride up for us as he had already closed down.

"We returned to the above mentioned young man's house, and all stayed there until approximately 6:30 AM. [redacted] and I returned about that time to Akron, Ohio. We dropped [redacted] off at her house and went to [redacted] house. There I picked up my car and came back to my apartment.

"I believe my roommate was at the apartment with his girl when I returned. I briefly spoke with them and then went to sleep. I stayed there until that afternoon around 4 PM when I saw [redacted] by the Dog House Restaurant.

"I believe that was the first time I had heard about the burning of the ROTC building on Kent State University campus on the evening of 5/2/70. [redacted] told me that when I talked to her.

"I was not on Kent State University campus on Saturday 5/2/70 and I was not present when the ROTC building was set on fire. I took no
part in the burning of that building and do not know who set the building on fire.

"I have read the above statement consisting of this and four (4) other pages; and it is true and correct to the best of my knowledge. I have initialed each correction, and the beginning and end of each page.

"signed: [Redacted]

"Witness: [Redacted], FBI 5/20/70 Kent, Ohio
[Redacted], FBI, 5/20/70 Kent, Ohio
[Redacted], FBI, 5/20/70 Kent, Ohio"
FEDERAL BUREAU OF INVESTIGATION

Date May 23, 1970

[Redacted]

furnished the following information:

[Redacted] advised that the last time she had seen or talked to one [redacted], whom she described as being tall with a beard and strawberry blond hair, very long, was when she and [redacted] and [redacted] went to Chippewa Lake Amusement Park near Lima, Ohio. At that time, [redacted] had been wearing a tan suit and tie and a striped top of some color. [redacted] drove his car to [redacted] house. [redacted] and [redacted] then came to pick up [redacted] at her house. When they arrived, it was sometime between 8:00 and 9:00 p.m. The three of them then went to the house at Portage Lakes. All four of them then went in a car to Chippewa Lake. While they were there, they saw the last part of a group called the Ohio Express playing music for "The Appreciation Day", which was an event staged by a local Akron radio station. They then had something to eat and took a few rides. The only ride she could name was the "Snake". They left the amusement park at 12:00 p.m.

From the amusement park all four persons went to [redacted] house where all four fell asleep. They left the house in the early morning of May 3, 1970. They drove to [redacted] house where [redacted] picked up his car and drove her home. She has not been seen or spoken to since that time.

She advised that she had known [redacted] for approximately one month, having met him at J. B.'s bar in Kent.

On 5/17/70 at Kent, Ohio ____________________________

File, Cleveland 98-2140

[Redacted]

by [redacted]

KDB[redacted]tj dicted 5/19/70

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was interviewed concerning his son and his present whereabouts. He advised that his son had traveled to New York with a good friend of his to visit another close friend who resides somewhere in New York. He advised that his son owns a 1968 Ford Torino, yellow in color, license unknown. [Redacted] advised that his son was previously with the U.S. Army and was stationed at Cape Charles, Virginia and also Fort Meade, Maryland with an Army radar unit. He advised that [Redacted] was discharged from the Army with 100% disability due to a nervous condition and he is presently under heavy medication for this condition.

He stated that [Redacted] lives with two other young men at [Redacted], Ohio, but he could not provide the names of the two individuals.

[Redacted] advised that his son telephonically contacted him from New York and stated that [Redacted], who thought had accompanied his son to New York did not actually travel to the New York area with him but was dropped off along the Pennsylvania Turnpike, exact location unknown, in order to pick up his car which broke down while [Redacted] was returning to the Kent, Ohio area on May 10, 1970, following his involvement in the rallies held at Washington, D.C., on May 9, 1970.

[Redacted] also advised that his son was not on campus on Monday, May 4, 1970, as his grandfather had been critically ill and he spent the day with the family awaiting the outcome of his grandfather's condition. [Redacted] also stated that [Redacted] had informed him that he did not want to come to the Kent State University Campus as there was trouble there and he did not care to get involved in violence of any type.

[Redacted] provided three photographs of his son and described him as a white male, 6'2", 175 pounds, light brown hair, blue eyes, date of birth 11/16/45.

5-16-70 Ohio

Cleveland 89-2149

5-17-70

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November 16, 1945, Social Security Account Number, Army Service Number, duration of service August, 1965 to August, 1968.
advised he was not on Kent State campus during the weekend of May 2-4, 1970. He stated he was in Akron, Ohio; first, at the City Hospital where his grandfather, died and later at the wake at the Kucko Funeral Parlor at Waterloo Street, Akron.

advised he has no information concerning anyone who might have set the fire at the Reserve Officers Training Corps (ROTC) building and has no information concerning any organizers or instigators who incited people to damage the ROTC building. He has no information concerning any statements made by any leaders urging abolition of the ROTC. He stated he has seen no leaflets or other literature on campus or off urging abolition of ROTC. He further advised he had no knowledge of any Students for a Democratic Society (SDS) or New Left leaders involved in the burning or of any local groups who might have burned the ROTC building.

Advised he is a friend of and last saw him on May 11, 1970 when he dropped off at a highway where stated he was going to hitchhike to California. He has no information concerning current whereabouts but stated he believes he will return to Kent State in the near future.

stated he was returning to Kent State on May 18, 1970 in his 1968 Ford Torino, Ohio license. He advised that he could be located through his parents who reside at Ohio.
was questioned concerning his knowledge of the incidents which took place on the Kent State University campus from May 1, 1970, to May 4, 1970. He advised that he was very much against violence of any type and, therefore, had pretty much stayed away from the activities at Kent State University. He stated that on Saturday, May 2, 1970, he had gone into the town of Kent to see the extent of the damage done on the evening of May 1, 1970, in the Kent business district. He stated that his grandfather was critically ill and in the hospital, which was another reason why he stayed away from the Kent State University campus and that he spent a great deal of time at the hospital. He advised that his mother, father and sisters could verify his presence at the hospital or at their residence during the activities at Kent State University.

He stated that he did not see or spend any time with [blacked out] over the weekend of May 1-3, 1970, but that he did see [blacked out] during the day on May 4, 1970, when [blacked out] approached him concerning the possibility of some of the Kent State University students staying at [blacked out] home until they could find some way of getting to their own horses after being told to leave the campus. [blacked out] advised that his meeting with [blacked out] along the highway and that he [blacked out] did not go near the campus on May 4, 1970.

[blacked out] advised that [blacked out] and [blacked out] stayed with him from May 11, 1970, to May 13, 1970, at which time [blacked out] drove [blacked out] to the intersection of Route 18 and Interstate 71, where [blacked out] had intended to start hitchhiking to Santa Barbara, California to visit one of his friends. [blacked out] also drove [blacked out] to the Cleveland-Hopkins Airport after dropping off [blacked out] where [blacked out] was catching a flight to her residence in New York. [blacked out] then drove to New York where he spent several days at Pace College. He advised that he has not seen [blacked out] since dropping him off at Route 18 and Interstate 71, but in the event that [blacked out] recontacts.

To 5/19/70 Ohio File, Cleveland 43-2140
SA [blacked out] EK/CJ
by SA Date dictated 5/22/70

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him in the near future he will contact the FBI and also advise .

Also advised that during stay with him, he mentioned that he had been on the Kent State University campus on Saturday, May 2, 1970, but had not stated whether it was during the day or night. Advised he could provide no further information at this time.
was interviewed concerning his whereabouts and activities on Saturday, May 2, 1970. He advised that he was working as an at
Saturday, May 2, 1970, and then had made arrangements to attend Radio Station WIKI Appreciation Day which was held at Chippewa Lake, Ohio, which is an amusement park. He stated that he was accompanied to the park by three of his friends, He stated that he was picked up at his residence by who arrived at his home at approximately 7:00 PM, but that he had just gotten home from work and needed to shower and clean up in order to go to the amusement park.

He stated that upon his getting prepared to go out, he proceeded to the home of and then drove to Chippewa Lake, arriving at the lake at approximately 10:15 PM.

He stated the four of them entered the park and then proceeded to the pavilion where several dance bands were performing, the names of which were unknown to him. He advised they then proceeded to take rides on several of the amusement, some of which were the Twist-A-Whirl and the Snake. He stated they then proceeded to the concession stand, had something to eat and left the park around 12:00 midnight.

He then advised they stopped at his home and listened to records which had previously brought to his residence. He advised they listened to records for several hours and then to the best of his knowledge, the four individuals fell asleep in his car and woke up at approximately 5:00 AM on May 3, 1970, at which time He advised the other two individuals to her home. He stated that to his understanding he had driven his car to the residence of on May 2, at which time he then drove home and herself to her home.
was asked if he could remember the clothing which he wore when attending the amusement park, at which time he advised that he was wearing a pair of suede trousers which he had designed and made himself and was also wearing what he believed was a blue and white striped shirt. He stated that the only reason he remembered the trousers was because he likes these particular trousers and was thinking about getting a pair of that type himself.
Ohio, was interviewed concerning his giving a ride to an residence at Cuyahoga Falls, Ohio, during the time he was under surveillance by agents of the FBI on May 10, 1970. He advised that he was traveling on Bath Road, Cuyahoga Falls, Ohio, when he saw when he immediately recognized due to the fact that he had him as a student all through high school and at which time was an editor of the school paper. He advised that he was afraid that due to the demonstrations in the area and due to appearance, extremely long hair and full beard, that he was afraid that someone might possibly come along the highway and attempt to assault. He advised that he then proceeded to turn around and proceeded to location and picked him up and drove him home. He stated that had told him that he was in Washington, D.C. at the rally and also stated when asked about the Kent State University incident that he definitely was against the individuals who had gotten involved in violence as they were like the "ass holes" who supported JERRY RUBIN.

He did not mention anything to about his leaving the area the following day for California. He advised that had some of the radical ideas in high school but he also against violence and felt extremely strong about the civil rights of an individual. He advised he could not furnish any further information regarding.
CONCERNING HIS SON who may possibly have some information concerning the burning of the ROTC Building, on Saturday, May 2, 1970. He advised that his son was last seen by him on May 10, 1970 at which time he visited his parents and discussed some of the activities which took place on the KSU campus. He also advised that he had informed him that he attended the rally held in Washington, D.C. on Saturday, May 9, 1970. He advised his father that he was going to travel to California and to stay for a period of about 2 to 3 weeks and then return to the Cuyahoga Falls, Ohio area. He advised that he was very close friends with two young women who resided in College Towers located at Kent, Ohio, and that to the best of his knowledge the girls names were.

He also advised that he had informed him that he had traveled with him to the demonstration in Washington, D.C. on May 9, 1970. He had told his father that during the weekend of the demonstration on Kent State University Campus that he had been staying with a close friend of his in Ohio, telephone number was shown a photo of the student demonstration held on the Kent State University Campus in April, 1970, in which he identified his son as being the tall bearded individual holding one of the two middle supports for the sign which read "Bring all the GI's home now."

advised that he had served in the U.S. Air Force, exact periods of service unknown and had attempted to commit suicide by taking 280 aspirin tablets and then had proceeded to cut his wrists. He also advised that his son was attending Syracuse University at this time of his suicide attempt, as the U.S. Air Force was putting him through school. He was discharged by the U.S. Air Force due to his suicide attempt and received his discharge papers at Wright-Patterson Air Force Base.

5/14/70 Ohio CV 98-2140

5/17/70 5/17/70

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then returned to his home and attended Kent State University. At this time his grades were extremely low. Consequently, he stopped paying his tuition and began to work. After several months, he requested to be put in a hospital and under psychiatric care and due to an incident which took place where he saw his psychiatrist's children revolt to a situation, he decided that he no longer wanted to be treated by a psychiatrist who could not control his own children.

He then proceeded to take $900.00 of his money and then go to California where he intended to go to school. After a period of six weeks, he ran out of money and returned to Kent, Ohio, where he contacted his father and decided to return to school at Kent State University where he has since been a student enrolled in the English Liberal Arts Course with the intention of becoming a writer. He also advised that he is living at the time in Kent, Ohio, and is living with an individual who he only knows as
Radio Station WHLO, 2650 West Market Street, Akron, Ohio, advises that the radio station had held what is known as "WHLO Appreciation Day" on May 7, 1970 at Chippewa Lake Amusement Park.
advised that on the night of May 2, 1970, she was on the Kent State campus attending a meeting at Taylor Hall. She stated someone said the Reserve Officers Training Corps (ROTC) building was on fire and she left Taylor Hall to see the fire. She stated she did not see anyone on the night of the fire. She stated she had no knowledge of anyone starting the fire and had no information concerning any organizers or instigators attempting to incite people to destroy the ROTC building. She further stated there were no leaders of the demonstrations and no speeches made urging destruction of the ROTC building. She believed the fire was a spur of the moment type thing done by an individual or individuals. She advised she saw no leaflets or other publications urging abolition of the ROTC. She stated she saw no Students for a Democratic Society (SDS) members on campus at the time of the fire and repeated she believed the fire was a spontaneous thing.

advised that she is friendly with and was with him last weekend in Washington, D.C. She stated they returned to Kent State on Sunday, May 10, 1970, and on Sunday, May 11, 1970, she flew back to New York alone. She advised that she drove her to the airport and that she was in the car. She stated she was going to drop her off at an unknown location from which she intended to hitchhike to California. She told she was going to visit a friend, but further identified, in Santa Barbara, California. She advised that she does not know present whereabouts but believes he is with her. She stated she was going back to Kent State on Monday or Tuesday of next week and would be attending classes there all summer.
Akron, was interviewed concerning her whereabouts and activities on the evening of Saturday, May 2, 1970.

She advised that she and two very close friends, and had decided to attend Radio Station WIKO Appreciation Day at Chippewa Lake, Ohio, and had asked another individual, whom she had known for a period of about two months, to accompany them to the lake. She advised that Chippewa Lake is an amusement park and that she has visited that location on several other occasions.

She also stated that she was the individual in the group who had telephonic contact and requested that he accompany the other three individuals to the lake. She advised that she had driven his own personal car, a white Cadillac, to her home and had arrived at approximately 7:30 PM, on May 2, 1970. She advised that it had taken her a little longer than anticipated to get ready and that  had sat in her living room watching TV.

She advised that she drove her own personal car, a Volkswagen, to the lake, stopping for on the way. She advised that to the best of her knowledge, the four individuals arrived at Chippewa Lake at approximately 9:30 - 9:45 PM. She stated that upon their arrival at the park they went to the pavilion to listen to the bands who were there due to the WIKO Appreciation Day activities. She stated that they then proceeded to ride on several of the amusement rides in the park but she could not remember the names of the specific amusement other than possibly "Crack the Whip".

She stated that they then went to a concession stand and had a snack and then left the amusement park at approximately 11:30 PM. Upon their departure from the amusement park they then proceeded to the home of . She listened to records for several hours and

On 5/20/70 at Ohio File Cleveland 02-2140

by SA MK/j Date dictated 5/22/70

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then all four individuals fell asleep. She advised that they woke up approximately 5:00 - 5:30 A.M. on the morning of May 3, 1970, at which time she drove [redacted] to her residence and dropped off [redacted] at her residence where he had left his automobile the night before.

When asked what [redacted] was wearing the evening that he attended Chippewa Lake Amusement Park, she advised that he was wearing a pair of suede or skin trousers which he had designed and made himself and which tied up the side with two strands of rawhide. She also advised that he was wearing a striped shirt of some type.

[redacted] advised she had known [redacted] for a short period of time, approximately two months, and had met him in Kent, Ohio, at J.B.'s which is located on North Water Street. She stated that she would consider [redacted] a casual acquaintance and stated that he has accompanied her and several of her friends on other occasions during their two-month acquaintance. She also advised that she has not talked to [redacted] since dropping him off at his car in front of her residence on Sunday morning, May 3, 1970.
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING
(1)

Ohio, attending Lakeland Community Junior College, Painesville, Ohio, furnished the following information:

A friend, whose name he would not divulge, told him that one person stated to a friend that he is one of the students who burned down the ROTC building at Kent State University (KSU). Advised to his knowledge, he was expelled from KSU during the 1968-69 school year for his Students for a Democratic Society (SDS) affiliation. Allegedly attended the Fall semester, 1970, at Lakeland Community Junior College in Painesville. FBI agents interviewed him on May 3, 1970, but he said that he was not involved with rock throwing and did not observe any such activity. Stated that his home residence is in Kent, Ohio, but that usually resides in Kent, Ohio (street address unknown).

Would provide no further information.

On 5/12/70 at Cleveland, Ohio

by

Date dictated 5/20/70

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IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

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Ohio, advised she is presently employed at the located at the corner of [redacted], Ohio, as a waitress. She advised that she is not a student at Kent State University and has not been on the Kent State University Campus since JERRY RUBIN's appearance on the Kent State University Campus during the month of April, 1970. She was asked specifically about the evening of May 2, 1970, at which time the ROTC Building was burned, but she stated that she had worked from 5:00 PM until 3:00 AM at the.

She stated that another waitress, [redacted], Ohio, could verify that she was working on May 2, 1970.

She advised she had no knowledge of what took place at Kent State University from May 1, 1970 through May 4, 1970, with the exception of what she has read in the newspaper and seen on television.
Ohio, waitress, at the intersection of [redacted] advised that [redacted] with whom she has been good friends for numerous years and who is working as a waitress at the [redacted] under the name of [redacted] as present and working from 5:00 PM until 3:00 AM on May 2, 1970. Advised she could not provide any further information concerning knowledge of the incidents which took place at Kent State University.
IV. INTERVIEWS TO DETERMINE IDENTITY OF PERSONS RESPONSIBLE FOR THE BURNING OF THE ROTC BUILDING

Q.
1

FEDERAL BUREAU OF INVESTIGATION.

On 5/18/70 at [redacted] Ohio

by [redacted]

Date dictated 5/18/70

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IV. Interviews to Determine
Identity of Persons
Responsible for the Burning
of the ROTC Building

S. Identifications from
Photographs Taken On, and
In the Vicinity of the KSU
Campus During May 1-4, 1970
The FEDERAL BUREAU OF INVESTIGATION

Date: May 19, 1970

senior, Kent State University (KSU), Kent, Ohio, was interviewed and viewed photographs of the KSU disturbances of May 1 through 4, 1970.

From these photographs, which are numbered, identified the following people:

<table>
<thead>
<tr>
<th>Picture Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-49 #1</td>
<td></td>
</tr>
<tr>
<td>A-49 #2</td>
<td></td>
</tr>
<tr>
<td>C-17 #9</td>
<td></td>
</tr>
<tr>
<td>C-59 #7</td>
<td></td>
</tr>
<tr>
<td>C-59 #3</td>
<td>Doctor FRANK Professor, KSU</td>
</tr>
<tr>
<td>C-62 #2</td>
<td>Doctor FRANK Professor, KSU</td>
</tr>
<tr>
<td>C-70 #9</td>
<td></td>
</tr>
<tr>
<td>C-70 #10</td>
<td></td>
</tr>
</tbody>
</table>

On __5/14/70__ at Kent, Ohio ___________________ File: Cleveland, 98-2140

by __SA__

Date dictated __5/16/70__

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Kent State University (KSU), after viewing approximately 200 photographs taken in the vicinity of KSU during the period May 1-4, 1970, made the following identifications:

<table>
<thead>
<tr>
<th>PHOTOGRAPH</th>
<th>IDENTIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>119-1</td>
<td>Active leader-participant of rally May 2, 1970.</td>
</tr>
<tr>
<td>A22-2</td>
<td></td>
</tr>
<tr>
<td>A47-2</td>
<td>Active leader-participant of rally May 2, 1970.</td>
</tr>
<tr>
<td>A59-1</td>
<td>(LAST NAME UNKNOWN), Engleman Hall, KSU.</td>
</tr>
<tr>
<td>174-1A</td>
<td>Active leader-participant of rally May 2, 1970.</td>
</tr>
<tr>
<td>C26-1A</td>
<td></td>
</tr>
<tr>
<td>FS-1</td>
<td>Teaching Fellow, Speech Department.</td>
</tr>
<tr>
<td>F4-6</td>
<td></td>
</tr>
<tr>
<td>F9-1</td>
<td>Teaching Fellow, Speech Department.</td>
</tr>
<tr>
<td>F23-1</td>
<td></td>
</tr>
<tr>
<td>F31-5</td>
<td></td>
</tr>
<tr>
<td>A32-2</td>
<td></td>
</tr>
<tr>
<td>F35-1</td>
<td></td>
</tr>
</tbody>
</table>

On 5/19/70, Kent, Ohio

By [Redacted]

Date dictated 5/20/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to you, agency (s) and its contents are not to be distributed outside your agency.
<table>
<thead>
<tr>
<th>CV 83-2140</th>
<th>PHOTOGRAPH</th>
</tr>
</thead>
<tbody>
<tr>
<td>P36-1</td>
<td></td>
</tr>
<tr>
<td>P37-1</td>
<td></td>
</tr>
<tr>
<td>P40-5</td>
<td></td>
</tr>
<tr>
<td>P45-4</td>
<td></td>
</tr>
</tbody>
</table>

**IDENTIFICATION**

Active leader-participant of rally May 2, 1970.

Active leader-participant of rally May 2, 1970
On May 21, 1970 at Kent, Ohio

I, [Redacted], hereby make the following voluntary statement to Special Agent Federal Bureau of Investigation.

I am 22 years old and reside at [Redacted], Ohio. I am a senior at Kent State University, Kent, Ohio.

On Sunday night, May 3, 1970 I went to the Kent State University (KSU) campus, Kent, Ohio, accompanied by [Redacted], Ohio. I knew that because there had been trouble on the KSU campus Saturday night, May 2, 1970, which resulted in the burning of a KSC building on the KSU campus, there would possibly be trouble on Sunday night. My intention was to go to the campus and help, by talking to people that seemed to be leaders of the trouble, and hope that later I could identify the leaders of the group that caused the trouble.

File: Cleveland 28-2140

Date dictated: 5/21/70

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"When darkness started to set in on May 3, 1970 I was standing in a crowd of people gathered around the victory bell on the area of the KSU campus known as the Commons. The crowd around the bell was about 500-600 people. I observed about 5 to 10 people around the bell that seemed to be organizing and leading the crowd.

"I observed a white, male about 5'8" in height and about 170 lbs, with very dark curly hair full face beard and I estimate his age as about 24-25 years old. I heard this person state to the people, I considered as leaders of that crowd, standing around the victory bell, that their goal for Sunday night May 3, 1970, was to burn the KSU ROTC supply building; but before they burned it they wanted to get guns, ammunition and gas masks out of the ROTC supply building. I also observed this same person with three or four rocks in one of his hands.

"I had never seen this person on the KSU campus before Sunday night May 3, 1970. I do not know his name. This person was wearing a green Army jacket with a name over the vest pocket.

"Today, May 21, 1970 I came to the KSU campus, Administration Building and viewed photographs taken during the disturbances on the KSU campus, May 1, 1970 - May 4, 1970. These photographs are in the possession of the Federal Bureau of Investigation. These photographs are numbered and in photograph 6312 I identified the person I heard make the statement about burning the KSU ROTC supply building on Sunday night May 3, 1970. In this photograph (C-12) this person is standing in the middle of the photograph looking to his left."
"I also identified this same person in photograph C-13. He is the third person from the right side of the photograph and is bending forward and appears to be rubbing his right eye.

"I also identified this same person in photograph C-14. He is resting on his left arm looking toward the left side of the photograph.

"I have read this statement consisting of this page and two other pages. I have initialed all corrections and the other two pages. I now sign this statement because it is true.

"/s/ [Redacted]

Witness: /s/ [Redacted] Special Agent FBI Cleveland, Ohio 5/21/70

"/s/ [Redacted] Special Agent FBI Cleveland, Ohio 5/21/70

The following description was obtained through interview and observation:

Name: [Redacted]
Alias: Mike
Race: White
Sex: Male
Date of Birth: August 23, 1947
Place of Birth: Canton, Ohio
Height: 6'
Weight: 150 lbs.
Build: Slender
Hair: Brown
Eyes: Brown
Residence: [Redacted]

Telephone: [Redacted]
Occupation: Student, KSU
Education: Senior, KCS
Marital Status
Married
Wife
Canton, Ohio
Father
Mother
Sister
Social Security #
Selective Service #
Classification
Arrests
(1) 

_{senior, Kent State University (KSU), residence - Room 1, Stonaher Hall, advised he is the}_

_{KSU, and on the evening of May 2, 1970, at approximately 8:50 PM, he left his room in the dormitory and proceeded to the Student Activities Center, where he observed a large crowd in the vicinity of the ROTC building and on the Commons, the size of the crowd unknown. He advised he walked from the Student Activities Center into the crowd near the ROTC building which, at that time, was burning. He stated the corner office, ground floor, appeared to be in flames and he noted the Fire Department had not arrived on the scene and he observed two or three unknown individuals walk up to the building and throw unknown objects into same. He stated after these individuals threw objects into the building, the building began to burn violently.}_

_described the crowd as "vicious" and he attempted to calm down some of the students and the only individuals he observed in the crowd that he knew were (phonetic) and (and he believes that both of these individuals were also attempting to calm the crowd. He stated numerous other members of the KSU Student Government were attempting to calm the crowd without success._

_stated he returned to the Student Activities Center and thereafter from a distance followed the crowd of students around the KSU campus and he observed them go to a wooden shed which was set afire, walked to the tennis courts behind Verder Hall, moved in less than one mile toward downtown Kent, stacked items as if to build a bonfire, proceeded around the library, and move back into the vicinity of the ROTC building where the crowd was then dispersed by members of the Ohio National Guard who had moved on campus._

_stated during the movement of the crowd on the KSU campus, he observed the following individuals who were attempting to calm the crowd: Student Government, Physics Department, KSU_
He stated he returned to his dormitory between 11:00 and 11:30 PM, May 2, 1970, and due to darkness, he was unable to identify any other individuals other than those already mentioned above; however, added there were a number of individuals in the crowd moving around the KSU campus which he had never seen on the campus prior to that time. He stated the individuals were wearing red armbands who seemed to be agitating the crowd and he noted there were very few black students in the crowd and individuals known to him as the "Big 4," REIBERGER, [REDACTED] were not amongst the crowd.

I observed volumes of photographs on this occasion and made the following identifications from observations:

Photograph A-9
Individual #2, white male, known to him as [REDACTED], KSU student

Photograph A-21
Individual #3, white male, known as former member of Students for a Democratic Society (SDS), KSU campus, name unknown

Photograph A-34
Individual #4, white female, [REDACTED], KSU student, resident of Olsen Hall

Photograph A-47
Individual #15, [REDACTED], (KSU), mentioned above

Photograph C-31
Individual #10, white male, name unknown, KSU student, Chemistry major, who should be known by [REDACTED] in the Chemistry Department

Individual #1, Negro male, KSU student, name unknown, member of Black United Students
Photograph C-36  Individual #3, white male, (LN)U, KSU student, resident of Johnson Hall

Photograph C-59  Individual #9, resident Stephen Hall, KSU

Photograph C-96  Individual #2, Instructor, Biology Laboratory, KSU

Photograph C-103  Individual #5, possibly KSU student

Photograph F-49  Individual #2, ESU student, formerly employed at Kent State newspaper
FEDERAL BUREAU OF INVESTIGATION

5/22/70

Kent, Ohio,

Here Telephone... advised he is a commuting senior at Kent State University. He appeared at the Kent State University Administration Building this date and viewed photographs of individuals. These photographs were taken during the disturbances at Kent State University May 2-4, 1970. After viewing the above photographs, I identified an individual depicted in Photographs C12, C13 and C14 and he furnished the following statement concerning this individual:

"May 21, 1970

Kent, Ohio

I, _______________________________________, furnish the following statement to Special Agent ___________________ of the Federal Bureau of Investigation. This statement is free and voluntary.

"Today I came to the Kent State University Administration Building to view photographs taken during the disturbances at this University on the week-end of May 2-4, 1970. From those photographs I selected an individual depicted in photographs C-12, C-13 and C-14 as a person I observed on KSU Campus Sunday evening, May 3, 1970 and on Monday May 4, 1970.

"In Photograph #C-12 he is identified with the number 1, and he is wearing an Army fatigue jacket. His hair is dark or black and is curly.

"In Photograph #C-13 this same person is bending over apparently using a white cloth to wipe his right eye. He is holding papers under his left arm.

"This same person is in Photograph #C-14 and is identified as Individual #1 and is also reclining on the grass leaning on his left elbow.

5/21/70

Kent, Ohio

Cleveland 85-2140

SA ____________________________ 5/21/70

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"The above person was on the Commons at KSU Sunday evening, 5/3/70 in a crowd of several hundred people. He was standing near the bell on the Commons and was talking to a person who appeared to be a friend of his. This second person, his friend, was a white male, about 25 years of age dressed similar to the man in Photograph CC 14 above. The second person also had curly hair. A third individual was standing on the wall where the bell is and he was talking to the two above described persons. The guy on the wall was a white male, about 6'3" or 6'4" tall, medium build, with long brownish-blond hair, shoulder length. All three seemed to know each other.

"The guy on the wall was saying that he wanted the group to move from this area away from the Commons because the group was 'trapped' by the 'pigs' who could close off certain areas and then the pigs would 'have us.'

"The person shown in the photographs then indicated that he wanted to get the crowd to another area, away from the R.O.T.C. supply building near the Commons at the Intersection of Portage and Eastway Drives. He wanted to burn that building and get the guns and ammunition out of it. I heard him make these comments and he told me 'I (or we) got some ammunition out of the one we burned down yesterday.'

"Either this same person or the third individual said that he wanted the crowd to have a confrontation with the 'pigs.' One of the three, I think it was the guy on the wall, said they had to get some rocks first. The three of them sort of argued for a short while about what plan they should follow first. The man on the wall was in favor of leaving the Commons right away so they wouldn't get trapped."
"On Monday, May 4, 1970, the person in the three photographs was present in the crowd on the hill at the edge of the Commons when most of the crowd was sitting on the ground. He was sitting generally west of the tree about four feet from it. I did not see his two friends around.

"On Sunday night he seemed to be a leader or a person trying to direct the activities of the crowd, and I had the impression he was not part of the Kent State University student body.

"The above 4 page statement is true and correct to the best of my knowledge.

"Signed: [Redacted]

Witness: /s/ [Redacted]

SA FBI, CV, O. 5/21/70

Special Agent FBI Cleveland,

Ohio 5/21/70"
In addition to furnishing a signed statement concerning an individual depicted in Photographs C12, C13 and C14 in an album displayed to him by SA on May 21, 1970, furnished the following information:

He stated that the individual depicted in these photographs definitely seemed to be a leader at the Commons on Sunday evening May 3, 1970, and he represents what I would consider a Students for a Democratic Society Weatherman would look like or would be like. This person was an organizer and his actions and comments to persons around him seemed to be planned. When this person advocated persons in the crowd gathering rocks to throw at the National Guard to keep them away from the ROTC Supply Building, he told the crowd we have to kill some pigs. This individual and his two friends kept telling the people in the crowd that they should get rocks for throwing at Guardsmen and these rocks were up over the hill around one of the dormitories.

The individual depicted in Photograph C14, Number 4, who is wearing a hat with jayhawks on it and scarf over his nose and lower face was also at the meeting on Sunday evening. He was very close to the persons in Photographs C12, C13, and C14, although he does not know if this person with the scarf talked to the individual in these photographs. The young man with the scarf and hat who I know as and who supposedly lives in Wight Hall was ringing the victory bell on the Commons at apparently the same time the other talk concerning the burning of the ROTC Building and the throwing of rocks at Guardsmen was discussed.

and a friend of his made efforts on Sunday evening to determine the identity of the individual in Photographs C12, C13 and C14 although they were unsuccessful. On Monday, May 4, 1970, and his friend attempted to follow and learn more about him although they were unsuccessful.
is described as follows:

Name
Date of Birth
Place of Birth
Address

October 1, 1946
Dennison, Ohio

Height
Weight
Eyes
Hair
Social Security Account Number
Selective Service Number
Education

5'10"
180 lbs.
Blue
Brown
Graduating senior, Kent State University
Aerospace Technology

Major
Parents

Brothers
Sister
Wife

REPORT OF SPECIAL AGENT
DATED MAY 26, 1970, AT CLEVELAND,
OHIO, CAPTIONED "UNSUBS;
FIREBOMBING OF ARMY ROTC
BUILDING, KENT STATE UNIVERSITY
(KSU), KENT, OHIO, MAY 2, 1970"
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) _b7d_______________________________ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ____________________________, as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):

________________________________________________________________________

☐ For your information:

________________________________________________________________________

☐ The following number is to be used for reference regarding these pages:

________________________________________________________________________
IV. INTERVIEWS TO DETERMINE
IDENTITY OF PERSONS
RESPONSIBLE FOR THE BURNING
OF THE ROTC BUILDING

U. RESIDENCE AT
230 East Main Street,
Kent, Ohio
Ohio. Advised that on the weekend of May 2, 1969, she was at home and did not return to the campus until the evening of May 3, 1969. She advised that on May 3, 1969, she returned to, as a follower, the field on the Kent State University (KSU) campus, Kent, Ohio. She stated that although she did not believe in violence she was against the war and believed that the men people that showed up for these rallies were stronger than she could. She advised that she was on the southwest corner of Practice Field at the time the students began forming near the Bell. The National Guard was standing in an area near Taylor Hall. Three or four of the men in the area told the students to disperse and the students responded by yelling obscenities and throwing small stones. She believed she heard two or three of these stones hit the jeep and the jeep thereafter returned to the main group of Kent students. The Guard then went into formation and started walking slowly toward the students at that time she was standing by the Bell, there being about 100 students around all over the campus. The Guard started charging toward the Stone students to run up the hill on either side of Taylor Hall. The Guard following them backed off for a moment and then the students started returning to their former position. The Guard then followed them to the practice field. Some of the Guardsmen stayed at the edge of the practice field while others returned to their original positions. Then the group that returned was almost up the hill. A group of students started to run after them. The Guards reached the top of the hill, stopped and turned to face the students. About one half of them charged to a kneeling position and started to fire at the students that were running after them. Those students were still about 30 feet away. She stated that she was too far away at this time to determine whether or not the students were throwing stones to the Guardsmen. She advised that at the time the Guardsmen were firing she was standing near Practice Hall. She estimated that the Guardsmen firing lasted from five to seven seconds and that she does not recall hearing any single shot fired just prior to or just after the a-in

5/15/70

Vienna, Ohio

Cleveland 93-2140

On.

by

Date dictated 5/15/70

Date printed 5/15/70

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volley of shots by the Guard. In her estimation she thought the Guard was aiming high and possibly just over the heads of the students as opposed to just shooting wildly into the crowd in front of them. She stated that she observed the above activity from a position that would place her almost perpendicular to the Guards and the students being fired on. After the Guardsmen fired, the rally turned into general confusion with many of the students running away from the area. She stated that possibly the following individuals would be able to give information concerning the above activity as she believed that they were in a better position to observe it than she:

from Berea, Ohio

Linder, Ohio

Ohio

Warren, Ohio

She stated that she is a good friend of and stays in the same dormitory. She advised that she was to visit her at her home during the past week and told her that she had received information from unnamed individuals that they were going to burn the HD Building. She stated that indicated that she knew this burning was to be done for sometime before the actual burning. did not mention or name the individuals who she stated to know that were going to burn the building during this conversation. Likewise a current student told that since students used knives to cut the notes they must have planned this in advance to have knives large enough to do the job and agreed to this comment. She stated that as very friends some of whom could have been involved in this burning.

Photographs of the following individuals were shown to her and she did not recognize any of them.
telephone number was exhibited photographs of various individuals at the Kent State University (KSU) campus, including...

stated that none of these individuals are familiar to him and he has not seen any of these individuals personally on the campus. However, he advised that he had seen the picture of [redacted] in the KSU school newspaper, "The Stater."
Kent State University, although she was present on campus from May 1, 1970, through May 4, 1970, although during these four days she hardly ever left Verder Hall. Her offices are in Verder Hall and she is concerned primarily with assisting students who live there.

On Friday, May 1, 1970, late in the evening or possibly early in the early hours of Saturday morning May 2, 1970, Mrs. [redacted] was in Verder Hall as numerous girls came in for the evening. Most of these girls had been downtown in Kent, Ohio, or had been on campus that evening and had heard about some of the disturbances going on in Kent, Ohio. These girls were visibly upset and some of them were talking and running around visiting other girls in the hall. [redacted] talked to none of these girls in particular that evening and she advised she does recall seeing [redacted] in Verder Hall.

Mrs. [redacted] was talking in general about the disturbances and she mentioned nothing to [redacted] about any specific plans, activities or individuals concerning the disturbances.

That evening [redacted] had brought a young female approximately age 11 or 12 with her to Verder Hall. Apparently [redacted] was in some type of program assisting young girls.

On Saturday [redacted] stayed in Verder Hall and on Saturday evening she could see that there was a fire on the Commons and there was a lot of activity with students and policemen in all parts of the area. Several persons in Verder Hall took fire extinguishers from that building and water in various containers to the fire to assist in extinguishing it. [redacted] talked to the fire department and told them of the situation and they suggested that she encourage students not to remove the extinguishers from the building. [redacted] did not see any fire on Saturday evening.

On Sunday, May 3, 1970 [redacted] cannot recall talking to or seeing [redacted]. She does not know if the young girl previously mentioned was still staying with [redacted].
On Monday afternoon, [REDACTED] could see the disturbances on the Commons and after the shooting on campus she was outside only long enough to assist in bringing girls back into the dormitory. [REDACTED] could see the National Guard assembled on the Commons and she recalls she first saw Guardmen on the campus Saturday evening.

[REDACTED] made no statements to [REDACTED] at any time regarding the identities of the persons responsible for setting the KME building on fire and she did not tell [REDACTED] of her being at a certain location where individuals she knew about the fire case to.
FEDERAL BUREAU OF INVESTIGATION

May 22, 1970

[Handwritten note: 7/7d]

Ohio, was brought up in Ohio. He is now attending Kent State University (KSU), he resided at

He stated that he is presently residing with
his parents at the Marquette Street address.

... advised that he arrived on the KSU Campus at
about 9:00 PM on the evening of May 2, 1970. He stated that
he was met by his girlfriend, ... Ohio, and that upon their arrival
on the campus, he walked into the parking lot located
outside of Student Hall, which was the site where the Kent State
building stood. He advised that he and his friend
in the parking lot and watched the activities in the KSU
building for a period of approximately 15 to 20 minutes.
During this period of observation, they could see an unknown
number of individuals, estimated at 250 to 500, standing
around the KSU building and generally making a lot of noise.
He could not remember anything in particular which was yelled.

He advised he saw a burning flare lying on the roof
of the building, but that it rolled over before it started a
fire and then just laid on the ground. He did not see who
threw the flare.

... advised that after observing for 15 to 20
minutes he and his girlfriend returned to his
residence in Ohio. He then made a phone call to one of the
counsellors on the campus, the exact name of which he cannot
remember, and talked to an unknown individual and asked him
what events were taking place on campus. He stated that the
individual advised him that the KSU building had burned down.

... advised he then called Main Street, Kent, Ohio, where he knows through being a student
at KSU. He stated that he also knows the following individuals
who live at 239 Kent Main Street, Kent, Ohio, but only by their
first names:

On 5/22/70 in Ohio

File CV 48-2149

by 5/22/70

This document contains neither instant judgments nor conclusions of the FBI. It is the property of the FBI and is to be distributed outside your agency. Its content is not to be distributed outside your agency.
When [redacted] was not home and therefore, he talked to [redacted] instead. He stated that his intent in calling was to find out what was going on in the town of Kent, as he had observed National Guardsmen and that he described as troops moving past his residence in [redacted] and toward the KU Campus.

He advised that [redacted] informed him that the National Guard were then in Kent and that he did not know exactly what was taking place. He then informed [redacted] (last name unknown) that to the best of his knowledge, the KU building on campus had been burned to the ground, this information being based on his telephonic conversation with one of the dormitories on campus.

[redacted] advised that he did not know who had burned the KU building and definitely did not recognize anyone at the burning, in that it was too dark at that time. He advised that he could provide no further information concerning the burning of the KU building.
FEDERAL BUREAU OF INVESTIGATION

Date 5/20/70

1

[Redacted information]

He said that he had telephoned a family member to inform his wife, and was residing at 230 East Main Street, Kent, Ohio.

indicated that he and his wife had no knowledge of associates, actions, nor had they seen him during the last two or three years. He said that he had no information pertaining to the Kent State University shooting or the burning of the HOG Building.

On 5/20/70, Ohio

Cleveland 98-2140

by [Redacted] Date dictated 5/20/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
Ref: CANTON, OHIO, TELEPHONE

The phone telephone is listed to [Redacted], Canton, Ohio. It is to be noted that [Redacted] is the father of [Redacted], who is a student at Kent State University and has been previously interviewed.
During the search of the apartment located at
250 East Main Street, Kent, Ohio, 13 photographs of various
parts of this residence were photographed both inside and
outside the house. A photograph was also taken of an individual
identified as [redacted].
On May 19, 1970, a search warrant for the residence located at 230 East Main Street, Kent, Ohio, was returned to United States Commissioner CLIFFORD E. BRUCE, Cleveland, Ohio. This search warrant was executed on May 10, 1970 at the above residence.

On May 26, 1970, Commissioner BRUCE filed this warrant with the Clerk of the U.S. District Court, Cleveland, Ohio.
IV. INTERVIEWS TO DETERMINE IDENTITY OF PERSONS RESPONSIBLE FOR THE BURNING OF THE ROTC BUILDING

V. MISCELLANEOUS
FEDERAL BUREAU OF INVESTIGATION

Date 5/21/70

[Redacted] advised
that he is a student at Kent State University in the School of Arts and Sciences.

[Redacted] stated that he had some information that he wanted to supply to the FBI. [Redacted] stated that he had not divulged this information to any organization because he wanted to check it out and determine the value before giving it to any investigative agency. According to [redacted] one who works at the Kent Police, Kent, Ohio, told [redacted] several days ago that his [redacted] residence was responsible for burning down the Kent Building and that his residence was the main organizer of the burning.

[Redacted] emphasized that the information he received from [redacted] was strictly hearsay and that the information gave him was also hearsay.

On 5/21/70 at Kent, Ohio

File # 440653 05-21-70

by [Redacted] Date dictated 5/20/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is intended for your use only.
The following investigation was conducted by SAs.

Numerous daily attempts to contact [redacted] Akron, Ohio, from May 13 through May 23, 1970, were negative.

On May 22, 1970, Canton, Ohio, was telephonically contacted and was advised by the interviewing agents that information had been received that [redacted] had had a conversation with an unknown white female "hippie" who allegedly had stated on Thursday, April 30, 1970, that the unknown white female was to be one of the first to throw flares at the ROTC building at Kent State University (KSU), Kent, Ohio. [redacted] stated that she had not had the above mentioned conversation but had received this information from [redacted] Ohio. [redacted] had told [redacted] about the above conversation that [redacted] had had with an unknown white female who resided at [redacted] Hall, KSU.
Ohio, was interviewed at Ohio, and furnished the following information:

She did not witness either the burning of the ROTC Building on May 2, 1970 on the Kent State University (KSU) campus or the student confrontation of the Ohio National Guard (ONG), May 4, 1970, on the KSU campus. She advised, however, that a friend of hers, a KSU student, who lives at Kent, Ohio, stated to her that a boy she formerly dated, had been responsible for burning the ROTC Building on the KSU campus, May 2, 1970. She was unable to furnish details.

She stated that he may be uncooperative and withhold information if interviewed by Agents of the FBI.
Kent, Ohio, was advised of the identities of the interviewing agents. He voluntarily furnished the following information:

He was advised that he has no information concerning the identity of the person or persons responsible for burning the Kent State University (KSTU) ROTC Building on May 2, 1970. He further stated that he was not present when the ROTC building was burned.

He was asked if he would furnish the names of the individuals responsible for the burning if he knew them, and he said he is not sure if he would furnish those names or not. It is his opinion that it would not be good for the leaders in the anti-war movement to be put in jail for burning the building if they are important to the movement.

He is in sympathy with the anti-Vietnam war movement and does not feel he would say anything if he had any information concerning the ROTC burning.

The following description was obtained through observation and interview:

<table>
<thead>
<tr>
<th>Name</th>
<th>[Redacted]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>Male</td>
</tr>
<tr>
<td>Race</td>
<td>White</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>January 22, 1940</td>
</tr>
<tr>
<td>Place of Birth</td>
<td>Cleveland, Ohio</td>
</tr>
<tr>
<td>Telephone</td>
<td>[Redacted]</td>
</tr>
<tr>
<td>Remarks</td>
<td>(He is a graduate assistant, Sociology Department, KSTU)</td>
</tr>
</tbody>
</table>

5/15/70  Kent, Ohio  CV 93-2140

File
dated 5/17/70

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advised he was a student at Kent State University (K.S.U.).

He indicated that he had not been present during the shooting on May 4, 1970, and had no information in this regard.

He advised that he was present on the campus when the ROTC Building was burned and had observed several students approximately 200 in the area of the ROTC Building soon after dark. He said he went down to the building and observed approximately three individuals attempting to set the building on fire by throwing flares in and at the building. He said he got a fairly good look at these individuals and is of the opinion that he could possibly identify them if he observed them again. To his knowledge, they were not students at K.S.U. or if they were students, he did not know them nor had he ever seen them on the campus before. He indicated that there was a great deal of confusion at this particular time and there may have been a fourth individual involved in the attempt to set fire or interfere with fighting the fire at the ROTC Building.

He said after the fire was started and the fire department arrived to put it out, two or more individuals attempted to cut the hose that the fireman had laid out, attempting to fight the fire. In addition there was a great deal of confusion and some students were attempting to pull the hose back away from the ROTC Building. He said he had also gotten a very good look at the two or more individuals involved in the cutting of the fire hose and may be able to identify them. He had a chance to observe their photographs or the individuals in person. In regard to the individuals who attempted to cut the fire hoses, he said he did not recognize any of these individuals nor had he ever seen them on the K.S.U. campus.

He indicated that he would be willing to go to K.S.U. and observe any pictures in an effort to identify the above-mentioned individuals.

On 5/10/70, at Ohio File No. Cleveland 70-2140

By 5/10/70

This document contains preliminary information and may not reflect the FBI's final conclusions of the incident. It is the property of the FBI and is intended for use only by authorized personnel.
student, Kent State University, Ohio, who resides at ..., advised that on May 2, 1970, at approximately 8:30 PM he and his fellow student and friend arrived in the vicinity of the East Hall, Kent State University, where a fire truck was parked on the end of the East Hall facing the Student Union. At this time a multitude of students were gathered in the area known as the Commons. At this time ... noted that students were cutting or had cut holes in the fire hoses since he saw water spouting out of the fire hoses in all directions.

Sometimes after the fire hoses had been cut, saw a hippie type individual throw some kind of incendiary device through the window of the East Hall on the north-west corner. ... guessed that the object thrown was some kind of a flare, but he did not know for sure. The incendiary device glowed inside the East Hall for approximately 40-50 seconds, after which ... noticed the inside of the building in flares. ... advised that he understood the building had been in flames prior to this ignition but also understood that this fire had been brought under control by those individuals manned the fire truck.

Shortly after the incendiary device was thrown through the northwest window, Kent State University policemen arrived on the scene to protect the East Hall which was now in flames. When the policemen arrived, students were shouting "down with ROTC", "fuck the pigs". The students then wandered over to the opposite end of the Commons near Taylor Hall than the East Hall, and set on fire an archery or athletic shed. At this time both ... endeavored to control the athletic shed blaze. The individual responsible for the athletic shed blaze was punched in the face by another student who was trying to bring the blaze under control. ... could not identify either the person who inflicted the blow or the person who received the blow.

On 5/20/70 in Ohio File: Cleveland 42-4120

SA WDC/ES Date dictated 5/20/70

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Page 74
under control, both the East Hall and the athletic shed were destroyed.

[Redacted] was not able to identify the individual who threw the incendiary device through the northwest window of the East Hall although he described same person as follows:

<table>
<thead>
<tr>
<th>Sex</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>Caucasian</td>
</tr>
<tr>
<td>Height</td>
<td>5' 10&quot; - 5' 11&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>175-185</td>
</tr>
<tr>
<td>Age</td>
<td>22-23</td>
</tr>
<tr>
<td>Build</td>
<td>Medium</td>
</tr>
<tr>
<td>Hair</td>
<td>Light brown or blonde, down to the collar or shoulder area</td>
</tr>
</tbody>
</table>

**Distinguishing Characteristics**

Had a long thin face with pointed chin and sharp pointed nose. Wore hippie type clothes, possibly consisting of jeans and a collarless shirt with vest.

[Redacted] advised that although only one person threw the incendiary device, another person was with him and described this person as follows:

<table>
<thead>
<tr>
<th>Sex</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>Caucasian</td>
</tr>
<tr>
<td>Age</td>
<td>22-23</td>
</tr>
<tr>
<td>Height</td>
<td>5' 8&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>160</td>
</tr>
<tr>
<td>Hair</td>
<td>Black, long, to collar or shoulder</td>
</tr>
<tr>
<td>Build</td>
<td>Hussy</td>
</tr>
<tr>
<td><strong>Distinguishing Characteristics</strong></td>
<td>Wore hippie type clothes</td>
</tr>
</tbody>
</table>

[Redacted] advised that he could identify none of the students or individuals who participated in the burning of the ROTC building, the East Hall. [Redacted] advised this was due to the fact that most of the participants were unfamiliar faces and not students who he had routinely seen on campus during classes.
further advised that he was a member of the Kent State University and advised that he was at the scene to do whatever they could to control the rioting students. Advised they were largely unsuccessful in controlling the participating students and concentrated mainly on advising the onlooking students to return to their dormitories.

Advised that at one point during the riot he noticed a white male in a black and white checkered jacket going to the front of the rioting students, starting the students chanting a phrase or slogan, and then when the chart was picked up by the students, retreating to the rear. Advised this individual did this several times during the rioting. Advised that a picture of this individual was taken with a camera, but that the camera was now in the possession of who should also have the film with which this photo was taken.

Advised that he and both resided in Stopher Hall. He advised that would not be at Stopher Hall since all dormitories on the Kent State University campus have been closed. He advised that is from New Jersey and that his exact address should be listed in the Kent State University Student Directory.

Advised that other observing students on the scene at the NWC fire were CRAIG MORGAN, and all Kent State University. Advised that CRAIG MORGAN helped him combat the athletic shed fire. Advised that both and have been somewhat sympathetic to the radical movements on campus.

Was shown a series of five photographs by interviewing agents and picked out a photograph depicting and another white male. Advised that looked very similar to the individual he saw throw the incendiary device into the northwest window of the East Hall. Further advised that also witnessed the firing of the East Hall and might possibly be able to effect an identification.
that he is the

stated that one lived in
the apartment at from December 16, 1969, to
May 11, 1970. He lived in the apartment with his wife,
and had a 1965 Dodge automobile. When he left he gave a
forwarding address of

A check of the records of the building indicated
that he married December 13, 1969, at Yonkers,
New York. He gave as an emergency address Jr. and
Ohio, telephone

5/22/70
Kent, Ohio

File: CV 9C-2140

by

Date dictated 5/22/70

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C1 9
May 23, 1970

Kent, Ohio,

furnished the following information:

advised that she and her husband moved into the apartment at this address on May 12, 1970.

On May 13, 1970, or May 19, 1970, their little boy was playing and stuck his hand down beside the cushions of the sofa in their living room. When he did, he found the flares. shoved these flares to the interviewing agents. One was a yellow, ten-minute flare and one was a red, five-minute flare. These flares were retained by , who advised that she would hold them.

advised that the apartments are rented furnished and the prior tenant could have been the one who left the flares in the apartment. Neither she or her husband have ever had any flares in the apartment.
Kent, Ohio, permanent address

Ohio, advised he is a student in the Social
Problems class of Dr. Thomas Lough, Kent State University
(KSU) and that during the class meeting on May 4, 1970,
Lough held a seminar in an attempt to find out what had
happened on May 2, 1970 in regard to the burning of the
ROTC Building.

recalls Lough formerly was employed
in the Armament Section of the United Nations and that
Lough made the comment that instead of spending millions
on poverty, the United States is spending millions on
secrecy.

stated Lough then stated if anyone
wanted to know how to make a Molotov cocktail, all they
had to do was go to a book in any local library as it
was no big secret as to making incendiary devices.

stated there were never any leaflets
passed out on Molotov cocktails, and this was the only
mention of it ever made.
was contacted at her residence and apprised of the identity of the interviewing agents and of the purpose of the interview. She furnished the following information:

She is a senior at Kent State University (KSU) in the school of Secondary Education and is due to receive her B.S. Degree in August, 1970. She did not attend any rallies or demonstration on the KSU campus or in the city of Kent, Ohio, during the period May 1-4, 1970. She was not on campus during the burning of the ROTC building on Saturday night, May 2, 1970, nor was she on campus during the shooting incident between the Guardsmen and KSU students on Monday afternoon, May 4, 1970. She has heard of the Kent Free University but has no information concerning it. She has never heard of the Kent New University Conference. She has heard of the 23 Concerned Faculty but knows nothing about the group.

advised that she was aware of the fact that there was a Students for a Democratic Society (SDS) group on the KSU campus but she never knew any of the members. Moreover, she has never attended any meetings or functions of the SDS. She has heard that the SDS members on the campus advocate the complete overthrow of every existing principle or value that the United States stands for, however, have absolutely no solution for any problems besetting this country. She said she heard MARK RUDN speak on campus in 1969.

did not know whether the Kent Free University, the Kent New University Conference, the 23 Concerned Faculty or the SDS at KSU had anything to do with either the burning of the ROTC building or the May 4, 1970, shooting incident.

advised regarding English instructor at KSU, that she has appeared to be a very liberal person in all her views. She said that is her instructor in Expository prose and she had the class with at 9:55 AM. In this class

By

5/20/70

Ohio

File: Cleveland 98-2140

APM/jam

Date dictated 5/20/70
mentioned to the students that she was very sorry to see the campus closed and the city of Kent closed due to the recent demonstrations and rioting. She did not, however, have much to say about the rally to be held at 12:00 noon that day, nor did she encourage students to attend the rally.

She pointed out that she had never heard make inflammatory statements to the class, nor had appeared to be a militant individual who expouses violence. She said that has never impressed her as being irrational but rather as a person of calm demeanor who has very definite opinions concerning the important issues of the times and does not hesitate to state them. She advised that however, never tries to force her opinions or attitudes on any of the students.
**FEDERAL BUREAU OF INVESTIGATION**

**REPORT NO.**

**OFFICE OF INVESTIGATION**

**Cleveland**

**DATE**

5/26/70

**INVESTIGATIVE AGENT**

**IDENTIFIED BY**

**EXECUTIVE NOTES**

**CHARACTER OF CASE**

SAVAGING; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1964; INTERFERENCE WITH FEDERAL PROTECTED FACILITY

**REFERENCE**

Report of SA 5-21-70, at Cleveland

**LEADS**

Cleveland:

AT CLEVELAND, OHIO

Will continue intensive investigation to identify persons responsible for the burning of the Army ROTC Building at Kent State University, Kent, Ohio.

<table>
<thead>
<tr>
<th>ACCOMPLISHMENTS CLAIMED</th>
<th>NONE</th>
<th>ACQUITALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONVIC</td>
<td>AUTO</td>
<td>FUG</td>
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</table>

14 - Bureau (R4)

1 - USA, Cleveland

5 - Cleveland (96-2140)

cc: DAE, AA6-I50, AA6-20, NAG-CR

Dissemination Record of Attached Report

<table>
<thead>
<tr>
<th>Agency</th>
<th>Request Recd.</th>
<th>Date Fwd.</th>
<th>How Fwd.</th>
<th>Remarks</th>
</tr>
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<td></td>
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<td>6-1-70</td>
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</tbody>
</table>

18 JUN 3 1970

78-46479-51

REC 9

REC-22

EX-112
REPORT OF SPECIAL AGENT
DATED
MAY 26, 1970, AT CLEVELAND,
OHIO, CAPTIONED "UNSUBS;
FIREBOMBING OF ARMY ROTC
BUILDING, KENT STATE UNIVERSITY
(KSU), KENT, OHIO, MAY 2, 1970"
Ohio, explaining of his Rights by SA [redacted]... who furnished him with a Voluntary Appearance... Advice of Rights Form, which he read and executed. He was advised as to the identities of the interviewing agents and was told the interview would concern the demonstrations at Kent State University and the burning of the ROTC Building on the Kent State University campus on May 2, 1970.

[redacted] advised that he is a student at Kent State University, and has completed the equivalent of about two and one half years at the University. He advised that he has lived at 230 E. Main Street, Kent, Ohio, telephone number 673-5425, since the Spring term started in March, 1970. He advised that prior to this time, he lived at [redacted]

[redacted] was questioned as to his position at the University in relation to student activities in demonstrations concerning campus administration, and his attitude towards government in this country to which he replied he did not consider himself too political. When asked to clarify his meaning as to the term political, he stated that he was referring to the attitudes of himself and others and the extent of their activities in demonstrations, and the like against the established form of administration whether on a school, local, state or federal level. He stated that regarding the school administration, and the ROTC he was against the ROTC being on campus, and he disagreed with the administration of the school. He also stated that he was against the involvement of the United States in Vietnam and Cambodia, and had taken part in the following demonstrations in order to demonstrate his convictions in this matter:

October 15, 1969, Moratorium for peace in Vietnam
November 15, 1969, Student Mobilization Committee which engaged in peace demonstrations in Washington, D.C.
May, 1969, Cleveland Peace March.

On 5/17/70 at Cleveland, Ohio File No. Cleveland 99-2140

[redacted] Date dictated 5/13/70
He also advised that in the fall quarter of 1969, at Kent State University he was active in the Student Mobilization Committee to End the War in Viet Nam.

...also stated that he was active in the Student for a Democratic Society (S.D.S.) chapter which was active at Kent State University last year. He advised that he attended several meetings with his roommate, and with his friend KEN HUMPHREY. He was asked if he was an activist as far as advocating the violent overthrow of the established administration, and he replied that he was not an activist, and did not believe in violence. He admitted that he had a photo of CHE GUEVARA in the room he shared with, but insisted that he was strictly non-violent.

...was also questioned as to any possible knowledge he might have of politically active people, and he stated that it was common knowledge on the campus that the following former S.D.S. members, COLIN NEUHURGER, and...were recently released from the Portage County jail after serving a sentence for inciting to riot while formerly connected with the breakaway group of S.D.S. known as R.Y.H. on the campus. He was asked as to whether or not these individuals were involved in the recent campus demonstrations at Kent State University on May 1, 2, 4, 1970, and he stated friends of theirs made sure they were not on campus during the demonstrations, but were in Cleveland. He was questioned as to how he knew they were not on campus, and the reason for their being in Cleveland, and he stated that was common campus knowledge, that the reason was probably due to the fact they had just been released from jail. He was then asked as to whether or not he was personally acquainted with these four individuals, and he said that he was not.

...was then questioned as to the events on campus that led up to the demonstrations at Kent State University. He advised that the students had expressed various complaints about the way the school was being run, but was non-committal as to the gist of the complaints. He also said the students were quite upset and agitated after President NIXON's speech concerning the entry of United States troops into Cambodia, and he said he felt this acted as a catalyst for the demonstrations at Kent State University.
stated that on Friday, May 1, 1970, there were two rallies on the University campus. One was a general rally in which President Nixon's speech and the Cambodian, Viet Nam and domestic problems were discussed, and the second Black Student's rally. He stated that he met several people at these rallies; however, he specifically recalled and advised that on Saturday, May 2, 1970, he was at the Student Union and returned to the campus for the rumored 6:00 PM rally. When he arrived at the Commons, he met and advised that he spent most of the time at the rally with one ... seeing him from time to time during the demonstration.

He advised that when he arrived at the Commons, he talked with the above people, and then he and stayed together most of the evening with the exceptions of the times they were separated in the crowd. He advised the crowd marched around the campus, and back to the Commons near Taylor Hall. At this time, he claimed the crowd saw the ROTC building, and broke in a run toward the building. He claimed the crowd lost control, and all hysterically attacked the building with rocks breaking the windows. He advised that he saw at the ROTC building, and observed him in the crowd from time to time. He advised that the crowd attacked the building which according to him, represented a symbol of all their anti Viet Nam and Cambodian feelings. He advised that he observed different individuals break from the crowd, and throw objects into the building which caused the building to catch fire. He said he could not describe any of these people other than to say one person he watched was a male of small stature. He claimed it was too dark to recognize this person. He stated that after the building was on fire, the firemen arrived, and their hoses were cut, and people in the demonstration pulled the hoses away. He advised that he remembered police throwing tear gas at the demonstrators who picked up the tear gas canisters, and threw them back.
advised that the demonstrators then moved back to the tennis courts, pulled down a fence, and tore apart a shack. He added that the demonstrators then marched towards downtown Kent, but after the National Guard appeared at the main gate, the crowd dispersed. He said that this activity occurred between approximately 6:00 P.M., and 9:00 P.M. He advised that he was with [redacted] during most of the demonstration, but did not always have him in sight.

He advised that he and [redacted] walked to their house at 230 East Main Street, Kent, Ohio, and when they arrived, observed the National Guard mustering in front of their house. He advised that when he and [redacted] arrived at the house, the following people were already in the house:

- [redacted], known to [redacted] as [redacted], was described as a white female, approximately 20 years old, black hair, glasses.
- [redacted], a small negro girl who was with [redacted].

He added that [redacted] was visiting friends in Washington, D.C. on Friday and Saturday, and he thought he might have returned to Kent, Ohio, on Sunday.

[redacted] was questioned as to whether or not he had any knowledge concerning the burning of the ROTC building, or whether or not he himself was involved in the burning of the building. He denied having anything to do with the fire, and denied having any knowledge of the fire. He stated that he believed in non-violence, and would not take any part in destructive activities. He categorically denied throwing any rocks or setting a fire, and he denied seeing anyone whom he could identify being involved in this activity.

[redacted] was advised that investigation had developed information he and other individuals who lived in his house at 230 East Main Street, Kent, Ohio, had stated they had set the fire at the ROTC building. [redacted] was extensively questioned regarding this allegation, however, he denied having anything to do with the fire, and stated that he knew
of no one else being involved. He was then questioned as to remarks possibly being made concerning the ROTC fire at the time he arrived at 230 East Main Street, which might have led to the opinion, that he and some of his roommates set the fire. He denied hearing any comments which might have been construed this way. He added that after he and arrived at the house, someone commented that the fire could be seen from the roof of their house, at which time he and several of the other people present in the house, went to the roof and watched the fire. He stated that he was amazed the fire had become so large, as he did not think it was very big at the time it was set.

stated that Sunday, May 3, 1970, was quiet, but that another rally was held on the campus on Monday, May 4, 1970. He advised that he saw at the rally, and observed a jeep drive onto the commons, and attempt to disperse the crowd with a bullhorn. He stated he saw the jeep was stoned by the students, and he observed the National Guard shoot tear gas into the crowd. He advised that he observed National Guardsmen move towards the students, and the students moved back to the tennis courts. He also saw National Guardsmen move towards the students on the right side of Taylor Hall with their rifles pointed up. He added that he heard shots, but did not see anything. He added that he believed the shots were fired over the students heads, but then heard someone had been killed. He advised he did not believe this until told him someone had been killed. He advised that all was confusion, and after it was over, he was in shock, and sat down on the campus. At this time, he was arrested by the Kent Police Department for refusing to disperse and ultimately spent the night in the Portage County Jail. He advised he and a female student named were arrested together.

was next questioned regarding a telephone call allegedly made by someone named to 230 East Main Street, on Saturday, May 2, 1970, in which the caller asked for and then talked to who said the caller had claimed it took three flares to burn down the ROTC building. stated that he did not recall this telephone call or making such a statement. He identified the caller as possibly , a student who was a friend of who lived at , Ohio, near Kent, Ohio.
The following is a description of:

- Name
- Aka
- Race
- Sex
- Date of Birth
- Place of Birth
- Height
- Weight
- Eyes
- Hair
- Mother
- Father
- Sister
- Brother
- Address

Selective Service
Number
Kent, Ohio, was advised of the identities of the interviewing Agents.

He voluntarily agreed to furnish the following information to the interviewing Agents:

He was advised that he was not on campus during any of the demonstrations which had taken place on May 1, 1970, May 2, 1970, or May 4, 1970. He advised that on May 1, 1970, he went to see Woodstock with [redacted] girlfriend in Cleveland, Ohio. He advised that they returned to Kent, Ohio, sometime Saturday evening on May 2, 1970. He stated that he did not leave the house at any time on May 2, 1970. He advised that while in the house on May 2, 1970, he overheard a telephone conversation of [redacted] and [redacted]. The conversation pertained to the burning of the ROIC building which he could observe from his residence on a hill which overlooks the campus. He advised that he did not remember at what time he received the call. He stated that he was advised on May 2, 1970, by [redacted] who stated that it was getting "hot" and that he was going to "split." He stated that he had advised him that he should also "split." He stated that he had advised him to "split" because of his involvement in the AT and T demonstration in Cleveland when he was arrested by the Cleveland police for assault and battery.

He advised that upon leaving [redacted] on May 2, 1970. He advised that he remained at the [redacted] residence through May 4, 1970. He advised that the following individuals had resided at

---

On 5/23/70 of Kent, Ohio

File# Cleveland 93-2140

By SA

Date dictated 5/25/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
He advised that none of the above individuals were presently residing at [redacted]. He stated that they had moved because some of them had been former SDS members. He advised that [redacted] and [redacted] were former SDS members. He also advised that they had moved because of the anticipated coming of the law and because the former members of the SDS were afraid that they may be suspects because of their past affiliation with SDS.

The following description was obtained through observation and interview:

<table>
<thead>
<tr>
<th>Name</th>
<th>[redacted]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Address</td>
<td>Akron, Ohio</td>
</tr>
<tr>
<td>Campus Address</td>
<td>Kent, Ohio</td>
</tr>
<tr>
<td>Date of Birth</td>
<td>October 9, 1949</td>
</tr>
<tr>
<td>Place of Birth</td>
<td>Akron, Ohio</td>
</tr>
<tr>
<td>Social Security Number</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Selective Service Number</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Eyes</td>
<td>Hazel</td>
</tr>
<tr>
<td>Hair</td>
<td>Black</td>
</tr>
<tr>
<td>Height</td>
<td>5'9&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>150 lbs.</td>
</tr>
<tr>
<td>Scars</td>
<td>[redacted]</td>
</tr>
<tr>
<td>Remarks</td>
<td>[redacted]</td>
</tr>
</tbody>
</table>

Lawyer
ATTACHED ARE CHARACTERIZATIONS OF THE STUDENTS FOR A DEMOCRATIC SOCIETY (SDS), PROGRESSIVE LABOR PARTY (PLP), STUDENT MOBILIZATION COMMITTEE (SMC) AND THE YOUNG SOCIALIST ALLIANCE (YSA)
STUDENTS FOR A DEMOCRATIC SOCIETY

A source has advised that the Students for a Democratic Society (SDS), as presently regarded, came into being at a founding convention held June, 1962, at Port Huron, Michigan. From an initial posture of "participatory democracy" the line of the national leadership has revealed a growing Marxist-Leninist adherence which currently calls for the building of a revolutionary youth movement. Concurrently, the program of SDS has evolved from civil rights struggles to an anti-Vietnam war stance to an advocacy of a militant anti-imperialist position. China, Vietnam and Cuba are regarded as the leaders of worldwide struggles against United States imperialism whereas the Soviet Union is held to be revisionist and also imperialist.

At the June, 1969, SDS National Convention, Progressive Labor Party (PLP) forces in the organization were expelled. As a result, the National Office (NO) group maintained its National Headquarters at 1603 West Madison Street, Chicago, and the PLP faction set up headquarters in Cambridge, Massachusetts. This headquarters subsequently moved to Boston. Each group elected its own national officers, which include three national secretaries and a National Interim Committee of eight. Both the NO forces and the PLP forces claim to be the true SDS. Both groups also print their versions of "New Left Notes" which sets forth the line and the program of the particular faction. The NO version of "New Left Notes" was recently printed under the title "The First Next Time" to achieve a broader mass appeal.

Two major factions have developed internally within the NO group, namely, the Weatherman or Revolutionary Youth Movement (RYM) I faction, and the RYM II faction. Weatherman is action-oriented upholding Castrol's position that the duty of revolutionaries is to make revolution. Weatherman is regarded by RYM II as an adventurist, elitist faction which denies the historical role of the working class as the base for revolution. RYM II maintains that revolution,
although desired, is not possible under present conditions, hence emphasizes organizing and raising the political consciousness of the working class upon whom they feel successful revolution depends. Although disclaiming control and domination by the Communist Party, USA, leaders in these two factions have in the past proclaimed themselves to be communists and to follow the precepts of a Marxist-Leninist philosophy, along pro-Chinese communist lines.

A second source has advised that the PLP faction which is more commonly known as the Worker Student Alliance is dominated and controlled by members of the PLP, who are required to identify themselves with the pro-Chinese Marxist-Leninist philosophy of the PLP. They advocate that an alliance between workers and students is vital to the bringing about of a revolution in the United States.

SDS regions and university and college chapters, although operating under the outlines of the SDS National Constitution, are autonomous in nature and free to carry out independent policy reflective of local conditions. Because of this autonomy internal struggles reflecting the major factional interests of SDS have occurred at the chapter level since the beginning of the 1968-70 school year.

A characterization of PLP is attached.
PROGRESSIVE LABOR PARTY (PLP)

"The New York Times" city edition, Tuesday, April 20, 1965, page 27, reported that a new party of revolutionary socialism was formally founded on April 18, 1965, under the name of the PLP which had been known as the Progressive Labor Movement.

According to the article, "The Progressive Labor Movement was founded in 1962, by Milton Rosen and Mortimer Scheer after they were expelled from the Communist Party of the United States for assertively following the Chinese Communist line."

A source advised on June 3, 1968, that the PLP held its Second National Convention in New York City, May 31 to June 2, 1968, at which time the PLP reasserted its objective of the establishment of a militant working class movement based on Marxism-Leninism. This is to be accomplished through the Party's over-all revolutionary strategy of raising the consciousness of the people and helping to provide ideological leadership in the working class struggle for state power.

The source also advised that at the Second National Convention Milton Rosen was unanimously re-elected National Chairman of the PLP and Levi Laub, Fred Jerome, Jared Israel, William Epton, Jacob Rosen, Jeffrey Gordon, and Walter Linder were elected as the National Committee to lead the PLP until the next convention.


The April, 1959, issue of "Challenge-Desafio" sets forth that "Challenge is dedicated to the peoples fight for a new way of life—where the working men and women control their own homes and factories; where they themselves make up the entire government on every level and control the schools, courts, police and all institutions which are not used to control them."
Source advised on May 8, 1969, that the PLP utilizes an address of General Post Office Box 808, Brooklyn, New York, and also utilizes an office in Room G17, 1 Union Square West, New York, New York.
STUDENT MOBILIZATION COMMITTEE,
Also Known As
Student Mobilization Committee to
End the War in Vietnam;
National Student Mobilization Committee

A source advised on May 16, 1969, that the Student Mobilization Committee originally grew out of the National Student Strike for Peace conference held in Chicago, Illinois, on December 28-29, 1966, which resulted in a call for massive antivar demonstrations in New York City and San Francisco, California, on April 15, 1967. The National Student Strike for Peace was originally called by the Communist Party. Divisions arose between elements of the Communist Party and the Socialist Workers Party (SWP), culminating in a take-over by the SWP element in the summer of 1968 and the Communist Party element withdrawing. Source further advised the Student Mobilization Committee locally and nationally is controlled by the SWP and its youth arm, Young Socialist Alliance (YSA), as evidenced by their participation in Student Mobilization Committee functions and their leadership role played in the Student Mobilization Committee.

The SWP has been designated pursuant to Executive Order 10450.

A report by the Committee on Un-American Activities, House of Representatives, Ninetieth Congress, First Session, dated March 31, 1967, entitled "Communist Origin and Manipulation of Vietnam Week (April 8-15, 1967)" stated that the Student Mobilization Committee and the April 15, 1967, antivar demonstrations were communist dominated and inspired.

A second source on April 3, 1969, made available a copy of "The Student Mobilizer" dated April 5, 1969, which was self-described as being published by the National Office of the Student Mobilization Committee to End the War in Vietnam. 657 Broadway, Room 307, New York, New York 10003. In this issue the aims of the Student Mobilization Committee were set forth as: Bring the GIs home from Vietnam now; end campus complicity with the war; and win self-determination for Vietnam and Black America.
In this issue of the publication, the Student Mobilization Committee pledged itself to organize high school students, college students, future draftees, GIs and all young people to fight until every last GI is brought home.

A third source on August 5, 1969, advised that the Student Mobilization Committee currently occupies Room 307 at 657 Broadway, New York, New York.
YOUNG SOCIALIST ALLIANCE

A source advised on May 15, 1969, that the Young Socialist Alliance (YSA) maintains its national headquarters at 41 Union Square West, New York, New York, and has as its official publication the "Young Socialist." The YSA is the youth organization of the Socialist Workers Party (SWP) and has been described by the SWP as the main recruiting ground for the SWP.

The SWP has been designated pursuant to Executive Order 10450.
YOUNG SOCIALIST ALLIANCE
(YSA)
KENT, OHIO

A source on December 8, 1967, advised that a Kent, Ohio Branch of the Young Socialist Alliance was being formed at Kent State University (KSU), Kent, Ohio, at that time. Source said that YSA previously had a branch at KSU in 1964 and 1965.

A second source advised on May 9, 1968, that the Kent Branch of the YSA is affiliated with the National YSA organization, follows its policies and directives, and is close to the Socialist Workers Party (SWP). This source advised that activities of this branch are aimed at obtaining membership on college campuses, and it claims to be independent of the SWP.

A third source advised on May 20, 1969, that a number of current SWP members in Cleveland, Ohio, were former members of the YSA in Kent, Ohio.

A fourth source advised on May 9, 1969, that the current membership of the YSA at Kent is approximately 10 to 12 members, who hold meetings on the KSU campus approximately once per week.

The SWP has been designated pursuant to Executive Order 10450.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deleted under exemption(s) b7c b7d with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ____________________________, as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s): Index of Names from Report

☐ For your information: ____________________________

☐ The following number is to be used for reference regarding these pages: ____________________________
MEMORANDUM

TO: Mr. W. C. Sullivan

FROM: C. D. Brennan

DATE: May 25, 1970

SUBJECT: UNKNOWN SUBJECTS; FIRE BOMBING OF ARMY ROTC BUILDING, KENT STATE UNIVERSITY (KSU), KENT, OHIO, MAY 2, 1970; SABOTAGE; SEDITION; CIVIL RIGHTS; FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

The purpose of this memorandum is to advise that a report dated May 21, 1970, at Cleveland in captioned matter is attached and to recommend that such be furnished to the Department and the White House.

By memorandum May 22, 1970, a copy of which is also attached, you were furnished results of the investigation set forth in this report.

RECOMMENDATION:

That the attached letter to the Attorney General with copies for the Deputy Attorney General, Assistant Attorneys General, Internal Security Division, Civil Rights Division, and Criminal Division; and a letter to John D. Ehrlichman at the White House be approved, enclosing for each a copy of the above report.

Enclosures (4) 5-25-70

GHM:amt (6)
TO DIRECTOR
WASHINGTON FIELD
CLEVELAND
JACKSONVILLE
NEW ORLEANS
NEW YORK
LOUISVILLE

FROM SPRINGFIELD (98-932)

RE LOUISVILLE AIRTEL TO CLEVELAND MAY FIFTEEN SEVENTY.

INSTANT DATE

ILLINOIS, ADVISED HE HAS RECEIVED INFORMATION FROM WASHINGTON THAT A FEDERAL WARRANT HAS BEEN ISSUED FOR FOR PAROLE VIOLATION. THOSE OFFICES SEEKING TO INTERVIEW IN CONNECTION WITH KENFUR SHOULDN'T INTENSIFY INVESTIGATION. NCIIC NEGATIVE. WFO VERIFY ISSUANCE PAROLE VIOLATOR WARRANT AND ADVISE. P.

END ACK FOR TWO TELS

RE: FBI WASH. DC FOR 13 8 7 LH 10

98-46419-53

JUN 9 1970

MR. SULLIVAN CLR
June 2, 1970

BY LIAISON

1 - Mr. C. D. DeLoach
1 - Mr. A. Rosen
1 - Mail Room (5531 JB)
1 - Mr. W. C. Sullivan
1 - Mr. C. D. Brennan
1 - Mr. G. H. Henzel

Honorable John D. Ehrlichman
Assistant to the President for Domestic Affairs
The White House
Washington, D. C.

Dear Mr. Ehrlichman:

By letters dated May 15, 1970, and May 28, 1970, you were furnished reports of investigation by the Federal Bureau of Investigation concerning the burning of a Reserve Officers' Training Corps Building at Kent State University on May 2, 1970.

There is enclosed for your information a copy of the report of Special Agent dated May 28, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

Enclosure

NOTE: See memorandum C. D. Brennan to Mr. W. C. Sullivan dated 6/1/70, captioned as above, prepared by GHM; kks.
Memorandum

TO: DIRECTOR, FBI (ATTENTION: MECHANICAL SECTION)
FROM: SAC CLEVELAND (98-2140)

DATE: 5/21/70

SUBJECT: UNSUBS;
Firebombing of Army ROTC Building, Kent State University (KSU), Kent, Ohio
5/2/70
SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT PROPERTY;
CIVIL RIGHTS ACT OF 1968;
INTERFERENCE WITH FEDERALLY-
PROTECTED FACILITY

Enclosed are four, 4 x 5 Ektacolor negatives.

The Bureau is requested to furnish Cleveland
with 20, 8 x 10 prints from each of these negatives.

2 - Bureau (Enc. 4) (RM)
2 - Cleveland

JLF/dsc (4)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Ack Michelt

Entirely made up

1237
SAC, Cleveland (98-2140) May 27, 1970

Director, FBI

UNSUBS:
Firebombing of Army ROTC Building,
Kent State University (KSU), Kent, Ohio
5/2/70
SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT PROPERTY;
CIVIL RIGHTS ACT OF 1968;
INTERFERENCE WITH FEDERALLY
PROTECTED FACILITY

Reference is made to your communication dated 5/21/70 transmitting
negative(s) □ film □ photograph(s) □ document(s) □
pertaining to the above-captioned matter.

In accordance with your request □ film has been developed
□ enlargement(s) made
□ positive copy made
□ print(s) made
□ slide(s) made
□ negative(s) made
□ Photostats made

The above □□ attached
□ being sent under separate cover, via □ registered mail
□ REA Express

Mailed 23
MAY 27 1970
COMM-FBI

Floyd.
4 JUNE 1970

Do.

JOHN R. HARTMAN

END PAGE ONE

KANSAS STATE UNIVERSITY

SUMMARY

ONE OF THE "MARSHALS" WHO ATTEMPTED TO "COOL DOWN" STUDENTS DURING CAMPUS DISRUPTIONS EVENING OF MAY 2, LAST.

MAY 2

ALSO KSU FACULTY "MARSHAL" ON MAY 2

SJLK

RE CLEVELAND REPORT OF 5/2/70

ONOH, MAY 2ND, SEVEN. SABOTAGE #01, CLEVELAND.

UNUSUAL: FIREBOMBS AT ROTC BLDG. KS STATE UNIV.-KENT.

FBI CLEVELAND

JOHN R. HARTMAN
AND THAT SHE IS IN SYMPATHY WITH CAMPUS MOVEMENT.

KSU STUENT, PRESENT AT BURNING AND OBSERVED ONE UNIDENTIFIED SUBJECT CUT FIRE HOSE WITH LARGE KNIFE OR MACHETE.

OBSERVED UNKNOWN INDIVIDUALS AT FIRE CARRYING BAGS FILLED WITH ROCKS AND STATED THAT UNKNOWN INDIVIDUALS IN CROWD THREW ROCKS AT POLICE OFFICERS.

EYEWITNESS TO BURNING, VIEWED PHOTO OF A GROUP IN WHICH AND ANOTHER UNIDENTIFIED WHITE MALE WITH LONG HAIR AND A BEARD WERE DISPLAYED. STATED THAT WAS NOT PERSON HE OBSERVED THROWING BURNING RAG INTO ROTC BLDG. AS HE HAD INDICATED DURING A PREVIOUS INTERVIEW. THEN IDENTIFIED THE SECOND BEARDED WHITE MALE AS THE BURNER. PHOTO ALBUM RECORDS REVEAL THE SECOND PERSON IDENTIFIED BY TO BE PETER CHARLES BLEIK.

BLEIK DESCRIBED AS WHITE MALE, BORN APR. ELEVEN, FORTY-EIGHT. HOME ADDRESS IS THREE FOUR HIGHLAND RD., ROCHESTER, NEW YORK.

CRIMINAL CHECKS NEGATIVE ON BLEIK AT KENT PD AND PORTAGE COUNTY SO.

DOUGLAS CHARLES CORMACK, CLEVELAND, OHIO, ADMITTED
PULLING HOSE AWAY FROM FIREMEN DURING BURNING OF ROTC BLDG. HE REFUSED TO SAY WHETHER HE REALIZED HE WAS HAMPERING EFFORTS OF FIREMEN.

KSU STUDENTS, REFUSED TO DISCUSS HIS ACTIVITIES ON MAY TWO, LAST. KENNETH AND MARILYN HAMMOND ALSO REFUSED TO BE INTERVIEWED.

CANTON, OHIO, FURNISHED SIGNED STATEMENT INDICATING HIS INVOLVEMENT IN BURNING OF ROTC BLDG. HE MAINTAINED HE JOINED MOB EN ROUTE TO ROTC BLDG. EVENING OF MAY TWO, LAST, WITH JOHN (LNU) OF PENINSULA, OHIO. MOB APPEARED TO BE LED BY FIVE OR SIX PERSONS, WHOSE IDENTITIES WERE UNKNOWN TO . HOWEVER, HE INDICATED HE BELIEVES HE COULD IDENTIFY THESE INDIVIDUALS IF HE OBSERVED THEM AGAIN. EN ROUTE TO ROTC BLDG. THE MOB STOPPED AT A CONSTRUCTION SITE AND LEADERS INSTRUCTED EVERYONE TO PICK UP ROCKS AFTER ARRIVING AT ROTC BLDG., OBSERVED JERRY RUPE BURN AN AMERICAN FLAG. ADMITTED THROWING TWO ROCKS AT ROTC BLDG. HE OBSERVED RICK (LNU) CUT FIRE HOSES. UNIDENTIFIED WHITE MALE DIPPED RAG INTO TANK OF NEARBY MOTORCYCLE AND HANDED IT TO . PASSED RAG.
TO UNIDENTIFIED WHITE MALE, AND THIS INDIVIDUAL PLACED RAG INTO ROTC BLDG. AND IGNITED IT. ND THIS INDIVIDUAL THEN BROKE OUT WINDOW OF ROTC BLDG. IN ORDER TO ALLOW MORE AIR TO GET TO FIRE. ALSO OBSERVED JERRY RUPE THROW TWO MILK CARTONS THROUGH ROTC WINDOWS. DENIED STARTING FIRE HIMSELF, OR CUTTING FIRE HOSES.

THOMAS MILLER, AKA AQUINAS, ADMITTED BEING PRESENT AT BURNING, BUT REFUSED TO IDENTIFY ANYONE TAKING PART. MILLER TOLD HE CUT HOSES. TOLD THAT MILLER HAD BEEN "RIGHT IN THERE WITH THE TOP GUYS WHO STARTED FIRE." ALSO FURNISHED INFO TO BOTH HEADQUARTERS OF REVOLUTIONARY ACTIVITY IN KENT, OHIO.

FURNISHED SIGNED STATEMENT ON MAY TWENTY, LAST, INDICATING HE WAS NOT IN KENT AT TIME OF ROTC BURNING, BUT WAS AT CHIPPEWA LAKE AMUSEMENT PARK WITH THREE OTHER PERSONS. THE OTHER THREE PERSONS, ALL VERIFIED STORY.

FURTHER INDICATED HE DID NOT KNOW IDENTITIES OF PERSONS INVOLVED IN BURNING

END PAGE FOUR
A white female, age about eighteen, advised two KSU students she had "stoned the pigs and cut their hoses.

Kent, advised he fled from his room immediately after shooting incident on KSU campus. He was identified by as an active revolutionary.

Alfie Tate identified by as individual rallying students to throw rocks at time of burning. Tate also identified by as carrying machete.

Advised he could not positively identify burners or hose cutters and would not do so even if he could. Professed to believe in nonviolence at the present but stated he might resort to violence in future if goals not met.

In May Twentyseven, Seventy, issue of "The Cleveland

End Page Five
PRESS, "DAILY EVENING NEWSPAPER, AN ARTICLE APPEARED CAP-
TIONED "FBI LINKS PARMA STUDENT TO KENT ROTC FIRE." THIS
ARTICLE STATES FBI TODAY REPORTED IT HAS LINKED PARMA, OHIO,
YOUTH WITH BURNING OF ROTC BUILDING ON KSU CAMPUS, MAY TWO,
LAST. ARTICLE DOES NOT GIVE YOUTH'S NAME BUT STATES HE IS
STUDENT AT KSU. IT ALSO STATES THAT SEARCH OF YOUTH'S
QUARTERS AT TWO THREE ZERO EAST MAIN ST., KENT, OHIO,
FAILED TO PRODUCE INCENDIARY OR EXPLOSIVE MATERIALS LISTED
IN SEARCH WARRANT OBTAINED MAY TEN, LAST.
ARTICLE FURTHER STATES IDENTIFICATION OF YOUTH MADE BY
ANOTHER KSU STUDENT BY MEANS OF PHOTO FOLLOWING WHICH KENT
POLICE OBTAINED SUSPECT'S NAME. ARTICLE ALSO STATED CLEVELAND
SAC SAID THAT SUSPECT'S FATHER TOLD FBI HIS SON WAS PRESENT
WHEN ROTC BLDG. BURNED AND THAT TWO KSU COEDS TOLD FBI THEY
WERE AT EAST MAIN STREET RESIDENCE WHEN SEVERAL MALE STU-
DENTS ARRIVED AND STATED THEY SET BUILDING AFIRE. CLEVELAND
SAC ALSO QUOTED AS STATING POSTERS FOR A JERRY RUBIN RALLY,
A CARDBOARD TUBE COVERED WITH ALUMINUM AND HAVING A BURN HOLE
AT ONE END, A BOOK ABOUT CHE GUEVARA, AND AN SDS BOOKLET WERE
FOUND IN YOUTH'S QUARTERS.
END PAGE SIX
THIS NEWSPAPER ARTICLE APPARENTLY BASED UPON INFO REVEALED IN SEARCH WARRANT EXECUTED BY CLEVELAND DIVISION AT TWO THREE ZERO EAST MAIN ST., KENT, OHIO, ON MAY TEN, LAST. WARRANT AUTHORIZED ON MAY TEN, LAST, BY ASSISTANT AG J. WALTER YEAGLEY, WHO INSTRUCTED THAT USA, CLEVELAND, BE KEPT INFORMED OF ALL DEVELOPMENTS. SEARCH WARRANT WAS RETURNED TO USC CLIFFORD E. BRUCE, CLEVELAND, ON MAY NINETEEN, LAST. USC FILED IT WITH CLERK OF USDC MAY TWENTYSIX, LAST, AFTER WHICH PRESS APPARENTLY BECAME AWARE OF IT. SAC, CLEVELAND, HAS MADE NO COMMENTS WHATSOEVER REGARDING MATTER TO MEMBERS OF PRESS.

CAUTION SHOULD BE EXERCISED IN CONTACTS WITH INAS MUCH AS HE REPORTEDLY HAS SUICIDAL TENDENCIES.

ADMINISTRATIVE CLEVELAND CONTINUING EFFORTS TO IDENTIFY SUBJECTS. REPORT TO FOLLOW.

END

MXW

FBI WASH DC

CC. MR. SULLIVAN
TO DIRECTOR
FROM CLEVELAND (98-2140)

UNSUBS: FIREBOMBING OF ARMY ROTC BLDG., KENT STATE UNIV. (KSU), KENT UNIVERSITY, KENT, OHIO, MAY TWO, SEVENTY, SABOTAGE. 00; CLEVELAND.

SUMMARY.

RE CLEVELAND TEL, MAY FIVE LAST.

ADvised OSHP

MADE SEARCH OF THE BODIES OF THE FOUR PERSONS WHO WERE APPARENTLY KILLED BY OHIO NATIONAL GUARD GUNFIRE ON MAY FOUR, LAST, ON KSU CAMPUS. HE SAID THAT WHEN SEARCHING BODY OF JEFFERY MILLER, KSU STUDENT, THEY FOUND SMALL SCRAP OF PAPER WHICH HAD TELEPHONE NUMBER "SIX SEVEN THREE, SEVEN FIVE NINE" AND WORDS "COMMUNICATION CENTER." OSHP INVESTIGATORS DETERMINED ABOVE NUMBER LISTED TO TWO THREE SEVEN AND ONE-HALF, NO. WATER ST., KENT, OHIO.

END PAGE ONE

5 5 JUN 9 1970

1

5 5 JUN 9 1970
KENT PD ON MAY FOUR, LAST, OBTAINED SEARCH WARRANT AND ARRESTED
AND AT ABOVE ADDRESS, CHARGING THEM WITH CURFEW VIOLATIONS. HAS PREVIOUSLY BEEN IDENTIFIED AS SDS MEMBER AND ARRESTED ON KSU CAMPUS APRIL SIXTYNINE, DURING DISRUPTION BY SDS.

KENT PD SEARCH OF ABOVE ADDRESS REVEALED SEVERAL PIECES OF LITERATURE CONTAINING NAMES OF KNOWN SDS AND YSA MEMBERS. ALSO OBTAINED WAS A LETTER FROM ABBIE HOFFMAN TO . AMONG OTHER THINGS THIS LETTER URGED TO "ABOVE ALL BUILD THE CONSPIRACY IN YOUR BACK YARD THAT WILL DEFEND OUR GROWING NATION". LETTER REPORTEDLY POSTMARKED APR. THIRTY, LAST. MUNICIPAL COURT JUDGE, KENT, ORDERED THIS DATE THAT ALL EVIDENCE OBTAINED IN ABOVE SEARCH BE RETAINED BY KENT PD.

CLEVELAND ATTEMPTING TO OBTAIN PHOTOS OF ABOVE INDIVIDUALS IF AVAILABLE AND DISPLAY TO WITNESSES. KENT FIREMEN INTERVIEWED THIS DATE BUT COULD NOT IDENTIFY UNSUBS. ARMY ROTC OFFICERS AND CADETS INTERVIEWED THIS DATE AND COULD NOT FURNISH ANY PERTINENT INFO.

END PAGE TWO
DOCTORS AT KSU HEALTH CENTER FURNISHED NAMES OF STUDENTS WHO REPORTED INJURIES ON EVENING OF FIRE, AND THESE STUDENTS WILL BE LOCATED AND INTERVIEWED.

CLEVELAND HAS OBTAINED NEGATIVES OF PHOTOS TAKEN OF DEMONSTRATORS ON CAMPUS DURING DISRUPTION. NEGATIVES HAVE BEEN FORWARD TO BUREAU BY SEPARATE COMMUNICATION FOR PRINTING OF SUFFICIENT COPIES. UPON RECEIPT OF PHOTOS, CLEVELAND WILL DISPLAY THEM TO WITNESSES.

END.

CAN

FBI WASH DC
Memorandum

TO: Mr. W. C. Sullivan

FROM: C. D. Brennan

SUBJECT: UNKNOWN SUBJECTS; Fire Bombing of Army ROTC Building Kent State University (KSU), Kent, Ohio, May 2, 1970.

The purpose of this memorandum is to set forth highlights of investigation conducted by Cleveland since the submission of its last report in this matter on 5/21/70.

A nonstudent from Canton, Ohio, furnished a signed statement admitting active participation in demonstration which led to the burning of the ROTC building. His participation included throwing rocks at the building, handing a gasoline-soaked rag to an unknown person who placed it in the ROTC building and ignited it. He and this unknown person broke a window in the building to provide additional draft for the fire. Efforts, with assistance, are being made to identify this unknown person and five or six other individuals Harrington considered leaders of the demonstration. Harrington advised Jerry Rupe burned an American flag and threw objects through the ROTC window on 5/2/70. He denies starting the fire or hindering fire officials.

is no longer considered a suspect since the eyewitness who previously identified him by photograph no longer believes was the person he observed. has also been interviewed and provided information that he was not present at KSU on 5/2/70 which statement has been substantiated by three other persons.

Thomas Miller, known at KSU where he formerly was a student by the nickname "Acquinas," admitted presence at burning of ROTC building but refused to identify persons involved.

Date: May 28, 1970

1. Mr. C. D. DeLoach
2. Mr. A. Rosen
3. Mr. C. L. McGowan

1. Mr. H. A. Schutz
2. Mr. W. C. Sullivan
3. Mr. C. D. Brennan
4. Mr. G. H. Menzel

REC-106 989-46479-57
CONTINUED 5/5/1970

COPY MADE FOR MR. TOLSON
Memorandum to Mr. W. C. Sullivan
RE: UNKNOWN SUBJECTS;
      Fire Bombing of Army ROTC Building
      Kent State University (KSU)
      Kent, Ohio, May 2, 1970
      98-46470

Information has been received that Miller cut hoses and was "right in there with the top guys who started the fire." He admits he was the person photographed on 5/4/70 subsequent to the shootings at KSU who was raking a black flag through the blood of victim Jeffrey Miller, but is not related to him.

Interviews of faculty, students and nonstudents at KSU are continuing. Some individuals contacted have refused to be interviewed.

Cleveland has advised it will submit another report in this matter this weekend, and a copy will be furnished to the Director promptly with an appropriate recommendation for dissemination. Investigation is being vigorously pursued and closely supervised in an effort to identify subjects responsible and to bring this matter to a logical conclusion.

RECOMMENDATION:

None. For the information of the Director.
To: SAC, Cleveland (08-2140)

From: Director, FBI (08-46479)

UNKNOWN SUBJECTS; Reserve Officers Training Corps

Fire Bombing of Army ROTC Building

Kent State University (KSU)

Kent, Ohio

May 2, 1970

SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

Reference is made to Bureau telephone call to SAC, Cusick, at Cleveland 6/3/70 which advised Mr. Philip Morris, Attorney, Internal Security Division, Department of Justice, will depart Washington, D.C., on Northwest Airlines flight arriving Cleveland 11:35 A.M. 6/4/70.

Copies of all reports in this matter to date have been made available to Mr. Morris. Cleveland should render appropriate assistance to Mr. Morris with regard to any requests made by him and insure that he is furnished copies of subsequent reports in this matter while in Cleveland.

NOTE:

Pursuant to request made 6/2/70 to AAG Yeagle, Philip Morris, Attorney in the Internal Security Division will arrive Cleveland 6/4/70 to correlate Department's consideration of this case. This confirms information furnished Cleveland telephonically 6/3/70 which instructed Cleveland to render assistance to Mr. Morris.
Memorandum

TO: Mr. W. C. Sullivan

FROM: Mr. C. D. Brennan

DATE: 6/1/70

SUBJECT: UNKNOWN SUBJECTS;
Fire Bombing of Army ROTC Building
Kent State University (KSU)
Kent, Ohio, May 2, 1970
SABOTAGE; SEDITION; CIVIL RIGHTS -
FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

The purpose of this memorandum is to advise that
a report dated May 28, 1970, at Cleveland in captioned matter
is attached and to recommend that such be furnished to the
Department and the White House.

By memorandum May 28, 1970, a copy of which is
also attached, you were furnished the results of investigation
included in this report.

RECOMMENDATION:

That the attached letter to the Attorney General with
copies for the Deputy Attorney General, Assistant Attorneys
General, Internal Security Division, Civil Rights Division
and Criminal Division; and a letter to John D. Ehrlichman at
the White House be approved, enclosing for each a copy of the
above report.

Enclosures (4)
The purpose of this memorandum is to set forth highlights of investigation conducted by Cleveland since the submission of its last report in this matter on 5/31/70.

A nonstudent from Canton, Ohio, furnished a signed statement admitting active participation in demonstration which led to the burning of the ROTC building. His participation included throwing rocks at the building, handing a gasoline-soaked rag to an unknown person who placed it in the ROTC building and ignited it. He admitted he and this unknown person broke a window in the building to provide additional draft for the fire. Efforts, with assistance, are being made to identify this unknown person and five or six other individuals considered leaders of the demonstration. Jerry Rupke burned an American flag and threw objects through the ROTC window on 5/2/70. He denies starting the fire or hindering fire officials.

Is no longer considered a suspect since the eyewitness who previously identified him by photograph no longer believes was the person he observed. He also been interviewed and provided information that he was not present at KSU on 5/2/70 which statement has been substantiated by three other persons.

Thomas Miller, known at KSU where he formerly was a student by the nickname "Aquinus," admitted presence at burning of ROTC building but refused to identify persons involved.

CONTINUED - OVER

ENCLOSURE
Information has been received that Miller cut hoses and was "right in there with the top guys who started the fire."

He admits he was the person photographed on 5/4/70 subsequent to the shootings at KSU who was raising a black flag through the blood of victim Jeffrey Miller, but is not related to him.

Interviews of faculty, students, and nonstudents at KSU are continuing. Some individuals contacted have refused to be interviewed.

Cleveland has advised it will submit another report in this matter this weekend, and a copy will be furnished to the Director promptly with an appropriate recommendation for dissemination. Investigation is being vigorously pursued and closely supervised in an effort to identify subjects responsible and to bring this matter to a logical conclusion.

RECOMMENDATION

None. For the information of the Director.
Attached teletype concerning
Kent State University ROTC burning,
5/2/70, identifies 10 persons who have
been established by investigation as
participants in violent acts directed
against that facility on 5/2/70 including
persons who hindered firemen endeavoring
to put out blaze. Cleveland recommends
Department furnish immediate prosecutive
opinion and/or consider immediate Federal
Grand Jury action concerning these
subjects.

Accordingly, the attached
information will be immediately made
available to Assistant Attorneys General,
Internal Security Division, Criminal
Division and Civil Rights Division.
Assistant Attorney General, Internal
Security Division, will be personally
contacted and advised of the urgency of
this request in view of the possibility of
local arrests and prosecution being
imminent.

GHM:pab

[Signatures]
FBI WASH DC

FBI CLEVELAND

10:43AM URGENT 6-2-70 AFS

TO DIRECTOR (93-46479)

FROM CLEVELAND (93-2140)

UNSUBS: FIREBOMBING OF ARMY ROTC BLDG. KENT STATE UNIVERSITY, KENT, OHIO, MAY TWO, SEVENTY SEVEN. SABOTAGE ONE

CLEVELAND.

RE CLEVELAND REPORT OF MAY TWENTYEIGHT, LAST.

SUMMARY

INVESTIGATION TO DATE HAS IDENTIFIED TEN INDIVIDUALS WHO HAVE ADMITTED INVOLVEMENT IN CAPTIONED MATTER OR WHO HAVE BEEN IDENTIFIED BY WITNESSES AS HAVING BEEN INVOLVED.

THE FOLLOWING INFO REGARDING THESE INDIVIDUALS IS SET FORTH FOR CONSIDERATION BY THE BUREAU AS TO POSSIBLE PROSECUTION.

END PAGE ONE
Furnished signed statement May Twenty Six, last. He admitted joining group of about three hundred to five hundred individuals on KSU campus about Seven Fifty Five P.M., May Two, last. As they passed construction site on campus en route to ARMY ROTC Bldg., unidentified leaders of group instructed group to pick up rocks. Admitted picking up four rocks, two of which he gave to someone else.

Acknowledged that on arriving at ROTC Bldg., he threw two rocks at building, one of which went over building and one went through a window. Admitted he and other individuals from crowd pulled fire hoses from firemen when they arrived to extinguish ROTC fire.

Denied he cut any fire hoses. Also denied having personally set building on fire; however, he admitted that unidentified white male soaked a rag in gas tank of motorcycle and passed rag to then passed rag to second unidentified white male, who then ignited rag at building.

In addition, stated he and aforementioned
SECOND UNIDENTIFIED WHITE MALE TORE SCREEN FROM WINDOW OF
ROTC BUILDING "AND BROKE OUT THE WINDOW WITH OUR BARE FISTS
AS WE FELT THE FIRE NEEDED AIR." - ADDED HE HIMSELF,
UNDER INFLUENCE OF LSD DURING THAT EVENING.

S WHITE MALE, BORN AUG. TWENTY-FIVE, FIFTY-
ONE.

JERRY RUPE

ONE TWO SEVEN NO. MANTUA ST., KENT, OHIO

IN AFOREMENTIONED SIGNED STATEMENT

ADvised HE SAW JERRY RUPE HOLDING AMERICAN FLAG ON STICK OVER
HIS HEAD AT ROTC BLDG. EVENING OF MAY TWO, LAST, AND THAT
FLAG WAS THROWN TO GROUND AND RUPE SET FIRE TO IT.

ALSO SAW RUPE AND ABOUT TWENTY OTHER PERSONS ASSAULT A PHOTO-
GRAPHER IN CROWD DURING FIRE. - OBSERVED RUPE
THROW TWO METAL MILK CASES THROUGH ROTC WINDOWS.

ALSO NOTED RUPE WAS IN CROWD AS IT DISPERSED FROM ROTC BLDG.
AND WENT INTO CITY OF KENT.
RUPE is white male, born July twentythree, fortyfive.

Last name unknown

LuLu white male

Kent, Ohio

In aforementioned signed statement advised he observed LuLu cutting fire hose with knife he had strapped in a sheath of his leg. Believed

Resided at

Said he was formerly student at Univ. of Akron and is not currently a student at KSU.

Ohio

During burning of ROTC bldg.

Indicated that Jerry Rupe and LuLu appeared to be

End page four
LEADERS OF CROWD AT BUILDING. ALSO SAW JERRY RUPE WITH BURNING FLAG. HE DENIED ACTIVE PARTICIPATION DURING BURNING OF BUILDING, BUT ADMITTED HE WAS IN FRONT OF THE MOB.

AKRON, OHIO

ORALLY ADMITTED ON MAY TWENTYEIGHT, LAST, HE TRAVELED TO KENT, OHIO, EVENING OF MAY TWO LAST, AND WAS PRESENT AT BURNING OF ROTC BLD. OBSERVED JERRY RUPE WITH BURNING FLAG DURING FIRE. HE ALSO ADMITTED PULLING ON FIRE HOSE.

CINCY, OHIO

IN MAY TWENTYEIGHT, LAST, ORALLY ADMITTED TO PULLING HOSES DURING ROTC FIRE. HE ALSO INDICATED HE WAS END PAGE FIVE
AT THE FIRE.

WOOSTER, OHIO

ON MAY NINE, LAST, ORALLY ADMITTED THAT AT ABOUT TWO A.M., MAY TWO, LAST, HE AND HIS DATE, WERE PASSING ROTC BLDG. AT KSU. AT THIS TIME TOOK Picketbook AND SMASHED WINDOW IN ROTC BLDG. DENIED BEING ON CAMPUS AT TIME OF BURNING.

WAS CHARGED WITH MALICIOUS MISCHIEF BY LOCAL AUTHORITIES AS A RESULT OF ABOVE AND WAS SENTENCED TO THIRTY DAYS IN PORTAGE COUNTY JAIL, RAVENNA, OHIO, BEGINNING MAY TWENTY, LAST, AND WAS ALSO FINED TWO HUNDRED DOLLARS.

IS WHITE MALE, BORN JUNE FOURTEEN, FIFTY.

ALFIE TATE KENT, OBSERVED NEGRO MALE KNOWN AS ALFIE
TATE, graduate of John Hay High School, Cleveland, Ohio in Kent on May One, last. He said that brandished a "sword," and that Tate stated, "I'm gonna get one of them if it get close enough." Later observed Tate at roic fire. He said Tate was running around yelling for students to grab rocks and sticks to throw at Ohio National Guard troopers.

On May Eighteen, last, advised he saw Alfrey Tate about one thirty a.m. on Sat. in Kent prior to burning of roic bldg. Tate stated he was member of Black Panther Party and had recently been in Chicago. Tate went on to state, "I'm going to show you guys how to riot." Also observed Tate was waving a machete with a blade about eighteen inches long.

Tate is Negro Male, date of birth unknown.

Peter Charles Bleik
Three Four Highwood Rd., Rochester, New York

When interviewed May Eleven, last, Bleik acknowledged he was at scene of roic fire but denied he was involved other.
ON MAY TWENTYFIVE, LAST, EYE-WITNESS TO BURNING, IDENTIFIED PHOTO OF BLEIK AS BEING IDENT WITH PERSON HE OBSERVED THROW LIGHTED GASOLINE-SOAKED RAG INTO ROTC BLDG.

IT IS NOTED THAT PREVIOUSLY IDENTIFIED PHOTO OF AS THIS SUBJECT, BUT ON MAY TWENTYFIVE CHANGED HIS MIND.

IT IS FURTHER NOTED THAT BOTH AND BLEIK ARE WHITE MALES, WELL OVER SIX FT. TALL, AND BOTH HAVE LONG HAIR AND BEARDS.

BLEIK WAS BORN APR. ELEVEN, FOURTEIGHT.

DOUGLAS CHARLES CORMACK
ONE TWO NINE FOUR ONE CHERRY LANE, CHESTERLAND, OHIO

ONE MAY TWELVE, LAST, CORMACK ACKNOWLEDGED HE AND OTHER MEMBERS IN CROWD AT ROTC BLDG. THREW ROCKS AT BUILDING. HE STATED UNIDENTIFIED INDIVIDUAL TOOK PILLOW CASE FROM HIM, STATING, "I NEED SOMETHING FOR GAS." SUBSEQUENTLY, CORMACK
Saw individual with burning rag on end of stick starting fire at building. Subject came from direction of two motorcycles and Cormack stated rag could have been his pillow case.

Cormack further admitted about two hundred students, including himself, pulled hoses away from ROTC Bldg. and away from firemen because they did not want fire put out.

Following above, Ohio National Guard arrived to protect firemen, and Cormack and other members of crowd threw rocks at them.

When reinterviewed on May twentyone, last, Cormack again admitted he pulled hose from firemen for "kicks" but refused to acknowledge he threw rocks. During this interview,

Cormack is white, male, born Jan. Thirteen, fifty.

Administrative

Cleveland requests bureau consider discussing above info with Department of Justice for prosecutive opinion and/or end page nine.
DESIRABILITY OF PRESENTING THIS MATTER BEFORE A GRAND JURY.

IT IS NOTED LOCAL LAW ENFORCEMENT AGENCIES ARE ALSO CONDUCTING INVESTIGATION INTO DISRUPTIONS AT KSU, AND ARRESTS BY THESE AGENCIES MAY BE FORTHCOMING. IT IS EXPECTED WILL BE IDENTIFIED BY CV DIVISION THIS DATE.

CORR PAGE 6 LINE 8 WB 2 SHD BE PIXXX POCKETBOOK.
The Attorney General

REC-35

Director, FBI 98-477179-60

1 - Mr. C. D. DeLoach
1 - Mr. A. Rosen
1 - Mr. W. C. Sullivan
1 - Mr. C. D. Brennan
1 - Mr. G. H. Menzel

UNKNOWN SUBJECTS:
Fire Bombing of Army ROTC Building
Kent State University (KSU)
Kent, Ohio
May 2, 1970
SABOTAGE; SEDITION; CIVIL RIGHTS —
FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

Reference is made to three investigative reports
which have been furnished to you in this matter by letters

For your additional information a summary of
information in this case was personally furnished to
Assistant Attorney General J. Walter Yeagley on June 2,
1970. This summary identified ten persons who committed
acts of violence against the Reserve Officers' Training
Corps building on May 2, 1970, and/or interfered with fire-
men who attempted to put out the fire in that building.

In connection with this information Mr. Yeagley
was requested to expeditiously advise whether Federal
prosecution is warranted in this matter. In view of the
possibility of local arrests and prosecution of some of
these individuals, it would be appreciated if an early
decision would be made in this case.

1 - The Deputy Attorney General
1 - Assistant Attorney General
Civil Rights Division
1 - Assistant Attorney General
Criminal Division
1 - Assistant Attorney General
Internal Security Division

SEE NOTE PAGE TWO
PLAINTEXT

TELETYPE

IMMEDIATE

6/4/70

1 - Mr. Mohr
1 - Mr. Deloach
1 - Mr. Sullivan
1 - Mr. Conrad
1 - Office, 7133
1 - Mr. Aaron

TO SAC CLEVELAND (98-2140)

FROM DIRECTOR FBI

RESERVE Officers Training Corps

UNSUBS; FIREBOMBING OF ROTC BUILDING, KENT STATE UNIVERSITY (KSU), KENT, OHIO, MAY 28, NINETEEN SEVENTY;
SABOTAGE, AND BUFFALO LETTER MAY TWENTY-EIGHT, LAST.

NO SMOKE PARTICLES OR INCENDIARY CHEMICALS FOUND ON SUBMITTED SPECIMENS.

REPORT FOLLOWS. COPY MAILED BUFFALO.

BUFFALO (98-1235)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 4 1970

10:00

TELETYPE
DIRECTOR, FBI
(ATTN: FBI LABORATORY)

SAC, BUFFALO (93-1235)

WUNNS
RESEARCH OF RUNE BUILDING,
Kent State University (KSU),
Kent, Ohio
May 2, 1970
SABOTAGE
(CO: CLEVELAND)

Re: Cleveland tel to Buffalo, 5/26/70.

Enclosed for the Bureau under separate cover
are the following items:

913 1. Orange T-shirt with red horizontal stripes.
914 2. Blue bell-bottom denims. Trousers

In connection with captioned incident the Laboratory
is requested to examine the above clothing for any traces of
residue, or smoke particles, or inordinate chemical residue
which might indicate the wearer of the clothing started fires
through the use of gas soaked rags, railroad flares, or any
other type of device of inflamable or combustible nature.

Furnish results of examination to the Buffalo and
Cleveland Divisions.

3 - Envelope
(2 - With Package) BRRR
(1 - Cleveland (93-2140) BRRR
(2 - Buffalo
(7)
FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

__ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) b1 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________ was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies):
______________________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):
__________________________________________________________________________

☐ For your information:
__________________________________________________________________________

☐ The following number is to be used for reference regarding these pages:
__________________________________________________________________________
FBI, Cleveland (98-2140)  
Date: 6/8/70

Reserve Officers Training Corps

UNSUBS:  
FIREBOMBING OF ROTC BUILDING, Kent State  
University (KSU), Kent, Ohio,  
May 2, 1970  
SABOTAGE

Examination requested by: Buffalo  
Reference: Buffalo letter dated 5/28/70  
Examination requested: Chemical Analyses

This report confirms and supplements information furnished the Cleveland Office by teletype dated June 4, 1970.

Unless advised to the contrary, when all examinations in this case have been completed, specimens Q13, Q14 and Q15 will be returned under separate cover to the Buffalo Office.

Enclosures (2) (2 Lab reports)
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Cleveland
UNSUBS:
Re: FIREBOMBING OF ROTC BUILDING,
Kent State University (KSU),
Kent, Ohio,
May 2, 1970
SABOTAGE
Specimens received 6/1/70

Q13 T shirt
Q14 Trousers
Q15 Coat

Results of examination:

Specimens Q13, Q14 and Q15 were examined for the presence of smoke particles and incendiary chemical residues, but none were found.
Re: UNSUBS;
FIREBOMBING OF ROTC BUILDING;
Kent State University (KSU);
Kent, Ohio;
May 2, 1970;
SABOTAGE
Examination requested by: FBI, Buffalo (98-1235).
Examination requested: Chem. Anal.
Result of Examination:
original to cleveland (68-2140)
mitts attached
Joe Buffalo (98-1235)

Specimens submitted for examination

Q13 T shirt
Q14 Trousers
Q15 Coat
Received via air mail registered #41592 from FBI Buffalo a cardboard box 12"3 wrapped in brown paper. PM on front station 5.26.80. Contents: each sealed with FBI tape in plastic bag.

One of the contents is 44 "cord fuel". 94 lb. total.

All specimens are dry, odors free and no evidence of burning or solid chemicals on any clothing articles. Nothing on articles but normal soil from the pockets empty.
DIRECTOR, FBI
(ATTN: FBI LABORATORY)

SAC, BUFFALO (98-1235)

SUBJ:
FIRE ECHOING OF ROTC BUILDING, Kent State University (KSU),
Kent, Ohio
May 2, 1970
SABOTAGE
(CO: CLEVELAND)

5/28/70

Re Cleveland tel to Buffalo, 5/26/70.

Enclosed for the Bureau under separate cover are the following items:

1. Orange T-shirt with red horizontal stripes.
2. Blue bell-bottom denim trousers.

In connection with captioned incident the Laboratory is requested to examine the above clothing for any traces of residue, or smoke particles, or incendiary chemical residue which might indicate the wearer of the clothing started fires through the use of gas soaked rags, railroad flares, or any other type of device of inflamable or combustible nature.

Furnish results of examination to the Buffalo and Cleveland Divisions.

3 - Bureau (With Package) BRR
2 - Cleveland (93-2143)
2 - Buffalo
JRP; ccd
(7)
EXAMINATIONS REQUESTED:

The FBI Laboratory is requested to examine the baseball bat for latent fingerprints and also conduct examinations to locate glass particles on paint chips which may have adhered to the bat while being used for the breaking of FORT building windows.

Enclosed under separate cover is one baseball bat recovered by an unknown subject on the evening of 5-27-70. It is believed to have been used in the breaking of FORT Building.

Unsubsi. Firebombing of Federal Office Building, 2000 E. 6th St., Cleveland, Ohio (24th Street)

R. C. FORT (Clev., Ohio, 24th), 5-27-70

EXPERMENTAL

DIRECTOR FBI

NOTES:

FBI Laboratory

S. G. O. F. B. L. A. (Clev., Ohio) 

W. T. G. W. (Clev., Ohio)
The Attorney General

Director, FBI

Reference is made to my letters dated May 15, 1970, and June 2, 1970, which furnished you the results of investigation of the Federal Bureau of Investigation concerning the burning of Reserve Officers' Training Corps building at Kent State University on May 3, 1970.

There is enclosed for your information a copy of the report of Special Agent dated June 4, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of the enclosed report is being furnished to Honorable John D. Ehrlichman at the White House.

Enclosure

1 - The Deputy Attorney General (Enclosure)
1 - Assistant Attorney General (Enclosure)
   Civil Rights Division
   19 JUN 11 70
1 - Assistant Attorney General (Enclosure)
   Criminal Division
1 - Assistant Attorney General (Enclosure)
   Internal Security Division

See memorandum C. D. Brennan to Mr. W. C. Sullivan dated 7/10/70, captioned as above, prepared by GNM:ser/co.
TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140)
RE: UNSUBJ; Firebombing of Army ROTC Building, Kent State
       University, Kent, Ohio 5-2-70
       SABOTAGE
OO: CV

On 6-4 and 5-70, PHILIP MORRIS, Attorney, U.S. Dept. of Justice, Internal Security Division, WDC, reviewed captioned case for possibility of authorization for obtaining arrest warrants and for going to the FJG with this matter.

Set forth below, in brief, are the main subjects and evidence against them at this time:

1. Furnished signed statement admitting he threw rocks and broke windows in ROTC Bldg.

2. Also admitted he was handed a rag dipped in gasoline which he handed to a second person who lit it and put it in the ROTC Bldg.

3. Admitted he and another white male broke windows with fists to get fire going.

4. [Redacted] advised [Redacted] told her he stated the fire. (She did not previously know [Redacted] and should be shown photo of him)

5. Witness [Redacted] has not yet seen photo of

[Signature]

Bureau (RM) Cleveland
JNO: ank

Approved: [Signature] Special Agent in Charge

Sent: 10 JUN 1970
CV 98-2140

PETER CHARLES BLEIK, DOB: 4-11-48

1. BLEIK admitted being at scene but denied involvement.

2. Witness advised from photo (which included that BLEIK lighted the fire) gives a good description.

3. A good prospective witness, (student) picked BLEIK from photo (in 44 case) as leading in the burning, but she should be reinterviewed. (Mr. MORRIS said it would be good if she could back up.

JERRY RUPE, DOB: 7-23-45

1. Denied involvement.

2. saw RUPE burn flag - also assault a photographer.

3. saw RUPE throw metal milk container through ROTC window.

4. saw RUPE with burning flag.

5. saw RUPE with burning flag.

6. PD.

RICK FELBER, former University of Akron student

1. Admitted only he was at burning.

2. said he saw FELBER cut hose.

3. Witness, reported FELBER and RUPE were "leaders" at the burning.
1. Admitted present at burning.
2. Admitted pulling hose.
3. (Saw RUPP with burning flag.)
4. SMILEY said he was with [ ] at the fire.
5. A flag that was burned belonged to [ ]

DALE D. SMILEY, DOB: 1-8-56
1. Admitted pulling hoses.
2. Said was with [ ] at the fire.

DOUGLAS CHARLES CORMACK, Chesterland; DOB: 1-13-50
1. Acknowledged threw rocks at building.
2. Said someone took a pillow case from him.
3. Saw individual with burning flag start fire at building. ( Came from direction motorcycles and could have been pillow case.)
4. Admitted he and 200 others pulled hoses.

ALFIE TATE - Negro male
1. [ ] knew and identified TATE as running around yelling for students to grab rocks and sticks to throw at National Guard.
said he saw TATE earlier Sat. TATE said he was a member of the BPP and "I'm going to show you guys how to riot" (TATE had a machete).
Mr. MORRIS said it was his inclination not to go to the Grand Jury until we conduct more investigation regarding the Sabotage violation, because:

1) He saw no reason to call uncooperative witnesses.

2) If he had to call uncooperative witnesses, he wants to be in a better position to interrogate them.

Mr. MORRIS said he feels more people are involved, whom we may identify in the further investigation.

Mr. MORRIS said that other than [redacted] and BLEK, it may be more appropriate to charge the others under Section 231 (ARL). He added that before this was done there would have to be a consultation between his Internal Security Division and the Criminal Division of the Department, because the latter would handle the ARL matter.

Mr. MORRIS suggested the following persons be re-interviewed as possible witnesses against [redacted] (and shown photographs) since it appears they have knowledge of the matter:

Also some firemen

Mr. MORRIS also suggested we review previous reports to identify any further potential witnesses who may be able to identify subjects. He suggested that photos of the following persons be shown to these potential witnesses:
A review of previous reports by CV Division determined these photos will have to be shown to approximately 50 additional persons.

Mr. MORRIS was advised that local or state authorities may move in this matter before we complete this investigation which will take one to two weeks.

Mr. MORRIS telephoned Mr. WALTER YEAGLEY from CV Division and said his recommendation above had been concurred with.

The foregoing was related to USA ROBERT B. KRUPANSKY the afternoon of 6-5-70.

Mr. KRUPANSKY said it is "their decision" and when the Dept. sends in a representative, he does not get involved but lets them handle it. Mr. KRUPANSKY was advised that Mr. MORRIS was on the way over to see him since he had not yet had chance to contact him since his Mr. MORRIS' arrival in CV. Around noon 6-4-70.
Mr. MORRIS did not take a copy of the report of SA dated 6-5-70, at Cleveland, but said he would get one from the Bureau on Monday, 6-8-70.

UACD, CV Division will conduct investigation requested by Mr. MORRIS as expeditiously as possible.
The Attorney General

June 11, 1970

1 - Mr. O. J. DeLoach
1 - Mr. A. Rosen
1 - Mr. C. L. McGowan

1 - Mr. W. C. Sullivan
1 - Mr. C. D. Brennan
1 - Mr. G. H. Menzel

PETER CHARLES BLEIK;
DOUGLAS CHARLES CORMEN; RICK KEILBER;
THOMAS GRAYDON COLESON;
JERRY RUPE; DALE D. SMILEY
SABOTAGE; SEDITION; CIVIL RIGHTS -
FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

Reference is made to my letter June 4, 1970,
which requested an early decision as to whether prosecution
was warranted in the case of individuals involved in the
burning of the Reserve Officers' Training Corps building
at Kent State University on May 2, 1970.

Mr. Philip Morris of the Internal Security Division
visited Cleveland, Ohio, in connection with the above request
on June 4 and 5, 1970. Mr. Morris has requested additional
investigation primarily directed toward establishing a
sabotage violation by subjects
and Peter Charles Bleik. Mr. Morris stated that it appears
more appropriate to charge the remaining subjects with a
violation of Title 18, Section 231, U. S. Code. These
charges relate to their having been involved in the cutting
of fire hoses and otherwise interfering with firemen who
attempted to put out the blaze which ultimately destroyed
the building on May 2, 1970.

Mr. Morris advised that such charges could not be
made until the Internal Security Division consults with the
Criminal Division which would handle such violations.
The Attorney General

Since local arrests and prosecutive action remain imminent as to a number of subjects in this case, it is requested that an early decision be arrived at as to whether prosecutive action is warranted concerning those subjects who may have committed the above violation.

1 - The Deputy Attorney General

1 - Assistant Attorney General
   Civil Rights Division

1 - Assistant Attorney General
   Criminal Division

1 - Assistant Attorney General
   Internal Security Division

NOTE:

See memorandum Mr. C. D. Brennan to Mr. W. C. Sullivan, dated 6/10/70, captioned as above, prepared by GHN:kks.
June 10, 1970

BY LIAISON

1 - Mr. C. D. DeLoach
1 - Mr. A. Rossen
1 - Mail Room (5331 JB)
1 - Mr. V. C. Sullivan
1 - Mr. C. D. Brennan
1 - Mr. G. H. Korczal

Honorable John D. Ehrlichman
Assistant to the President for Domestic Affairs
The White House
Washington, D.C.

Dear Mr. Ehrlichman:

Reference is made to my letters dated May 15, 1970, and June 2, 1970, which furnished you the results of investigation of the Federal Bureau of Investigation concerning the burning of a Reserve Officers' Training Corps building at Kent State University on May 2, 1970.

There is enclosed for your information a copy of the report of Special Agent dated June 4, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

Enclosure

NOTE: See Memorandum C. D. Brennan to Mr. V. C. Sullivan dated 6/10/70, captioned as above, prepared by GCHQ/CO.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) 67 C with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ______________________ ______________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ______________________ ______________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

5 Page(s) withheld for the following reason(s):

The information involves a third party which does not pertain to the events at Kent State.

☐ For your information: ______________________

☐ The following number is to be used for reference regarding these pages: ______________________
Memorandum

TO: DIRECTOR, FBI (ATTN: FBI LABORATORY)
FROM: SAC, BUFFALO (98-1235)

SUBJECT: UNSUBS;
FIREBOMBING OF ROTC BUILDING,
Kent State University (KSU),
Kent, Ohio
May 2, 1970
SABOTAGE
(00: CLEVELAND)

Re Cleveland tel to Buffalo, 5/26/70.

Enclosed for the Bureau under separate cover are the following items:

1. Orange T-shirt with red horizontal stripes.
2. Blue bell-bottom denims.

In connection with captioned incident the Laboratory is requested to examine the above clothing for any traces of residue, or smoke particles, or incendiary chemical residue which might indicate the wearer of the clothing started fires through the use of gas soaked rags, railroad flares, or any other type of device of inflammable or combustible nature.

Furnish results of examination to the Buffalo and Cleveland Divisions.

[Signature]

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
Mr. J. Edgar Hoover,
Federal Bureau of Investigation
Justice Department
Washington, D. C.

Dear Mr. Hoover,

My cousin is a member of the faculty of the University of Florida in Gainesville. Recently I had a letter from him.

He said that one of the latest additions to the faculty is a man from Ohio. This man told my cousin that he knew personally the chief instigator of the trouble at Kent University, and that he knew for a fact that the instigator is the head of the Communist Party in Ohio. The man said that in the last four years three buildings at Kent have been burned. The first was the Research Center which was burned because it received funds from the government for experiments that might be useful in warfare.

The second building burned was the music building and the third was the R.O.T.C. building.

I'm sure that you know all about the Communist Party in Ohio. If these statements are true, why have they not appeared in the newspapers? If the Communists are responsible for the unfortunate events at Kent University, they should receive all the blame, rather than the President.

Sincerely yours,

Mary Charlotte Mitchell
(Mrs. Herbert F. Mitchell, Jr.)
June 1, 1970

Mr. Robert F. Mitchell, Jr.
746 Rockford Drive
Huntley Hills, Maryland 20744

Dear Mrs. Mitchell:

I have received your letter of May 24th and very much appreciate the interest which prompted you to bring this matter to my attention. Since this Bureau is currently conducting inquiries regarding the recent events at Kent State, I am unable to comment concerning this investigation; however, I am enclosing material relating to some organizations which are involved in fomenting much of the unrest in colleges throughout the country.

Sincerely yours,

J. Edgar Hoover

Enclosures (5)
Detective's testimony, 3/5/70, re Black Panthers, Racial, Extremist and Communist Groups

Red in Marxist Revolutionary Violence: SDS, 1963-1969

FC-Target of New Left Attack:
- Baltimore - Enclosure
- Cleveland - Enclosure

The FBI files disclose prior correspondence during August, 1968, regarding her inquiries about Stokely Carmichael. Upon approval of this letter it is recommended it be furnished the Domestic Intelligence Division for any additional action felt appropriate.
NRO02 SI PLAIN
259PM URGENT 6/4/70

TO DIRECTOR
CLEVELAND
CHICAGO (98-982)
FROM SPRINGFIELD (98-982)

UNKNOWN SUBJECT: FIREBOMBING OF ARMY ROTC BUILDING, KENT
STATE UNIVERSITY, KENT, OHIO, FIVE TWO LAST, SABOTAGE, OO
CLEVELAND KENNETH GROTTIS FUGITIVE, PROBATION VIOLATOR

REFERENCE SPRINGFIELD TELETYPFIVE TWENTYONE LAST AND
CHICAGO TELETYPTO CLEVELAND FIVE TWELVE LAST.

U.S. PROBATION OFFICERS, EAST ST. LOUIS, ILLINOIS ADVISED
THIS AM THAT BEING SOUGHT FOR QUESTIONING
IN CONNECTION WITH ABOVE CAPTIONED MATTER, ARRESTED SIX THREE
LAST BY COOK COUNTY SHERIFF'S
OFFICE. ACCORDING TO INFORMATION RECEIVED FROM PROBATION OFFICE,
ARRESTED IN CHICAGO, AND IS BEING CHARGED ON
TWO COUNTS OF UNLAWFUL SALE OF DANGEROUS DRUGS, USM NOTIFIED
AT EAST ST. LOUIS, AND THAT OFFICE IS FORWARDING FEDERAL WARRANT

END OF PAGE ONE

171970

JUN 12 1970

MR. DELOACH FOR THE DIRECTOR
SI-98-982

PAGE TWO

TO CHICAGO.

CHICAGO, IMMEDIATELY LOCATE PLACE OF INCARCERATION OF

AND INTERVIEW CONCERNING HIS ACTIVITIES AT KENT STATE

UNIVERSITY. P.

END

EBR FBI WASH DC
Memorandum

DIRECTOR, FBI (98-46479)
(ATTENTION: FBI LABORATORY)

SAC, CLEVELAND (98-2140)

SUBJECT: UNSUBS; Firebombing of Reserve Officers Training Corps
Army ROTC Building
Kent State University (KSU)
Kent, Ohio
5/2/70
SABOTAGE

OO: Cleveland

Re Cleveland letter to Bureau, Attention: FBI Laboratory, 5/11/70.

Transmitted to the FBI Laboratory under separate cover is one green Oakbrook Sportswear winter jacket which was voluntarily furnished by the mother of [redacted] who advised that he wore this jacket on the night of May 2, 1970 at which time he was present at the scene of a firebombing of the ROTC Building on the Kent State University campus.

The mother of [redacted] advised that she had washed the jacket immediately after her son returned from KSU, however, she advised she did not see any stains on it or smell any odors which would indicate gasoline or other inflammable liquid had been spilled on the jacket. She also requested that the jacket be returned after it is examined.

The FBI Laboratory is requested to examine the above jacket for any traces of residue, smoke particles, or incendiary chemical residue, which might indicate the wearer of this jacket had started a fire through the use of a gasoline-soaked rag or flare, or any other type of device with a flammable or combustible nature.

[Redacted and handwritten text]

[Handwritten note: Savings Bonds Regularly on the Payroll Savings Plan]
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

DATE: June 12, 1970

TO: FBI, Cleveland

Re: UNSUBS; Firebombing of Army ROTC Building Kent State University (KSU);
Kent, Ohio
5/2/70; SADOTAGE

Involved Contents

Q17

REGISTERED MAIL

Special Instructions:
Mail Room: Show shipment date and registry number.
Shipping Room: Show shipment date; bill of lading number;
Initial invoice; return to Section checked in block; after
initiating in black, invoice to be placed in administrative file.

FBI File No. 98-46479
6-12-70 PC-C7037

MAILER:
JUN 17 1970
COMM-FBI

7/10/70

JUN 22
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

To: FBI, Cleveland (98-2140)

Date: June 12, 1970

Re: UNSUSP: Firebombing of Army
     ROTC Building Kent State
     University (KSU),
     Kent, Ohio
     9/2/70.

Examination requested by: Cleveland

Reference: Letter 6/8/70

Examination requested:

Chemical Analyses

Remarks:

Specimen Q17 is being returned to your office
under separate cover by registered mail.

Enclosures 2 (2 Lab reports)

MAILED
JUN 12 1970
COMM-FEE

EX-115

REC-28.98-44.472-71

19 JUN 17 1970

JUL: 1970

ADM INISTRATIVE PAGE
REPORT of the
FBI LABORATORY
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Cleveland

no: UNASSOC; Firebombing of Army ROTC
Building Kent State University (KSU);
Kent, Ohio;
5/2/70; SABOTAGE

Specimens received: 6/10/70

QL7 Jacket

Results of examination:

Nothing was observed in the examination of the jacket, specimen QL7, to associate it with an incendiary fire.
Laboratory Work Sheet

Re: UNSUBS; Firebombing of Army ROTC Building Kent State University (KSU)...

Kent, Ohio

5/2/70 SABOTAGE

Examination requested by: FBI, Cleveland (98-2140)

Examination requested: Chem. Anal. (Gen. Chem.)

Result of Examination:

Q17 - no for chemically and other substances associated with an incendiary

Specimens submitted for examination

Q17 'Jacket'

1. Mr. Sullivan
2. Mr. Detlof
3. Mr. Mohn
4. Conrad

Lob. 6/12/70

SLG: 6/12/70
Title changed to include names of subjects. Title previously carried as "UNSUBS; FIREBOMBING OF ARMY ROTC BUILDING, KENT STATE UNIVERSITY (KSU), KENT, OHIO, 5/2/70, SABOTAGE."

REFERENCE

Cleveland report of SA 5/28/70, captioned "UNSUBS; FIREBOMBING OF ARMY ROTC BUILDING, KENT STATE UNIVERSITY (KSU), KENT, OHIO, 5/2/70, SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1968 - INTERFERENCE WITH FEDERALLY PROTECTED FACILITY."
LEAD

CLEVELAND

AT CLEVELAND, OHIO

Will continue intensive investigation to identify persons responsible for the burning of the Army ROTC building at Kent State University (KSU), Kent, Ohio.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) \_b7c\_b7d\_ with no segregable material available for release to you.

- Information pertained only to a third party with no reference to you or the subject of your request.

- Information pertained only to a third party. Your name is listed in the title only.

- Document(s) originating with the following government agency(ies) ________________, was/were forwarded to them for direct response to you.

- Page(s) referred for consultation to the following government agency(ies); ________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

- Page(s) withheld for the following reason(s):

- For your information:

- The following number is to be used for reference regarding these pages:
advised on 5/28/70 that THOMAS MILLER, a.k.a., Aquinas, told him on 5/3/70 that "we" cut the fire hose, and "we" were responsible for setting the fire at the ROTC building. INDICATED MILLER was not a Kent State University (KSU) student but that he lives in Kent, Ohio also expressed sympathy with individuals who burned ROTC building.

On 6/1/70, an attempt was made to interview THOMAS MILLER. However, he refused to sign a waiver of rights form and refused to discuss the burning of the KSU ROTC building.

Ohio, acknowledged on 5/27/70 that he was present at KSU during burning of ROTC building.Denied participating in destruction of ROTC building, but advised that JERRY RUPE and RICK (INU) appeared to be leaders in group.
stated that RICK (LNU) is identical with RICK FELBER, an associate of JERRY RUPE. Both RUPE and FELBER reside at 127 North Mantua Street, Kent, Ohio, age 17, admitted he helped pull fire hoses so that firemen could not put out ROTC fire.

C., Cuyahoga Falls, Ohio, age 16, admitted pulling fire hose away from firemen. Also observed (LNU) assist in burning an American flag, and throw a rock at Ohio National Guardsman.

Ohio, age 17, admitted throwing rocks at ROTC building, pulling fire hose and cutting a fire hose.

THOMAS GRAYDON FOGLESONG, Silver Lake, Ohio, age 20, admitted throwing two rocks at ROTC building and pulling fire hose.

advised that FOGLESONG and have previously participated in "peace marches, and that is a "supporter" of SDS.

- P -
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   B. Interviews with KSU Faculty 61
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PHOTOGRAPHS OF U. S. ARMY ROTC
BUILDING, KENT STATE UNIVERSITY,
FOLLOWING ITS DESTRUCTION BY
FIRE ON MAY 2, 1970
PHOTOGRAPH FROM NORTH CORNER
OF BURNED ARMY ROTC BUILDING
PHOTOGRAPH FROM WEST CORNER
OF BURNED ARMY ROTC BUILDING
PHOTOGRAPH FROM SOUTH CORNER OF BURNED ARMY ROTC BUILDING
PHOTOGRAPH FROM SOUTHEAST END OF BURNED ARMY ROTC BUILDING
II. LIST OF MILITARY EQUIPMENT LOST
WHEN THE ROTC BUILDING AT KENT STATE
UNIVERSITY (KSU) WAS DESTROYED BY FIRE
ROTC staff, Kent State University (KSU), provided the attached list of military equipment which was lost when the ROTC Building at KSU campus was destroyed on the evening of Saturday, May 2, 1970.
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provided the following figures for all equipment including the building which was lost during the destruction of the aforementioned building:

- $85,000.00 Building
- $29,000.00 University property ($100 or greater in value)
- $34,718.02 Military
- $148,718.02 Total

Advised that the above figures were not yet complete but that he would provide the complete estimate at the time it was compiled.
III. BURNING OF THE ROTC BUILDING
III. BURNING OF THE ROTC BUILDING

A. INTERVIEWS WITH KENT STATE UNIVERSITY (KSU) STUDENTS
interviewed by SAS [redacted] and [redacted], Ohio, was on May 19, 1970, at her home.

[redacted] stated that she was a sophomore at Kent State University (KSU) and lived in Room [redacted] Verder Hall. She stated that she was at the KSU campus from May 2 to May 4, 1970, and observed some parts of the disturbances.

[redacted] stated that she is a friend of [redacted] who resides in Canton, Ohio, but that she has not had an opportunity to speak with her concerning the disturbances or any of the incidents connected with the disturbances. She stated that she is a Social Work major and had recently spent a week in a black ghetto as part of her training. During this week, [redacted] had a small child with whom she had befriended and as a result was in and out of the dormitory.

[redacted] stated that she did not participate in any demonstration and was not even a bystander. She stated that she stayed in her dormitory as ordered and the only information she has was information that she obtained second hand. She stated that the only incident that she personally saw was the burning of the ROTC Building and that she observed this from the sun deck of the dormitory.

[redacted] stated that a girl known to her as [redacted] who resides at Verder Hall at KSU and who may live in Shaker Heights, Ohio, observed a photographer being beaten after he had taken a photograph of some students burning a United States flag.

[redacted] stated that on Sunday afternoon she observed a mixed group of long hair, hippie type youths harassing the National Guard. She stated that they shouted obscenities at the Guardsmen and sang filthy songs and, in general, tried to aggravate them.

[redacted] stated that she observed some of the events on Monday, May 4, 1970, but from the distance of her
dormitory, she would be unable to identify any of the participants who took part in the disturbances.

stated that, who resides at 2414 Sudder Avenue, Pittsburgh, Pennsylvania, was an observer of the demonstration and has written an article for a Pittsburgh newspaper called "The Point," about the demonstration.

stated that she did not know for sure but stated she is confident that who both live at Yercker Hall, took part in the demonstration. categorized as a radical but would not elaborate on this term.
Ohio, upon interview at Ohio, where she is employed, advised that she is a student at Kent State University (KSU), Kent, Ohio, where she resided in Room # Metcalf Hall.

She stated that during the weekend of May 1-3, 1970, she and her boyfriend, a KSU student, were in Washington, D.C., and did not return to the KSU campus until late on May 3, 1970.

She resides at Ohio, and in Kent, Ohio, she resided at 323 East College Street.

She stated that she did not observe the shooting incident on May 4, 1970, inasmuch as she was afraid of what was going on and did not agree with challenging the National Guard; therefore, she stayed in her room.

She stated that she has no personal knowledge of the burning of the KSU ROTC building, but stated that she had told her that an acquaintance of his, whom she has seen but does not know by name, had made some statement to her about making bombs and burning more buildings, but that the burnings did not transpire because there were too many National Guard troops around on campus.

She described this individual as a Caucasian male, approximately 5'6" in height, dark brown hair, small face, who had a mustache and who wears glasses with heavy frames. She stated that this individual gives the appearance of always staring.

She volunteered information that (Last Name Unknown), a housemate of (Last Name Unknown) in a 'Communist' whose home residence is somewhere in Kent, Virginia. After ANDY dropped

On 5/20/70 of Ohio

CI 95-1455
File # CV 95-2140

by EA Date dictated 5/22/70

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out of KSJ he went to Michigan where he got in some sort of trouble at Ann Arbor. Recently he returned to Kent and has spoke of enrolling at KSU. She believes that is his nickname, but stated that she knows his true name.

She said she has no information that had anything to do with the burning of the ROTC building or making bombs.

advised that she has never been in the basement of the Kent residence, but has never seen anything that resembled a bomb or molotov cocktail on the premises.

She also volunteered information that (Name Unknown) from Ohio, was a member of KSJ at KSU prior to the enrollment of college this spring, and that roommate also dropped out of school at the same time. Both of these persons used to live in Clark Hall and she could not say whether they were on campus during the incidents of May 2-4, 1970.

stated that works for in Dayton, Ohio, painting houses located throughout the Dayton, Ohio, metropolitan area.
On May 20, 1970, a young man, 20 years old and a junior at Kent State University, was contacted by an investigator who identified himself as a Special Agent of the FBI. The interview concerned his knowledge of the events that transpired at Kent State University (KSU), May 1-4, 1970.

He began by saying that he had been approached by two agents of the FBI previous to this interview, but had refused to talk to them. After calling Legal Aid and the American Civil Liberties Union, he decided to talk to the FBI because "he had nothing to hide." He wanted to have an attorney present, but after being told by Legal Aid that he would have to pay for an attorney himself, he decided to talk to the FBI without the presence of an attorney.

On Friday, May 1, 1970, he stated that he went to a sorority house at about 7:30 PM, then on to a Loft Bar around 10:30 PM. He was at the Loft Bar when about 11:00 - 11:30 PM, he heard students chanting. He went outside to see what was going on. Students were smashing windows and breaking bottles on the street. He and his friends went back towards KSU. On the way to KSU he saw policemen indiscriminately hitting kids. Arriving at KSU he went to his dorm and to sleep.

Saturday, May 2, 1970, a rally was being sponsored by a faculty group called the World Historians. Organized against Racism and Exploitation. The rally began around 7:00 PM but not too many students showed up for it (approximately 1000). The rally then marched around campus picking up more students along the way. By this time, however, the faculty had lost the leadership of the rally. He said that it had been taken over by "hard core members of SDS and the Hipple faction." The marchers set the athletic shack on fire. He stated that he had helped to put it out. The Guard arrived shortly after the ROTC fire. So he went to his dorm.
He saw the fire in the ROTC building but was not close enough to see who had lit it. He had no knowledge of what SDS members if any had started the demonstration and burnings.

Sunday, May 3, 1970, stayed in his dorms and Sunday night watched the helicopters fly around the campus.

Monday, May 4, 1970, went over to the Commons at about 12:00 PM. The students voted to strike. Shortly thereafter the Guard was brought up to disperse the crowd. said the Guard fired tear gas and pepper gas. said that he was in the crowd that was pushed over the hill and down across the practice field in front of Taylor Hall. was beneath the field when the Guard turned to go back uphill. He states that he had just climbed back over the summit of the hill and onto the practice field when the National Guard fired on the students. He saw a girl fall with her head blown off and realized the Guard was not firing blanks.

said that he approached the body of the slain girl. Students milled about the body while the Guard backed off up the hill.

While bending over the girl's body, said a piece of concrete flew at him. He has surmised that this was caused by a bullet hitting the concrete next to him. did not hear a report from a rifle nor did he see the spent shell or bullet. He feels that nothing else could have made the chip of concrete fly towards him like it did, except a bullet.

stated that he would not willingly testify before a Grand Jury. He further stated that he is telling the FBI the same things that he is going to tell the American Civil Liberties Union.
was contacted by SAs at her residence, New York.

was made aware of the identities of the interviewing Agents and advised she was being interviewed to ascertain her knowledge and/or participation in the recent student demonstrations at Kent State University, Kent, Ohio on May 2, 1970.

was then advised of her constitutional rights, namely that she had the right to remain silent, that anything she said could be used against her in a court of law and that she had the right to consult with an attorney prior to answering any questions. was also furnished an Interrogation: Advice of Rights form which she refused to sign. was then questioned specifically about her alleged participation or involvement in the burning of the ROTC Building at Kent State University. then stated there were no facts in the allegations and thereafter refused to discuss the matter any further.

The following descriptive data of was gained through observation and interview:

Name
Race
Height
Weight
Hair
Eyes
Physical Characteristic
Occupation
Home Residence

White
5'8"
130-140 pounds
Brown, long
Brown
Wears metal framed glasses
Student, Kent State University
New York

On 5/22/70 at New York by SAs

File: Buffalo-98-1235

Date dictated 5/25/70

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Pa., advised that he was born on January 2, 1949, and is a junior at Kent State University. He will be in the senior class in the fall of 1970. He advised that he resides at Kent State University in Johnson Hall.

He recalled that sometime during the rallies and prior to the shooting by the National Guard, he saw two men on one motorcycle come over the hill in front of Taylor Hall. He noticed them because they were shouting and waving. He did not believe that this incident occurred on the night of the fire of the ROTC Building because it was during the daylight hours.

He stated that he was a spectator just outside of the dorm the night of the fire. He saw no one that he could identify set fire to the ROTC Building or tried to prolong it.

He added that on Saturday, May 2, 1970, there was talk that there was going to be an attempt to burn down the ROTC Building. He did not know the source but observed that quite a few from the Johnson Hall dorm had been to rallies.

He stated that the evening of the fire he had gone to bed between 7 and 8 p.m. He was awakened by a couple of friends who told him, "They are trying to burn the ROTC Building." He got dressed and went outside. He could see a few flames and he could see a small group trying to throw what appeared to him to be flares. He noted that he was standing approximately 300 yards away from the group and could not identify anyone. He noted that the firemen were on hand already and the hoses were on. Suddenly the flames burst out on one side of the building and it was out of control.

He stated that the only organizations involved were the Kent Chapter to End the War in Vietnam and the Student Mobilization Committee (SMC). He stated these two organizations promulgated the rallies which were occurring. There were no hard core SDS on campus although the four previously arrested

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he heard had been released a few days before the incident of the fire. __________ did not see any of these individuals.

__________________ stated that he himself did not attend any of the meetings and although he was at a couple of rallies they were all disorganized.

When he returned to his home in __________ on Sunday, May 24, 1970, he stated that his mail contained a letter dated May 13, 1970, from "Committee of Kent State Massacre Witnesses, c/o SHC, 2102 Euclid Avenue, Cleveland, Ohio, 44115 621-6516." This letter was addressed to "Dear Fellow Kent Student" and contained a green enclosure soliciting funds. __________ made the above enclosure available.
Stow, Ohio, was advised of the identity of the interviewing agents. She furnished the following voluntary information:

Kent, Ohio. These apartments are approved off campus housing, and all people living in the apartments are supposed to be students at Kent State University, Kent, Ohio. Advised she has no record of renting an apartment to one THOMAS MILLER at 134 West Summit Street, Kent, Ohio.

Advised she asked someone at the Dubetz Apartments about THOMAS MILLER and that person advised she that one THOMAS MILLER had been visiting one of the apartments at the 134 West Summit Street address. Advised that a list of the people residing at the 134 West Summit Street address had been provided the FBI by
On June 1, 1970, the following investigation was conducted at Kent, Ohio, by SAS and

Attempts were made to locate and interview the following people and it was determined they were not at home on June 1, 1970:

Kent, Ohio

Kent, Ohio
was contacted at the

He stated that he attended
Kent State University and will graduate this year if he finishes
the correspondence courses he has received. He stated that he
followed a business course at the university and was a member
of ROTC. He will receive his commission this month and if he
should be needed for future inquiry he can be located through
his mother in Ohio.

He advised that on May 1, 1970, he went to a movie in
Kent, Ohio, and got out about the time of the disturbance. He
did not stay to observe it but rather returned to his apartment.
On Saturday, May 2, 1970, he picked up his wife at 7:00 PM, where she was employed and returned to their
apartment where they stayed for the rest of the evening and therefore
had no idea as to who may have set fire to the ROTC building. He
advised that on Sunday, May 3, 1970, he helped the officers and
other ROTC students clean up the mess and try to salvage items
from the ROTC building. He stated that he was so occupied on
Monday, May 4, 1970, when the shooting occurred. He stated from
where he was working he could observe the students throwing the
gas canisters back at the National Guard, but the activity was
not within his view when the actual shooting took place and
therefore he could not comment on the shooting.

He stated that since most of his friends are fellow ROTC
members on campus he did not have any information as to who might
have caused the fire at the ROTC building.

He advised that he carries Railroad Flares in the trunk
of his car as warning devices in the event of a breakdown.
He stated that he received these flares while he worked for the
railroad. He stated that on the night of the disturbance in downtown
Kent, Ohio, May 1, 1970, he removed these flares from his car
and took them to the apartment to keep them safe from theft.
He stated that they must have rolled down behind the couch when
he moved from the apartment. He advised that he did not give any
flares to any Kent students and did not use any flares himself in
connection with the fire at the ROTC building.
III. BURNING OF THE ROTC BUILDING

B. INTERVIEWS WITH KENT STATE UNIVERSITY (KSU) FACULTY
15217, telephone advised as follows:

was in Pittsburgh on Saturday, May 2, 1970. He returned to the Kent University campus at about 9:00 PM on May 3, 1970. did not witness any disturbances on the Kent State Campus on May 2, 1970.

On Sunday, May 3, 1970, some students were driven off the campus by tear gas released by the National Guard. witnessed some of this activity. He saw no one injured.

The students were disturbed over the war in Vietnam and Cambodia and resented the presence of the National Guard. There was a rumor that a student had been bayoneted by a guard.

On Monday, May 4, 1970, signs appeared on the campus announcing a rally. It was rumored that the campus was under marshal law and a rally would not be permitted.

At 12:00 Noon about 800 to 900 students gathered on the campus in the vicinity of Taylor Hall.

A member of the National Guard told the assembled students to disperse. Tear gas was released by the guard.

was hit with some tear gas and went into a nearby building to wash. In about five minutes departed the building and took a position in about the center of the group of students, which then had increased to about 1,000.

There were a few hundred students looking out of windows in nearby buildings.

The students on the campus divided into two groups.

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They were yelling "Pigs" at the guards and were yelling for the guards to get off the campus. Several long haired and bearded individuals were up front leading the students.

Some students were throwing small flat stones, about one inch in diameter, at the guards. Some of those stones hit the guards. One individual was observed to throw a rock approximately the size of a baseball. It did not hit anyone.

The guard had split; about 20 guards in two rows of 10 proceeded across the campus toward Taylor Hall. The front line dropped to one knee and pointed their guns at the students. They did not fire at this time but stood up and proceeded in their march.

The two groups of students took turns throwing stones at the guards and while the guards turned their attention to one group of students, the other attempted to throw back the tear gas canisters and throw stones.

The guards would release gas at one group of students and then at the other.

No firearms were observed in the hands of the students. No firearms were observed in possession of any individual in buildings or trees around the area.

The students were making so much noise it was difficult to hear.

The front line of guards, about 10 in number, went down on one knee and in unison pointed their guns at the students. The rear row of the guards pointed their guns slightly over the heads of the students. Shots in unison were heard.

who by this time was at the rear of the group of students, ran into one of the school buildings.
All of the shots sounded alike as if coming from the same type of weapon.

stated that in his opinion there would have been no violence if the students would have been permitted to have a rally on the campus.

He heard that there was possibly a few outsiders among the students, but he does not know who they were. He could not identify the leaders of the students. He could not identify students throwing stones. He could not identify the members of the National Guard who discharged firearms.

After the shooting, students' rooms were searched. does not believe that the search was proper or legal.

heard a rumor that a student was shot and killed by a police officer in civilian attire and that another was injured by this individual. He does not know the identity of this police officer.

The shooting took place at approximately 12:45 PM. The students did not entirely leave the campus until about 2:00 PM.

did not observe a photographer being beaten. He did not observe the American flag being destroyed.

article concerning the activity which was published in the May 7, 1970, issue of "The Pittsbrugh Point," a weekly newspaper published in Pittsburgh, Pennsylvania.

will certify to the accuracy of this article.
who resides at West Virginia, and who is employed as
was interviewed.

advised that he is subscriber to telephone
Huntington, W. Va. advised he has not
received any telephone calls from any persons in the vicinity of
Kent, Ohio, advised that he has a daughter, age 20,
and a student at Marshall University, Huntington,
W. Va., employed part-time at
W. Va., who has an acquaintance who did attend Kent State University
at Kent, Ohio, advised that it is quite possible his
daughter received telephone calls from this acquaintance whose
identity is unknown to

5/22/70  West Virginia  Cleveland 88-2140
Pittsburgh 98-1317

by SA Date dictated 5/25/70

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student who resides was interviewed.

advised that she resides with her parents at the above address and that her parents are subscribers to telephone explained that she is employed on a part-time basis at store. During February or March of 1970, she who was a customer of store. Stated that returned as a student to Kent State University about March, 1970, and resumed his studies at Kent State University, Kent, Ohio.

she believes he may have worked for company. Stated that while in company.

advised that based upon her recollection, on or about April 6, 1970, she received a long distance telephone call from who was then at Kent State University, Kent, Ohio. She learned that attempted to telephonically contact her on two earlier occasions on that date; however, she had been at work and had not received the calls. At this time, pursued a general conversation with . They discussed activities in a French class, the fact that had spent a sum of money in some records, and other general conversation. Also stated that at no time did discuss his activities or give any indication that he was involved in any type of demonstration, or a planned demonstration, and made no mention that demonstrations were planned at Kent State University in Kent, Ohio.

On May 5, 1970, advised that she received another telephone call from who stated that Kent State University had been closed due to student demonstrations, and that he was at that time in Pittsburgh, Pennsylvania, with a friend not further identified to . Informer that since Kent State University had been closed, that he and his friend had intended to drive around the country giving no specific reason or basis for his travels.
advised that [redacted] did come by her residence approximately two weeks prior to this interview, exact date unrecalled, and visited with her. At this time, she asked [redacted] about the demonstration activities at Kent State University; however, he furnished her with no specific information which had not appeared in the local newspapers concerning demonstrations and the resulting death of four students at Kent State University, on or about the first week of May, 1970.

[redacted] stated that [redacted] informed her that he had stood around and watched the crowds and had observed the activities of the various persons involved in the activities at Kent State University, during the time the four students were killed, and that one of the students who was killed was a friend of his. [redacted] stated that based upon her conversation with him, he does not believe that he was actively involved nor did he participate in any of the student activities involving Kent State University. [redacted] stated that she does not believe him to be the type of individual who would actively engage in such activities and that he made no radical or liberal statements to her, offering an opinion one way or another.

[redacted] advised this assumption is based upon the fact that he made no forcible or aggressive comments favoring the activities of students and persons involved at Kent State University.

[redacted] advised that [redacted] previously resided at 230 East 11th Street, Kent, Ohio, while he attended Kent State University. [redacted] advised that she does not know his present whereabouts and she has received no information from him since he telephonically contacted her, reportedly from Pittsburgh, Pa., approximately two weeks prior to this interview.
Bartender, Loft Bar, corner of West Main Street, and Franklin Avenue, Kent, Ohio, was advised of the identity of the interviewing agents.

[Redaction: was advised that the interviewing agents wished to know the identity of ___ (LNU) who visits the Dukezz Apartments, 134 West Summit Street, Kent, Ohio.]

Voluntarily furnished the following information:

[Redaction: advised that the person that the FBI was attempting to locate is probably ___ who works part time at the Loft Bar, and resides in Aurora, Ohio.]

[Redaction: advised ___ is a student at Kent State University, Kent, Ohio.]

[Redaction: Drives a 1962 Chevrolet, and resides with his parents.]

Date 6/2/10

[Redaction: 5/27/10 at Kent, Ohio. File #: Cleveland 90-2140]

[Redaction: SA by SA. Date dictated 6/2/10]
Ohio was advised of the identity of the interviewing agents, and the fact that they wished to interview him concerning any knowledge he has concerning the ISSU disturbances from May 1-4, 1970. He furnished the following voluntary information:

Advised that on Friday evening, May 1, 1970, he went camping near a small town thirty miles from Kent, Ohio. He left Friday afternoon, and returned on Saturday, May 2, 1970. He was accompanied on this camping trip by .

According to this group had the intention of camping out overnight; however, they had an open fire in the camping area, and the police came and told them they could not have an open fire; therefore, they went to a house owned by one of the parents of the people in the group and spent the evening in that house. He was aware of the disturbances that were taking place in downtown Kent, Ohio, on May 1, 1970, by reports he heard on the car radio. He advised he is not aware of any organized disturbances that were planned for the downtown Kent area on May 1, 1970. He further stated that he had heard that was responsible for breaking a bank window in downtown Kent, Ohio, on the evening of May 1, 1970. He advised he had heard that pushed a lawn mower through the bank window. He was aware of the current address. He was employed at the on West Main Street in Kent, Ohio. He feels that because of the people he knows and his place of employment, he would have heard about any planned rallies for Friday night, May 1, 1970.

He advised that on Saturday, May 2, 1970, he and the party that went camping returned to Kent, Ohio, early in the afternoon. He was staying with his girl friend in College Towers Apartments, apartment . He was staying at his girl friend's apartment and wherever else he could obtain lodging from his friends. He advised that because he was late in registering for the Spring term at KSU, he was unable to obtain housing accommodations in Kent, Ohio.
He was forced to stay wherever he could with his friends. The reason why ... was because at the beginning of April, 1970, KSU had a break and, and some of his friends traveled to Florida for the Spring vacation. He drove from Kent, Ohio, to Miami, Florida, accompanied by his friend of his register for him for the Spring term. This term break lasted for approximately five days, but because of the fun he was having in Florida, he decided to stay on past the break, and have a friend of his register for him for the Spring term. He advised he returned to Kent, Ohio, about four days after the 1970 Spring quarter began. He drove back to Kent, Ohio, accompanied by ... Last Name Unknown ... a friend of ... Miami, Florida, and other people he could not recall, lived with. He advised that because he did not have living accommodation in Kent, Ohio, he stayed on occasion at the apartment of one of his roommates. One of his roommates was SANDRA SCHEUER, described SANDRA as a real friendly person with a good sense of humor. SANDRA did not go to Florida with him, nor her roommate, because SANDRA's main interest was speech therapy, and understands that on the day SANDRA was killed on the KSU campus, she was going to work with a patient. He never heard that SANDRA SCHEUER wanted to go to any of the political rallies on the KSU campus. SANDRA was not politically minded and when people began discussing their political feelings, SANDY SCHEUER would be more inclined to joke about the subject and would make light of the entire conversation.

Continued to relate his activities on Saturday night, May 2, 1970, by stating that the same people who went camping on Friday night, drank beer at the College Towers, most of them going from apartments 766, 602 and 765. At approximately 9:00 or 10:00 p.m., on Saturday night, May 2, 1970, decided to walk over to the area of the KSU campus known as the Commons. They had observed a large orange glow in the sky indicating a fire from the direction of the Commons, and they had heard at the College Towers that the ROTC building on the KSU campus was burning. Before they began walking toward the Commons, they met individuals telling them "they" were firing tear gas on the Commons.
decided not to continue on to the Commons; however, continued on to the Commons. Advised that when they arrived at the Commons, they stopped at the top of the hill on the northeast side of Taylor Hall and saw about 1000 students in the Commons area. Approximately 300 to 400 people were gathered around the victory bell on the Commons. Advised the ROTC building was burning and they observed the Ohio National Guard (ONG) arriving on the west end of the Commons. Heard an announcement directed to the students on the Commons advising them that they should leave the area. At this point, and left the area and returned to College Towers.

Advised he could not furnish any firsthand information concerning the burning of the ROTC building.

On Sunday, May 3, 1970, was talking with THOMAS MILLER, who resides in Dubetz apartments, Kent, Ohio. THOMAS MILLER is known best by his nickname "AQUINAS". Advised that THOMAS MILLER told him that "we" cut the fire hose, and "we" were responsible for setting the fire to the ROTC building. THOMAS MILLER resides in the first apartment on the right on the first floor coming in the back door of the Dubetz apartments on West Summit Street, Kent, Ohio. Described AQUINAS as approximately 5 feet 9 inches, to 5 feet 10 inches, white male, meek personality, a funny, easy-going type guy. THOMAS MILLER owns a goat. Advised that THOMAS MILLER lives with KSU students, but believes MILLER is not a student. Believes that MILLER is a poet and wanted to write poetry and other articles that he has been unable to write until coming to Kent, Ohio. THOMAS MILLER has never discussed his political convictions with us. Considers MILLER very intelligent, and when MILLER was discussing how he cut the fire hoses, it was during a group discussion, but cannot recall who else was present during this discussion. Does recall MILLER stating, "we" broke the windows to the ROTC building, then "we" lit the curtains, and then someone else threw a Molotov cocktail on the roof of the ROTC building. THOMAS MILLER, according to MILLER, is trying to change his name legally to "AQUINAS HODROGATT." Further advised that when he heard from that the FBI wished to talk with him and that the FBI had mentioned "AQUINAS" name, called AQUINAS to tell him that the FBI was looking for him and to further advise him to leave town. When telephonically contacted AQUINAS' apartment, he was advised by someone that THOMAS MILLER, "AQUINAS", had "split."
advised he is in total sympathy with the students who burned the ROTC building on the KSU campus. The reason why he has sympathy for the burning of the ROTC building is because he feels that the burning of the building was the only way the students could make the administration of the KSU campus aware of the fact that the students must be heard. He advised that all rational attempts had been made for a long period of time to have the students' views made known to the KSU administration and they resulted in no evidence of success. His sympathy with the burning lies with the students' feelings and not with the actual burning. These students believed they were doing right in burning the ROTC building because this was the only means of communication left to them.

advised that he is aware of JERRY RUBIN's philosophy indicating that if college students cannot make their parents believe what is going on today on the campus is right, they should kill their parents. JERRY RUBIN describes himself as a complete left radical. His interpretation of RUBIN's theories concerning parents is that if parents are not part of the solution to relieve the oppressed youth of today, figuratively, the present day education system should be changed and the whole idea of rearing children should be changed. Today's children are being taught in the schools a limited scope of beliefs and they are not being educated in the problems of the oppressed people in America today. JERRY RUBIN actually means that students should kill their parents, but only believes that the modern day education system should be corrected. Further related he has been raised in a capitalistic system and has known the better things in life. He feels that the oppressed people of America should be helped; however, if it came to a point where he would have to change places with an oppressed person, he could not do it because he is too used to the modern day conveniences he has. He advised he does not advocate the violent overthrow of the United States Government. He feels that students today do not get credit for their understanding of what is happening. The students of today have more insight into the problems of the country than the news media and the general public itself.

advised on Sunday, May 3, 1970, he went to a rally at the Commons of the KSU campus. At approximately 4:00 or 5:00 p.m., on May 3, 1970, he was in a crowd of approximately 600 students gathered around the victory bell on
the Commons. This group of students left the area of the Commons and marched to the Eastway Hall complex of dormitories. Some members of this crowd began throwing rocks at the windows of the dormitories, but other members told them to stop and they did. The crowd marched around to Tri Towers complex of dormitories and the number of the crowd increased to approximately 2000 people. As the crowd approached Dunbar Hall, they were met by a group of ONG who had formed on Midway Lane near Dunbar Hall. The ONG fired tear gas without any type of warning at the crowd and other members of the crowd ran into Dunbar Hall to escape the tear gas. At approximately 9:30 or 10:00 p.m., left Dunbar Hall and saw helicopters flying overhead on the campus with spot lights shining on the ground. observed students dancing in the spot lights. At approximately 10:00 p.m., was a member of a crowd gathered on East Main Street in front of the main gate of the KSU campus. The ONG was blocking Main Street toward the downtown area of Kent, Ohio. They were also blocking Main Street heading east, placing the crowd was in between the two lines of ONG.

A student member of this crowd gathered on Main Street approached the ONG and talked with them for a period of time. This student then spoke over a police loudspeaker and told the crowd that he had been advised that if the crowd moved back onto the KSU campus President WHITE and the Mayor of Kent, Ohio, would come and talk to the students. The crowd moved back onto the campus and about 5 minutes after they were on the KSU campus, the National Guard fired tear gas at the students. The students began to run and ran south on Lincoln Street and into a house on Lincoln Street. As was running down Lincoln Street, two girls were helping a boy and requested to assist them, saw that the boy had been bayoneted in the back. helped this boy into a house on Lincoln Street located two houses north of Delta Gamma Fraternity House.

, a friend of who has been in the military service, held the wound shut until the ambulance came. left the house where the wounded student was and accompanied the stretcher to the ambulance. As he walked by Ohio National Guardsmen, he asked him, "did you find the murderer?" The Guardsman replied to by saying, "I'd just as soon shoot you as look at you, so get the hell out." left Kent, Ohio, early Monday morning at approximately 2:00 a.m.
and returned to his home in Northfield Center, Ohio. He advised he was not present on the KSU campus on Monday, May 4, 1970, during the shooting. He feels that because the ONG lied to the students gathered on Main Street Sunday night, that is the reason why it was such a large turnout for the rally on Monday, May 4, 1970.

He advised that JEFFREY MILLER, who was killed on Monday, May 4, 1970, had dated SANDY SCHLUER. He only knew JEFFREY MILLER through SANDY SCHLUER. He feels that JEFF was a politically minded individual and that MILLER is a rational type person and does not believe MILLER would have thrown any rocks at the Ohio National Guardsmen.

The following description was obtained through observation and interview:

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<thead>
<tr>
<th>Name</th>
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</tr>
</thead>
<tbody>
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</tr>
<tr>
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</tr>
<tr>
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<td>April 11, 1948</td>
</tr>
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<td>Northfield Center, Ohio</td>
</tr>
<tr>
<td>Height</td>
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<td>Green</td>
</tr>
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<td>Northfield Center, Ohio</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>Student (junior)</td>
</tr>
<tr>
<td>Occupation</td>
<td>Biology Major, KSU;</td>
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<td>Marital Status</td>
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</tr>
<tr>
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<td>Brother</td>
<td></td>
</tr>
<tr>
<td>Sister</td>
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</tr>
</tbody>
</table>
Social Security Number
Selective Service Akron, Ohio classification
Arrests none claimed
Miscellaneous
THOMAS MILLER, 134 West Summit Street, Kent, Ohio, was advised of the identity of the interviewing agents. MILLER was advised that the interviewing agents wished to discuss with him his presence at the burning of the ROTC Building on the Kent State University (KSU) campus, Kent, Ohio on May 2, 1970. Special Agent _______ advised MILLER of his rights, and presented him with a warning and waiver form. MILLER refused to sign the rights form and refused to discuss the burning of the KSU ROTC Building.

The interviewing agents requested MILLER to furnish background information and MILLER advised he had been interviewed by the FBI in Kent, Ohio, previously, and at that time had furnished all of his background information.

The interview was concluded at this point.
6/3/70

I was advised of the identities of interviewing agents, the reason for which he was being contacted, and his Constitutional rights according to "Interrogation; Advice of Rights", FD 395, which he read, advised he fully understood, but which he declined to sign. He consented to be interviewed, and furnished the following information:

On July 2, 1970, around 6 to 7:00 P.M., drove _______ and _______ to Kent, Ohio, from Cuyahoga Falls, Ohio, in his 1970 Green Maverick automobile. Both _______ and _______ are students at Cuyahoga Falls High School.

Upon arriving in Kent, the three wandered around in the downtown area, and then proceeded to a house located next to a church parking lot in Kent, on Mantua Street. They went into the upstairs apartment of the house which was occupied by _______. Someone told _______ that he had taken "acid" (LSD), and observed that he gave the appearance of one who was under the influence of drugs. Sometime afterward, _______ and _______ both from North Hampton, Ohio, who attend Woodridge High School, arrived in a Volkswagen bus, driven by _______.

About one half hour later, someone suggested going to the Kent State University campus "to see what was going on". They got into the Volkswagen, and went to KSU. Sometime between 7:30 and 8:00 P.M., they arrived at the "Pit" section of the Tri-Towers Dormitory. In the Pit, when they arrived, were _______.

The Pit was full of individuals of student age, and were feeding sandwiches from somewhere upstairs. Either _______ was carrying a hunting knife with sheath.

5/27/70

Ohio

Cleveland 28-2140

by SA

Date dictated 6/1/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.
After a short space of time, most of the individuals in the Pit, including [redacted] and the above named persons, started moving out of the Pit and toward the Commons area of KSU. [redacted] did not pick up any rocks along the way, nor did he see anyone else do so. The group from the Pit appeared to be led, at least partially, by RUPE and RICK (LNU).

Individuals of student age had already gathered near a ROTC building on the edge of the Commons when [redacted] arrived there. Individuals, whom [redacted] could not identify, began throwing rocks at the ROTC building and the rocks could be heard striking the building and breaking glass. [redacted] who were located near the front of the crowd facing the ROTC building, were together during the activities that followed.

People started chanting "Burn, ROTC, Burn", and numerous flare type incendiary devices were thrown at the ROTC building. [redacted] observed one flare roll off the roof and a white male with dark hair, whom [redacted] could not identify picked it off the ground, and threw it into the building. The ROTC building caught fire, and later an athletic shed located across the Commons from the ROTC building, was fired by unknown individuals.

At one point, [redacted] noticed a burning United States of America flag being held aloft and carried from place to place by RUPE, who later threw same on the ground.

Later the crowd moved off campus along Main Street in Kent, after which time units of the National Guard began arriving to maintain order. From Main Street, the crowd again moved to the KSU Commons, and sat on Blanket Hill (a section of the Commons) watching the ROTC building burn. By this time, the ROTC building was completely in flames.

Around 11:00 P.M., everyone, including [redacted] moved back to the Pit. Afterwards, [redacted] (LNU) departed and went back to the Landing Street residence, which was vacant, and [redacted] for Cuyahoga Falls in [redacted] and Maverick,\(^*\) without whose location was unknown.
denied taking part in any activity of a destructive nature on the night of May 2, 1970, and could not identify anyone else who did, with the exception of JERRY RUPE.

The following description was obtained through observation and interview:

Sex
Race
Date of Birth
Place of Birth
Height
Hair
Weight
Eyes
SSN
Education

Residence
Father
Mother
Sisters

Employment

Scars and/or Marks

...declined to furnish a written statement since he thought his oral statement would suffice.
FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) ___________________________________________________________ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ____________________________, as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):
____________________________________________________________________________________
____________________________________________________________________________________

☐ For your information: ______________________________________________________________________
____________________________________________________________________________________

☐ The following number is to be used for reference regarding these pages:
____________________________________________________________________________________
student, Woodridge, Ohio, was located for interview at the high school and he was immediately advised of the identities of the interviewing agents, orally advised of his constitutional rights by SA [redacted] and he read same as indicated on an executed Warning of Rights and Waiver Form. He was interviewed thereafter in the presence of Principal, in view of school policy.

Advised he is 17 years of age and resides with his parents at [redacted], Ohio. He stated he traveled in his 1963 Volkswagen bus, light green in color, which bears 1970 Ohio license, to Kent, Ohio, on the evening of May 2, 1970. He acknowledged he was accompanied on this trip by a fellow student at [redacted]. He advised upon their arrival in Kent, he and [redacted] stopped at the residence of his friend, (First Name Unknown) who lives on North Mantua, Kent.

He advised they arrived there at approximately 6:30 to 7:00 p.m. and also at the residence upon arrival were the following individuals: [Last Name Unknown], [First Name Unknown] (student at [redacted] High School, [phonetic]), friends of [redacted] and [redacted], and both students [redacted] High School. He stated that [redacted] and [redacted] (LNJ) may have been at the residence, however, he is not sure.

He does recall the brother of [redacted] and his girlfriend, [redacted] were also at the residence.

Acknowledged that [redacted] has a hunting knife and scabbard, however, he does not know whether he carried this knife when these individuals left the residence later that evening.

[Redacted]
from the North Mantua residence in his Volkswagen bus to the campus of Kent State University (KSU). He stated they arrived on the campus at approximately 8:00 p.m. and later during the evening, he did observe and along with his brother and his girlfriend on the KSU campus in the vicinity of the ROTC Building. He stated shortly after their arrival, the group he was with joined a large group of individuals near the Tri-Towers Dormitory and marched en masse toward the ROTC Building just off the "Commons". He stated the only leader he noted was a white male whom he did not know, who had a megaphone and was shouting orders to the crowd such as "Pick up rocks" and he acknowledged at this time that he and others picked up rocks along the march, however, he did not throw any rocks at any buildings that night. He stated he could not speak for others as to whether he threw any rocks at the ROTC Building.

He stated the only persons recognized by him in the area of the ROTC Building on the night of May 2, 1970, were those previously mentioned, and he did not personally know or did he observe any of the others set fire to the ROTC Building.

stated after a fire was started in the corner office, first floor, of the ROTC Building, firemen arrived and he did join a large group of people and pulled on the firehose so that the firemen could not utilize same in putting out the fire. He acknowledged he observed leaks in the firehose shortly thereafter, however, he did not observe any individual cutting same. He stated just prior to the fire starting in the ROTC Building, he observed JERRY (Jim) carrying a burning American flag on a stick amongst the crowd.

acknowledged he marched around the campus with a large group of individuals, and he observed a small shed set afire, accompanied the group down to Main Street, and then returned when the group heard the Ohio National Guard (OOG) was coming. He stated he and the group returned to a hall overlooking the ROTC Building and sat for awhile and watched same burn.

He stated at approximately 11:00 p.m., he and left the KSU campus in his Volkswagen bus.
and they returned to their respective residences in Ohio.

He advised when he arrived he observed a person heading toward the Tri-Towers Dormitory.

Advised he could provide no additional information regarding the burning of the ROTC Building and did not see that it would be necessary for him to execute a statement as he has admitted his participation in the activities as stated above.

The following descriptive information was obtained through observation and interview:

Name:
Race:
Sex:
Age:
Date of Birth:
Place of Birth:
Height:
Weight:
Hair:
Eyes:
Residence:
Occupation:
Parents:
was advised of the identities of the interviewing agents, the reason for being contacted, and his constitutional rights according to "Interrogation; Advice of Rights" form, which he read, advised he fully understood, but declined to sign. He consented to be interviewed and furnished the following information:

On May 2, 1970, in the late afternoon, along with a student at Kent State University (KSU), and an observer no one taking drugs or under the influence of same. He advised that there was supposed to be a rally at KSU, and he drove them to KSU where they got out, wandered around for a while, and then congregated with other individuals of student age in a lounge on campus. The lounge was so crowded that it was hard to move around. Sandwiches and "pop" were being served in the upstairs portion of the lounge.

People started leaving the lounge area, and observed a large portion of the crowd picking up rocks.
The crowd arrived at the Commons, and observed people throwing rocks and flares at a campus ROTC building. He was advised that he might have thrown his rock, but could not remember for sure. He assumed he threw his rocks, but did not actually see him nor anyone else he could identify throw rocks. The rioters were standing approximately 60 yards from the ROTC building. At one point, he observed the ROTC building being doused with a can of inflammatory liquid, which was subsequently lighted and caused the ROTC building to burn more profusely than it had previously.

At some point, he took a United States of America flag, which belonged to and while an unidentified individual held the flag, he took a cigarette lighter, frayed the edge of the flag, and then ignited the flag. The flag was burning and was later thrown on a tree limb and continued to burn. The flag was about three feet long and two feet wide.

Firemen arrived at the scene and tried to fight the fire, but their activity was curtailed by and an individual called JERRY, whom he could not identify completely. Two hoses were laid out by the firemen, and JERRY led an attack on the first hose which was pulled away from the firemen. The second hose was also removed from the control of the firemen, and personally helped remove the second hose by physically pulling the hose away from the firemen. He later noticed water spurtting from the sides of the hose and concluded that some hoses must have been cut by members of the crowd, none of whom he could identify.

Although he could not identify anyone who threw rocks or flares, he advised that MILLER, JERRY, were up front in the crowd, in the vicinity from which the above items were being thrown.

The crowd ended. Later moved off campus to Main Street, Kent, where he observed JERRY tearing down a bus stop sign. He observed that he threw a rock at National Guardsmen in a jeep. The Guardsmen arrived during the time the crowd moved out in the Main Street vicinity.
CV 98-2140

The crowd then went back to the Commons area where the ROTC building was completely in flames, having only been burning on one end when the crowd had departed for Main Street.

After watching the building burn, and returned to the Volkswagen bus and drove back to Peninsula, Ohio.

A written statement was not furnished since thought that an oral statement would suffice.

The following description of was taken through observation and interview:

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<th>Information</th>
<th>Details</th>
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<tr>
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</tr>
<tr>
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</tr>
<tr>
<td></td>
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<tr>
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<td></td>
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<tr>
<td>Brothers:</td>
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</table>

Social Security Number
Cuyahoga Falls, Ohio, was interviewed at U.S. in the presence of [REDACTED]. At the outset of the interview, he was advised of the identities of the interviewing agents and of the nature of the interview. He was then furnished by SA [REDACTED] with a copy of a form entitled "Interrogation: Advice of Rights." He read this form, indicated orally that he completely understood it, but refused to sign the form. He then furnished the following information:

He went to a rally at Kent State University (KSU) on the night of May 2, 1970. He was picked up at his house by an individual named [REDACTED] who is a friend of [REDACTED]. [REDACTED] was driving a Volkswagen bus. There were three or four individuals in the bus, including himself, [REDACTED] and [REDACTED]. He could recall none of the names of the other individuals involved.

The bus with the above individuals arrived at KSU at approximately 7:00 to 8:00 PM, May 2, 1970. [REDACTED] stated that he could not recall if anyone else took any kind of narcotic during the evening and refused to state whether or not he had. When he got to KSU, he went right to Tri-Towers Cemetery and there was a large crowd of people at Tri-Towers when they arrived. The mob then marched to the KSU Commons. People then started running to the ROTC building. They started throwing rocks and breaking windows in the building. There did not appear at that time, or at any other time, to be any leader of the mob.

[REDACTED] stated that he, himself, threw several rocks at the ROTC building. He got the rocks from the ground around him. He estimated the crowd at that time to be 500 to 600 persons.

He then saw a red glow coming from a corner office in the ROTC building and the building started to catch on fire. He did not see who started the fire. He then saw people running up to the windows of the ROTC building.
building and throwing in flares and what appeared to be paper. He did not know any of these people, nor could he identify them. He, himself, throw nothing of this sort into the building. He saw no one throw in what appeared to be rags, nor did he see anyone around any motorcycles.

Shortly after the building started to catch on fire, the Fire Department came. People then started to take hoses from the firemen. A group of people from the mob ran toward him with a hose and someone said pull, so he pulled the hose too. He could recall no one else who was involved with pulling this hose.

He had, by this time, become separated from the other individuals who had come to the rally with him. The hose he pulled was a hose that was trailed by the fire department as they came to the ROTC building and was hooked to a hydrant above the building. There was no water in the hose when they first got ahold of it, but the hydrant was opened shortly thereafter.

stated that he then cut through the covering of the hose with a pocket knife. Water pressure pulled the hose away from him at that point.

He stated that after this he went to the hill behind the ROTC building and watched the building burn.

He then returned to Tri-Towers, where he was allowed to return to his home some time after that. He then recalled that one TOM FOGLESONG had been with the group when they went to the rally. He was not with TOM FOGLESONG when he was pulling on the hose.

The following description of was taken from observation and interview:

Name:
Address:

Height:
Weight:
Hair:
Eyes:
Scars, Marks and Tattoos:

136
Social Security Number:
Date of Birth:
Place of Birth:
Mother:
THOMAS GRAYDON FOGLESONG was interviewed at his home at 3046 South Oakhill Road, Silver Lake, Ohio. At the outset of the interview, he was advised of the identity of the interviewing agents and of the nature of the interview. He was then furnished by SA with a copy of a form entitled, "Interrogation Advice of Rights," which he read, indicated orally he understood and signed. He then furnished the following information:

On May 2, 1970, FOGLESONG was picked up at his residence by one [redacted] in a green 1970 Ford Maverick. [redacted] was with [redacted] at that time. From his house, they proceeded to Kent, Ohio, where they went to a house located on North Hantua Street. This house can be reached by turning left off of Route 5 onto North Hantua Street. The house is then the first house on the right. At that house, they met [redacted], a girlfriend, and another male with long blond hair. They stayed at the house for a while and heard about a rally to take place that evening on the campus of Kent State University (KSU) about 7:30 to 8:00 PM. At about this time, [redacted] and himself went to the KSU campus in [redacted]'s Volkswagen bus and parked in a parking lot at the school and walked to Tri-Towers dorm. FOGLESONG stated that this is where the rally was to be held. He advised that he does not know if any of the other individuals had taken any sort of narcotic, but stated that he did not do so himself.

When they arrived at Tri-Towers, there was a crowd of approximately 1000 people milling around and shooting firecrackers. Shortly thereafter, the crowd of people started marching. He does not know what started them and there seemed to be no person directing them. The mob moved toward the Commons at KSU. They got to the Commons when it started to get dark, at approximately 8:30 to 8:45 PM.

FOGLESONG advised that during the evening, he was not really with any of the individuals with whom he
had come to the rally, but just saw them on and off intermittently. He knew faces of some of the individuals other than those they he came to the rally with, but he knew no one by name other than those people.

Shortly after arriving at the Commons, people started throwing rocks at the ROTC building. They were rocks that were obtained by picking them up off the ground. The people throwing the rocks probably amounted to approximately 100 and were limited to those persons in front of the mob.

FOGLESONG stated that he, himself, was in front of the mob and threw two rocks at the ROTC building. He does not know where one rock hit, but the other rock landed on the roof.

FOGLESONG stated that "by that time things got out of hand." Someone was ringing the bell on the KSU Commons, but he had no idea who. Then, an unseen individual threw a flare at the ROTC building, but the flare bounced off and hit the ground. Someone else, who he could not see and could not determine if he knew him and could not identify, threw this flare inside the ROTC building. This flare did nothing and appeared to burn out. The fire department arrived a short time after that. Some one, who he could not see well enough to identify, then ran up and tried to start the curtains on fire. They caught on fire. Then approximately 60 to 70 members of the group came running around the side of the ROTC building, pulling on a hose. When they got to him, he also pulled on the hose. He did not know where the hose was coming from. After the hose had been pulled out apparently as far as it would go, some one started beating on it with a stick. He did not know who this was. He saw no one trying to cut the hose. He also saw

The police, at this point, came, and approximately 15 to 20 of them lined up between the mob and the ROTC building. The police started shooting tear gas at the mob and FOGLESONG got a good whiff of it. He started backing up toward the hill in back of the ROTC building and the mob appeared to scatter. They then saw the Ohio National Guard coming. He sat on the hill and watched the fire burn for a short time. He saw no one throwing anything at firemen.
A second hose on the Commons side of the ROTC building was also pulled away from the firemen by the mob, but he has no idea who pulled that hose. He saw no firemen assaulted, nor did he see any motorcycles around.

During the evening he saw no one that he recognized doing anything but standing around with the exception of one who he saw pulling on the same hose that he pulled on.

The Ohio National Guard then marched toward the hill he was seated on. He eventually got into Tri-Towers dorm and an hour and a half later he was told to go.

A friend of a ride in a dark colored Volkswagen sedan to car, which was parked at the house on North Eastua Street. He then was driven to his home by a his car.

The following description was obtained from observation and interview:

Name: THOMAS GRAYDON FOGLESONG
Address: 3046 South Oakhill Road
          Silver Lake, Ohio
Height: 6'3"
Weight: 180 pounds
Hair: Blond
Eyes: Blue
Social Security Number: 032-40-7730
Date of Birth: May 7, 1950
Military Service: None

Mother: BURNADINE FOGLESONG
        3046 South Oakhill Road
        Silver Lake, Ohio

Father: THOMAS FOGLESONG
        3046 South Oakhill Road
        Silver Lake, Ohio
Sisters:

PAT FOGLESONG
Age 17

JAN FOGLESONG
Age 13
3046 South Oakhill Drive
Silver Lake, Ohio.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) b7c b7d with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________ , was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies): ____________________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s): ____________________________

☐ For your information: ____________________________

☐ The following number is to be used for reference regarding these pages: ____________________________
RICHARD CONRAD FELBER, also known as RICK FELBER, was interviewed at his current place of residence, 2nd floor apartment at 127 North Mantua Street, Kent, Ohio. He was immediately advised of the identities of the interviewing Agents and was informed the purpose of the interview was to discuss with him the burning of the ROTC building on the campus of Kent State University (KSU), Kent, Ohio, during the evening of May 2, 1970.

FELBER was furnished a Waiver of Rights form, which he read and stated he understood but refused to sign.

FELBER advised he was present on the KSU campus at approximately 8:00 PM on the evening of May 2, 1970. He said he witnessed the burning of the ROTC building and he was present when it was initially set on fire. He refused to identify any individuals he saw present at the fire, refused to state if he saw anyone set it on fire, and also refused to say if he saw anyone interfering with the firemen who were attempting to put out the blaze. FELBER did admit that he knew some individuals present at the fire, but he refused to furnish any of their names or if they had any part in setting the building aflame.

When FELBER was asked if he himself had any part in setting the ROTC building aflame or had any part in interfering with the firemen who were attempting to put the blaze under control, he replied by stating he could not answer that question.

FELBER was also asked specifically if he knew who set the ROTC building aflame and he replied he did not. He was also asked if he did know who set the building on fire would he identify that person to the FBI and he stated he would not.
The following physical description of FELBER was obtained through observation and interview:

Name: RICHARD CONRAD FELBER
Alias: RICK FELBER
Race: Caucasian
Sex: Male
Birth Data: September 12, 1949, at Akron, Ohio

Height: 6' 1½"
Weight: 165 pounds
Build: Medium
Hair: Blond (shoulder length)
Eyes: Green (always wears glasses)
Marital Status: Single
Military: None

Selective Service Status: Registered with Local Board 113, Akron, Ohio; classified 2-S
Selective Service Number: 33-113-49-801
Employment: Unemployed
Education: High school graduate; dropped out of KSU at end of Fall Quarter 1969

Parents: Mr. and Mrs. JOHN J. FELBER, 984 Imani Street, Akron, Ohio

Present Address: 127 North Mantua Street, second floor apartment, Kent, Ohio
JERRY RUPE, 127 North Mantua Street, Kent, Ohio, (second floor apartment) was contacted by Special Agents and at his place of residence. After being advised of the identities of the interviewing Agents and the purpose of the interview, an Interrogation and Advice of Rights form was afforded to RUPE. A Waiver of Rights form was executed and he then supplied the following information:

RUPE advised that on the evening of Saturday, May 2, 1970, he walked from his residence at the above location to the campus of Kent State University (KSU), Kent, Ohio. He was unable to state the exact time he arrived nor the time he left nor the purpose of his visit to the KSU campus.

RUPE advised that he was unable to supply any information regarding the burning of the ROTC building or any of the activities that took place on the KSU campus that evening. He stated he did not like the rap of the crowd that had gathered on the Commons of the KSU campus so he left the campus and returned to his residence.

RUPE stated he did not start the fire at the ROTC building nor did he take part in the burning of the building and did not have anything to do with the destruction of the fire hoses.

RUPE advised he was unable to supply any positive information regarding the activities which took place on the KSU campus during the weekend of May 1-4, 1970. He stated he was unable to supply the names of any individuals who were on the campus of KSU at the time the ROTC building was burned.

RUPE advised he is employed with his father in installing ceramic tile and is presently working at Ohio
University, Athens, Ohio. RUPE was unable to supply the name of the construction firm.

The following background information was obtained from observation and interview:

<table>
<thead>
<tr>
<th>Name:</th>
<th>JERRY RUPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race:</td>
<td>Caucasian</td>
</tr>
<tr>
<td>Sex:</td>
<td>Male</td>
</tr>
<tr>
<td>Birth:</td>
<td>July 23, 1948, at</td>
</tr>
<tr>
<td></td>
<td>Rustis, Florida</td>
</tr>
<tr>
<td>Height:</td>
<td>5' 11&quot;</td>
</tr>
<tr>
<td>Weight:</td>
<td>180 pounds</td>
</tr>
<tr>
<td>Build:</td>
<td>Medium</td>
</tr>
<tr>
<td>Hair:</td>
<td>Brown</td>
</tr>
<tr>
<td>Eyes:</td>
<td>Blue</td>
</tr>
<tr>
<td>Scars and Marks:</td>
<td>Two tattoos each on left and right upper arms; one tattoo of bird on right wrist; one tattoo on left hand</td>
</tr>
</tbody>
</table>

Marital Status: Single
Social Security Number: 283-40-7579
Selective Service Status: 1-Y
Army Serial Number: RA 15733423
THE FOLLOWING TWO PHOTOGRAPHS WERE DISPLAYED TO CLEVELAND, OHIO, ON MAY 25, 1970, AND HE IDENTIFIED PETER CHARLES BLEIK IN THESE PHOTOGRAPHS AS BEING IDENTICAL WITH AN INDIVIDUAL HE OBSERVED START THE ROTC FIRE.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) 07 C 57d with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) __________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); __________________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):

Index of Names from Report

☐ For your information: ________________________________________________________________

☐ The following number is to be used for reference regarding these pages:

XXXXXXXXXXXXXXXXXXXXXXXXXX
☑ DELETED PAGE(S) ☑
☑ NO DUPLICATION FEE ☑ FOR THIS PAGE

FD-529 (10-20-78)
FEDERAL BUREAU OF INVESTIGATION

KENT STATE SHOOTING

PART 7 OF 8

FILE NUMBER: 98-46479
Memorandum

TO: Mr. W. C. Sullivan

FROM: C. D. Brennan

DATE: June 3, 1970

1 - Mr. W. C. Sullivan
1 - Mr. C. D. Brennan
1 - Mr. G. H. Menzel

SUBJECT: UNKNOWN SUBJECTS;
Fire Bombing of Army ROTC Building
Kent State University (KSU)
May 2, 1970
Sabotage; Sedition; Civil Rights - Federally Protected Activity; Destruction of Government Property

The purpose of this memorandum is to advise that a summary of information developed in this case which identifies ten participants in violent activity and/or persons interfering with firemen was furnished personally to Assistant Attorney General J. Walter Yeagley, Internal Security Division, with a request that a prompt decision as to prosecutive action be made.

Three investigative reports have been submitted in this case since the investigation was initiated totaling over 1,900 pages. Such have been furnished to the Department. Cleveland on 6/2/70 furnished the above summary identifying ten individuals and requested that this information be immediately furnished to the Department in order that a prompt decision could be made by the Department as to whether any Federal prosecution is warranted or whether immediate Federal Grand Jury action should be considered. At that time Cleveland advised that it is apparent local arrests and prosecution of some of the same individuals may be forthcoming.

The summary of information furnished by Cleveland was personally made available to Assistant Attorney General J. Walter Yeagley on 6/2/70 who advised that this matter would be taken under consideration and the Bureau advised. He advised that after the reports have been completely reviewed it may be appropriate for him to send an attorney from the Internal Security Division to Cleveland to coordinate any further investigation necessary. The SAC, Cleveland, has been telephonically advised.

Enclosure

58 Jun 22, 1970
Memorandum to Mr. W. C. Sullivan
RE: UNKNOWN SUBJECTS;
   Fire Bombing of Army ROTC Building
   Kent State University (KSU)
   Kent, Ohio
   May 2, 1970

Inasmuch as all information to date has been furnished directly to the Attorney General, it would appear appropriate that he be also advised of this information which has been personally furnished Assistant Attorney General Yeagley.

RECOMMENDATION:
That the attached letter to the Attorney General be approved confirming the information furnished personally to Assistant Attorney General J. Walter Yeagley which also requests a prompt opinion with regard to Federal prosecutive action against individuals involved in the burning of the ROTC building at Kent State University.
Memorandum

TO: Director
Federal Bureau of Investigation

DATE: June 12, 1970

J. Walter Yeagley
Assistant Attorney General
Internal Security Division

SUBJECT: UNKNOWN SUBJECTS;
Fire Bombing of Army ROTC Building
† Kent State University (KSU)
Kent, Ohio
May 2, 1970
SABOTAGE; SEDITION; CIVIL RIGHTS -
FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

Reference is made to your memorandum of June 4, 1970, requesting this Division to advise whether Federal prosecution is warranted in this matter.

Upon receipt of the investigative reports on June 2nd and after a conference with Bureau supervisors on that date, I dispatched an attorney from this Division to Cleveland, Ohio, as I had indicated I would. He conferred on June 4 and 5, 1970 with representatives of your field office there. As a result of these conferences, our attorney requested that your field office conduct certain additional investigation in this matter, which was agreeable to the Bureau representatives.

When we receive the results of the additional investigation which has been requested, we will promptly advise you as to our decision with respect to possible prosecution.

1cc- Cleveland - for action
Gm-55c
6-16-70

58 Jun 22 1970
Memorandum

TO: Mr. W. C. Sullivan
FROM: C. D. Brennan

SUBJECT: PETER CHARLES BLEIK; DOUGLAS CHARLES CORMACK; RICK FELBER; THOMAS GRAYDON FOGLESONG; JERRY RUPE; SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

The purpose of this memorandum is to advise that a report dated 6/4/70, (a copy attached) has been received from Cleveland concerning the Kent State University (KSU) ROTC burning which lists nine individuals as subjects.

Jerry Rupe and Rick Felber were identified by a high school student as appearing to be leaders of group which marched to the ROTC building 5/2/70 where a demonstration led to the burning of that facility. This individual saw Rupe carrying a burning American flag. Both Rupe and Felber, former KSU students, 

Subject a nonstudent, previously admitted handing gasoline soaked rag to an unknown person who placed it in an ROTC window and ignited it; he also admitted assisting this person breaking windows in the ROTC building to provide draft for fire.

Subject Cormack, a nonstudent, previously admitted throwing rocks at building and hindered firemen attempting to put out ROTC fire.

Subject Bleik, a KSU student, identified from two photographs as person placing burning rag in ROTC building.

Enclosure attached. 3rd letter Kent letter 6-16-70

GHM:ser/co REC- 61-1 EX 106 CONTINUED - OVER
Memorandum to Mr. W. C. Sullivan  
Re: Arthur Scott Barnhardt, et al.

Subjects [redacted] Smiley, [redacted] high school students, and Foglesong, a nonstudent, all interfered with firemen and all but [redacted] threw rocks during activities 5/2/70.

Investigation continuing to establish complicity of Thomas Miller, former KSU student, in cutting hoses and participating in burning of ROTC building as previously reported. He has refused to be interviewed although another student advised that from conversation with Miller he has implied that he was involved in this matter.

Cleveland is expediting additional investigation requested by Department designed to develop additional witnesses and in particular to recontact persons previously interviewed to exhibit photographs for identification purposes which photographs were not available at the time of original interviews. This is being closely followed and will be brought to a conclusion as soon as possible.

RECOMMENDATION:

That the attached letter to the Attorney General with copies for the Deputy Attorney General, Assistant Attorneys General, Internal Security Division, Civil Rights Division, and Criminal Division; and a letter to John D. Ehrlichman at the White House be approved, enclosing for each a copy of the above report.

[Redacted]
Attached is reply to our 6-11-70 letter requesting an early decision on prosecution on charges of Antiriot Law violations against individuals who cut fire hoses and otherwise interfered with firemen during the burning of the ROTC building at Kent State University, 5-2-70. Our letter noted that local arrests and prosecutions were imminent.

Section 231 of Title 18, U. S. Code, mentioned on page two of attached, prohibits interference with firemen or police during civil disorders.
UNITED STATES GOVERNMENT

Memorandum

TO: Director
Federal Bureau of Investigation

FROM: J. Walter Yeagley
Assistant Attorney General
Internal Security Division

DATE: June 15, 1970

SUBJECT: PETER CHARLES BLEIK;
DOUGLAS CHARLES CORMACK; RICK FELBER;
THOMAS GRAYDON FOGLESONG;
JERRY RUPE;
SABOTAGE; SEDITION; CIVIL RIGHTS -
FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

Reference is made to your memorandum to the Attorney General dated June 11, 1970, regarding this matter.

I appreciate your furnishing me with a copy of your memorandum since it gives me an opportunity to clarify our position concerning this case. As you noted, Mr. Morris visited your field office in Cleveland, Ohio on June 4 and 5, 1970. I had sent Mr. Morris to Cleveland, after conferring with your representatives here, in order to ascertain, on the scene, what further investigation was necessary to enable us to proceed speedily with a prosecution under the sabotage statutes. To this end, Mr. Morris was, at my request, appointed as a Special Attorney of the Department by the Deputy Attorney General with authority to present evidence to a grand jury of a violation of the sabotage statutes, if the facts warranted such action at that time. After reviewing all of the facts which had been developed by your field office, he concluded that the evidence was insufficient to warrant presentation of this matter to a grand jury. He determined, however, that additional investigation by your Bureau might develop such evidence and suggested to your Agents a number of certain specific leads for investigation. These leads are now being pursued by your Cleveland office.

EX-110
Mr. Morris has advised me that he did not intend to convey to your representatives the impression that sabotage charges could not be brought against those individuals who were involved in the cutting of fire hoses and otherwise interfering with firemen who attempted to put out the blaze at the ROTC building at Kent State University on May 2, 1970, but only that Section 231 of Title 18, U.S.C., might, in the final analysis, be a more appropriate prosecutive vehicle to proceed against those persons. He did not, however, rule out the possibility of proceeding against any individual under the sabotage statutes where such a prosecution would be justified by the evidence which might be available.

Upon receipt of the results of the additional investigation requested of your representatives in Cleveland, we will promptly advise you of our decision with respect to possible prosecution in this matter.
FEDERAL BUREAU OF INVESTIGATION
Washington, D.C. 20537

REPORT
of the
IDENTIFICATION DIVISION
LATENT FINGERPRINT SECTION

YOUR FILE NO. 98-2140
FBI FILE NO. A-22113
LATENT CASE NO. 

TO: SAC, Cleveland

June 17, 1970

UNSUB.

RE: FIREBOMBING OF ARMY ROTC BUILDING
KENT STATE UNIVERSITY
KENT, OHIO
5-2-70
SABOTAGE

REFERENCE: Airto 6-1-70
EXAMINATION REQUESTED BY: Cleveland
SPECIMENS: One softball bat, Q16

No latent prints of value present or developed on Q16.

You will receive a separate report regarding the results of our Laboratory examinations, as well as the disposition of Q16.

MAILED 21
JUN 17 1970
COMM-FBI

John Edgar Hoover, Director

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

19 JUN 18 1970
Recorded: 6/11/70, 9:00 AM

Laboratory Work Sheet

Re: UNSUBJ;
FIREBOMBING OF ARMY ROTC BUILDING KENT STATE
UNIVERSITY KENT, OHIO 5/2/70 SABOTAGE

Examination requested by: FBI, Cleveland (98-2140)  airtel 6/1/70
Date received: 6/2/70 reg.

Examination requested: Glass (P & O) - instr.
Result of Examination: fingerprint

Examination by: MILLER
Palmer Rogers

Specimens submitted for examination

Q16 Softball bat

Examination Completed

Time

Date

Dictated

Date
TO: FBI
FROM: FBI LABORATORY

RE: CLEVELAND (22-0140)

HI:

RE: POLICE RECORDS

ATTN: FBI LABORATORY

WE HAVE RECENTLY RECEIVED THE CORD OF AN UNKNOWN SUBJECT ON THE DATE OF 3-24-70. THE COP IS BELIEVED TO HAVE BEEN USED IN THE BREAKING OF WINDOWS IN THE POLICE BUILDING.

UNRECONCILED: 24-HOURLY CORDS

RE: POLICE RECORDS

ATTN: FBI LABORATORY

WE HAVE RECENTLY RECEIVED THE CORD OF AN UNKNOWN SUBJECT ON THE DATE OF 3-24-70. THE COP IS BELIEVED TO HAVE BEEN USED IN THE BREAKING OF WINDOWS IN THE POLICE BUILDING.
FBI

Date: 6/17/70

Transmit the following in

(Type in plaintext or code)

Via: AIRTEL

(Priority)

TO: DIRECTOR, FBI (98-46479)

FROM: SAC, CLEVELAND (98-2140) (P)

SUBJECT: ET AL
SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT PROPERTY;
civil rights act of 1968 -
INTERFERENCE WITH FEDERALLY PROTECTED FACILITY

CC: CLEVELAND

Re Cleveland teletype to Bureau, 6/16/70.

Enclosed herewith for the Bureau are 8 copies of
an LHM concerning proposed local prosecution in captioned
matter.

LEADS

CLEVELAND

AT KENT AND RAVENNA, OHIO

Will continue to maintain liaison with appropriate
local authorities and keep Bureau advised of their plans for
prosecution in this matter.

(1) ENCLOSURE

(2) Bureau (Enc. 5)
2 - Cleveland

WMC: mpz

(4)
1cc - Yeagley (D), Civil (R), June 30, 1970

5/1-17-70

5/4 JUN 25, 1970

Sent

Special Agent in Charge
On June 16, 1970, [redacted] Arson Investigator, Division of State Fire Marshal, Chardon, Ohio, telephonically contacted the Akron, Ohio Resident Agency of the Federal Bureau of Investigation. Mr. [redacted] advised that Portage County Prosecutor Ron Kane, Ravenna, Ohio, had indicated that he intends to recall the currently impaneled Portage County Grand Jury into session beginning July 1, 1970.

Mr. Kane told [redacted] that he intends to present to this Grand Jury information regarding the burning of the Army ROTC building at Kent State University (KSU), Kent, Ohio, on May 2, 1970. Mr. Kane indicated to [redacted] that he will forcefully pursue indictments against suspects developed in this matter, even in instances wherein only one witness has identified a suspect as being involved in the burning.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) b7c b7d________________________ with no segregable material available for release to you.

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☐ Information pertained only to a third party. Your name is listed in the title only.

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Page(s) referred for consultation to the following government agency(ies); ___________________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):

__________________________________________________________________________

☐ For your information: ______________________________________________________

☐ The following number is to be used for reference regarding these pages:

__________________________________________________________________________
The Attorney General

June 22, 1970

Director, FBI

1 - Mr. C. D. DeLoach
1 - Mr. A. Rosen
1 - Mr. W. C. Sullivan
1 - Mr. C. D. Brennan
1 - Mr. G. H. Menzel

PETER CHARLES KUNK;
DOUGLAS CHARLES CORMACK; RICK FELBER;
THOMAS GRAYDON FOGLESON;
JERRY ROPE;
SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

By letter to you dated June 11, 1970, it was requested that an early decision be arrived at as to whether prosecutive action was warranted concerning subjects of this case. The Assistant Attorney General, Criminal Division, responded by letter dated June 15, 1970, requesting that this Bureau determine whether any local prosecutive action had been taken or was being contemplated in Ohio concerning the destruction of the Reserve Officers' Training Corps (ROTC) building at Kent State University (KSU) on May 2, 1970, and the obstruction of fire-fighting efforts on that date.

On June 18, 1970, Mr. Ronald J. Kane, Prosecutor, Portage County, Ohio, advised that he had not received the results of any investigation concerning incidents at KSU. For this reason, he has initiated no prosecutive action and does not know when he will empanel a county grand jury for this purpose although he anticipates such will be done by about mid-July, 1970. Mr. Kane stated that since he has received no report concerning this matter he cannot state what tools he will have at his disposal to take before the grand jury.

It has been determined that investigations are still being conducted as to the incidents at KSU between May 1 and May 4, 1970, by the Ohio State Highway Patrol and the Arson Division of the State Fire Marshal.
The Attorney General

Mr. Kane also advised that he is interested in the prosecution of violations which have occurred at KSU and that for this reason he telephonically requested FBI Headquarters in Washington, D. C., to make available to him copies of reports in this case. There is no record that such a request was made by Mr. Kane who advised that he spoke with Mr. Robert Murphy, an Attorney in the Department of Justice, with regard to this matter. He advised that as a result he has an appointment on June 25, 1970, at Ravenna, Ohio, to discuss local and Federal prosecutive plans with Mr. Murphy and Mr. Jerris Leonard, Assistant Attorney General, Civil Rights Division. It was explained to Mr. Kane that due to the confidential nature of FBI files reports in this case could not be furnished to him.

In view of the apparent lack of any definite basis at this time for local prosecution of persons responsible for incidents on May 2, 1970, it is requested that you advise whether Federal prosecution is warranted.

1 - The Deputy Attorney General

1 - Assistant Attorney General
   Civil Rights Division

1 - Assistant Attorney General
   Criminal Division

1 - Assistant Attorney General
   Internal Security Division

NOTE: See memorandum C. D. Brennan to Mr. W. C. Sullivan dated 6/19/70, captioned as above, prepared by GHM:pab.
TO: DIRECTOR (98-46479)
FROM: CLEVELAND (98-2140)

ETAL, SABOTAGE, ETAL, CO: CLEVELAND.

ARSON INVESTIGATOR, DIVISION OF STATE FIRE MARSHAL, CHARDON, OHIO, ADVISED THIS DATE THAT PORTAGE COUNTY PROSECUTOR RON KANE, RAVENNA, OHIO, HAS INDICATED THAT HE INTENDS TO RECALL THE CURRENTLY IMPANELLED PORTAGE COUNTY GRAND JURY INTO SESSION BEGINNING ON JULY ONE, NEXT.

KANE TOLD [REDACTED] THAT HE INTENDS TO PRESENT TO THIS GRAND JURY INFORMATION REGARDING THE BURNING OF ARMY ROTC BUILDING AT KENT STATE UNIVERSITY, KENT, ON MAY TWO, LAST, AND WILL FORCEFULLY PURSUE INDICTMENTS ON SUSPECTS DEVELOPED IN THIS MATTER, EVEN IN INSTANCES WHEREIN ONLY ONE WITNESS HAS IDENTIFIED A SUSPECT AS BEING INVOLVED IN THE BURNING.

END PAGE ONE
ADMINISTRATIVE:

CLEVELAND WILL CONTINUE TO KEEP BUREAU ADVISED OF PLANS FOR LOCAL PROSECUTION IN THIS MATTER.

LHM TO FOLLOW.

P

END.

TRC FBI WASHINGTON DC
TO:  Director
    Federal Bureau of Investigation

FROM:  Will Wilson
        Assistant Attorney General
        Criminal Division

SUBJECT:  Peter_ Charles Blein; Douglas Charles
            Cormack; Rick Felber; Thomas
            Graydon Fowlesong;_ Jerry Rupe;
            Sabotage;
            Sedition; Civil Rights - Federally
            Protected Activity; Destruction
            of Government Property

With reference to your memorandum to the Attorney General
dated June 11, 1970, please determine the willingness and ability
of the state prosecutor to develop any prosecution of those matters
which are under the supervision of the Criminal Division, i.e.,
destruction of the ROTC building and the contents thereof, and the
obstruction of the fire-fighting efforts. We are particularly
interested in what cases have been prosecuted since the events of
May 2 and any failure on the part of the state prosecutor to
initiate other prosecutions.

Upon receiving your advice regarding the matters requested
above, the Criminal Division will respond to the requests which were
Airtel

1 - Mr. H. A. Schutz
1 - Mr. C. L. McGowan
1 - Mr. G. H. Menzel

To: SAC, Cleveland (98-2140)  
From: Director, FBI (98-46479)  

SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

There is attached for the assistance of the Cleveland division one copy of a letter from the Assistant Attorney General, Criminal Division, Department of Justice, dated 6/15/70, concerning captioned matter.

In accordance with the request of the Department in the attached letter, you will immediately ascertain whether local authorities contemplate prosecution of any persons for participating in the destruction of the ROTC building and its contents or the obstruction of fire fighting efforts by local firemen who attempted to put out the blaze on 5/2/70.

You should expedite this request and promptly submit the results thereof in form suitable for dissemination to the Department in order that a prompt decision can be made in this matter.

Enclosure

NOTE: By letter to the Attorney General the Bureau requested the Department expeditiously consider Federal prosecution of subjects involved in obstructing firemen who attempted to put out fire at ROTC building at KSU, 5/2/70. In accordance with the request of the Criminal Division, Cleveland is being requested to determine whether local authorities are considering prosecution in connection with these activities and the destruction of the ROTC building and its contents.
RE BUREAU TELEPHONE CALL THIS DATE AND CLEVELAND TELETYPE, JUNE EIGHTEEN SEVENTY.

AT APPROXIMATELY FIVE PM, JUNE EIGHTEEN SEVENTY, MR. PHIL MORRIS, DEPARTMENTAL ATTORNEY, INTERNAL SECURITY DIVISION, DEPARTMENT OF JUSTICE, TELEPHONICALLY REQUESTED ANY ADDITIONAL DEVELOPMENTS REGARDING CAPTIONED MATTER, AND SUGGESTED THAT ANY ADDITIONAL AND PERTINENT RESULTS BE FURNISHED TO HIM TELEPHONICALLY BY CLEVELAND.

CLEVELAND ADVISED MR. MORRIS THAT REFERENCED TELETYPE WAS SENT TO THE BUREAU, JUST PRIOR TO HIS CALL AND THAT PROPER DISSEMINATION WOULD BE HANDLED BY THE BUREAU. IT WAS ALSO POINTED OUT THAT THE BUREAU POLICY IS QUITE CLEAR WITH END PAGE ONE.
REGARDS TO DISSEMINATION AND ANY FUTURE DEVELOPMENTS IN THIS CASE WILL BE HANDLED IN THE SAME MANNER.

END

JTJ FBI WASHC.D

CC MR. SULLIVAN
TO: DIRECTOR, FBI (98-46479)

FROM: SAC, CLEVELAND (98-2140) (P)

SUBJECT: ET AL;
SABOTAGE; SEDITION; DESTRUCTION OF
GOVERNMENT PROPERTY; CIVIL RIGHTS
ACT OF 1968 - INTERFERENCE WITH
FEDERALLY PROTECTED FACILITY

OO: CLEVELAND

Re Cleveland airtel and LHM to Bureau, 6/17/70;
Bureau airtel to Cleveland, 6/17/70;
Cleveland teletype to Bureau, 6/18/70.

Enclosed herewith for the Bureau are eight copies
of an LHM pertaining to possible local prosecution in this
matter.

In accordance with Departmental instructions contained
in a memorandum enclosed with referenced Bureau airtel to
Cleveland, 6/17/70, SAS contacted RONALD J. KANE, Prosecutor, Portage County,
Ravenna, Ohio, on 6/18/70. Results of this contact are
contained in enclosed LHM. At the outset of the interview
with KANE, he displayed a hostile attitude based upon his
assumption that the FBI should have furnished him with copies
of their reports in connection with the disruptions at Kent
State University in order to supplement reports he will receive
from the Ohio State Highway Patrol (OSHP), and other local law
enforcement agencies, and assist him in his prosecution of
appropriate individuals in this matter.

Mr. KANE was advised that the FBI has no authority
to make crystal clear to KANE that the FBI has no authority to
release its reports, or any information contained therein.
KANE, who alleged he telephonically contacted FBI Headquarters in Washington, D.C. recently attempting to secure copies of FBI reports, was questioned as to why he did not direct any questions or requests through the Cleveland Division of the FBI. He stated that he desired to deal directly with FBI Headquarters.

Prior to the termination of this interview, KANE acknowledged that he now understands the confidential nature of FBI files and this interview was concluded on a friendly and cooperative basis.

Cleveland will continue to keep the Bureau advised of plans for local prosecution in this matter.
RE: Memorandum from Will Wilson, Assistant Attorney General, Criminal Division, Department of Justice, to Director, Federal Bureau of Investigation, dated June 15, 1970.

In accordance with a request from the Department of Justice, as contained in referenced memorandum, Special Agents of the Federal Bureau of Investigation contacted Ronald J. Kane, Prosecutor, Portage County, Ravenna, Ohio, on June 18, 1970.

Mr. Kane advised at this time that thusfar he has not received any reports containing investigation conducted by the Ohio State Highway Patrol (OSHP), or other authorized local law enforcement agencies, in connection with the disruptions on the Kent State University (KSU) campus, Kent, Ohio, during the period between May 2 and May 4, 1970. He indicated that he believed that these reports would possibly be forthcoming within the next two weeks. He stated that the scope of the local law enforcement investigation will include all aspects in connection with the burning of the Army ROTC building at KSU on May 2, 1970, but that, as indicated above, he has not received the results of this investigation.
RE: ARTHUR SCOTT BARNHARDT; ET AL
SABOTAGE; ET AL

Due to the absence of any investigative reports to refer to, Mr. Kane indicated that he cannot at this time state exactly when he will impanel a grand jury, or what tools he will have at his disposal when he takes this matter before a grand jury. He added that he has not been able to initiate any prosecutions in this matter to date inasmuch as the investigation has not been completed.

He pointed out, however, that he is extremely interested in initiating as many local prosecutions as possible, and cited his record of having convicted approximately 60 individuals as a result of disruptions on the KSU campus during April, 1969.

Mr. Kane stated that he also desired that the FBI furnish him with copies of FBI reports in order to supplement local investigation and allow him to successfully prosecute as many persons as possible.

Mr. Kane advised that he was recently contacted by Robert Murphy, Departmental Attorney. As a result of this contact, he said he has an appointment on June 25, 1970 in Ravenna, Ohio with Mr. Murphy and Jerris Leonard, Assistant Attorney General in Charge of the Civil Rights Division, Department of Justice.

Mr. Kane indicated that the purpose of his scheduled meeting with Mr. Murphy and Mr. Leonard is to discuss action Kane plans to take, and for him to learn the plans of the Department of Justice in regard to this matter. In all probability, Mr. Kane will make requests at that time for copies of FBI reports to be disseminated to him.

During this interview with Mr. Kane, Special Agents made it clear to him that the FBI has no authority whatsoever to release its reports, or any information contained therein to his office.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is limited to your agency; it and its contents are not to be distributed outside your agency.

There is enclosed for your information a copy of the report of Special Agent [redacted], dated June 23, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted. It is noted that this report includes investigation specifically requested by Mr. Phillip Morris which was referred to in a letter from the Assistant Attorney General, Internal Security Division, dated June 13, 1970. Investigation in this case is continuing, and the results will be furnished to you promptly when completed.

A copy of the enclosed report is being furnished to Honorable John D. Ehrlichman at the White House.

Enclosure

SEE NOTE PAGE TWO
The Attorney General

1 - The Deputy Attorney General (Enclosure)

1 - Assistant Attorney General (Enclosure)
   Civil Rights Division

1 - Assistant Attorney General (Enclosure)
   Criminal Division

1 - Assistant Attorney General (Enclosure)
   Internal Security Division

NOTE:

Transmit the following in

(Type in plaintext or code)

Via AIRTEL 

(Priority)

TO: DIRECTOR, FBI

FROM: SAC, CLEVELAND (98-New) (P)

SUBJECT: ALLEGED PLOTS TO DESTRUCT ROTC BUILDING, CLASSROOMS AND DORMITORIES AT KENT STATE UNIVERSITY (KSU), KENT, OHIO SABOTAGE

CC: CLEVELAND

Enclosed herewith for the Bureau are six copies of a LHM pertaining to captioned matter. Locally, two copies are being disseminated to Secret Service, Cleveland, and one copy each to military intelligence agencies.

Information contained in LHM has been orally disseminated locally to interested local law enforcement agencies.

Cleveland will continue to follow this matter through logical sources and will advise the Bureau of any pertinent developments.

(2) Bureau (Enc. 6) 

REC-23 

JUN 24 1970

WMC impz

1CC-Ycagley "H", Avng, 904d 5+ 

Ghin-swe 

6-24-70

Approved: 6/23/70 Special Agent in Charge
ALLEGED PLOTS TO DESTROY
ROTC BUILDING, CLASSROOMS,
AND DORMITORIES AT
KENT STATE UNIVERSITY (KSU),
KENT, OHIO
SABOTAGE

On June 22, 1970, [REDACTED], Ohio, personally contacted the Cleveland, Ohio Office of the Federal Bureau of Investigation and related the following information:

He was a freshman student at Kent State University (KSU) during the Fall school term, but withdrew from school in December, 1969. He was also a friend of Allison Krause, a KSU student killed by the Ohio National Guard (ONG) during the campus disruptions in May, 1970, and he maintains that he still has close friends at KSU, "who know what is going on."

During the weekend of June 13, 1970, [REDACTED] returned to KSU to visit with friends and join in parties being held in connection with the graduation exercises at KSU that weekend. While in Kent, he met with his friends and learned from them that rumors are circulating around the campus that there is going to be more violence at KSU. Specifically, he stated that one rumor indicates that white radical students at KSU, who promoted the burning of the Army ROTC building at KSU on May 2, 1970, intend to burn additional ROTC buildings on the campus during the second week of the Summer school session. [REDACTED] noted that the Summer school term commenced on June 22, 1970.

He advised that a second rumor he heard indicates that black militant students at KSU are reportedly stealing explosives from the U.S. Army Ammunition Plant, Ravenna, Ohio, and that during the second week of the Fall, 1970, school term, they plan to bomb classroom buildings and dormitories at KSU.
declined to identify the persons from whom he received the above information. He stated that his sources do not have any first hand information about the matter, and he does not want to involve anyone else. He maintained that the reason he is reporting this information is that he does not desire to see anymore violence on the KSU campus. In addition, he stated that he would immediately contact the Federal Bureau of Investigation in the event he develops any further information pertaining to this matter.

The above information has been orally disseminated to Secret Service, Cleveland; Army Intelligence, Cleveland; Portage County Sheriff's Office, Ravenna; Kent Police Department, Kent; and the KSU Campus Police Department, Kent.
Honorable John D. Ehrlichman  
Assistant to the President  
for Domestic Affairs  
The White House  
Washington, D. C.  

Dear Mr. Ehrlichman:


There is enclosed for your information a copy of the report of Special Agent [redacted] dated June 23, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

Enclosure

GHM:kks
(8)

NOTE:

June 29, 1970
BY LIAISON

Honorable John D. Ehrlichman
Assistant to the President
for Domestic Affairs
The White House
Washington, D. C.

Dear Mr. Ehrlichman:


There is enclosed for your information a copy of the report of Special Agent [redacted] dated June 23, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

Enclosure
Serial 87

Not in File
Memorandum

TO: Mr. W. C. Sullivan
FROM: C. D. Brennan
DATE: June 19, 1970

SUBJECT: PETER CHARLES BLEIK; DOUGLAS CHARLES CORMACK; RICK FELBER; THOMAS GRAYDON FOGLESONG; JERRY RUPE; SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

The purpose of this memorandum is to advise as to the status of local proseuctive plans concerning the burning of the Kent State University Reserve Officers' Training Corps (ROTC) building on 5/2/70.

The Criminal Division of the Department by letter 6/15/70 requested it be determined what proseuctive action has been taken locally in connection with this situation and what action is contemplated. Carl Belcher, Attorney, Criminal Division, on 6/18/70 telephonically advised that in explanation of this request he did not mean to indicate any reluctance with regard to prosecution in this case. He stated that since no action has been initiated by local authorities in over 45 days, he made this request to support his position that Federal prosecution may be warranted as to violations under his supervision, such as Destruction of Government Property and Antiriot Law violations. In connection with this request, the Portage County Prosecutor, Ronald J. Kane, on 6/18/70 advised he had not received any investigative report on which he could have or will initiate prosecution. He stated that when such is received he desires to present violations to the Portage County Grand Jury hopefully by about the middle of July, 1970. Kane also claimed he had requested FBI Headquarters to furnish him reports in this case; there is no record of such a request by Kane, and he was advised as to the confidential nature of these reports. He stated that he understood and added that he has an appointment on 6/25/70 in Ohio with Jerris Leonard, Assistant Attorney General, Civil Rights Division, when they will discuss local and Federal proseuctive plans.

Enclosure
Memorandum to Mr. W. C. Sullivan
RE: ARTHUR SCOTT BARNHARDT; et al
98-46479

Investigations are still being conducted with regard to incidents at Kent State University, 5/1-4/70, by the Ohio State Highway Patrol and the Arson Division of the State Fire Marshal.

The Internal Security Division by letter 6/15/70, explaining the necessity for their request that additional investigation be conducted to establish a Sabotage violation, has in so doing continued to exhibit a do nothing attitude with regard to prosecution of other Federal violations which appear apparent.

Accordingly, a letter has been prepared to the Attorney General with copies to the Deputy Attorney General, Assistant Attorneys General, Criminal Division, Civil Rights Division and Internal Security Division, pointing out the apparent lack of sufficient information at this time to initiate local prosecutions and requesting a decision as to whether Federal prosecution is warranted.

RECOMMENDATION:
That the attached letter to the Attorney General advising as to the status of prosecutive action and requesting a decision as to whether Federal prosecution is warranted be approved.
TO FBI, CLEVELAND (98-2140)
FROM DIRECTOR, FBI

UNSUSBS; FIREBOMBING OF ARMY ROTC BUILDING, KENT STATE UNIVERSITY, KENT, OHIO, MAY TWO, NINeteen seventy; SABOTAGE.

FRESH GLASS PARTICLES SUITABLE FOR COMPARISON PURPOSES FOUND EMBEDDED IN NUMEROUS FRESH CUTS ON UPPER PORTION OF SUBMITTED BAT.

EXTREMELY THIN RED AND TANNISH-GRAY PAINT SMEARS ON BAT OF EXTREMELY LIMITED VALUE FOR COMPARISON PURPOSES.

IF AVAILABLE, GLASS AND PAINT FROM LOGICAL SOURCES SHOULD BE SUBMITTED TO LABORATORY FOR DIRECT COMPARISONS.

REPORT FOLLOWS.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION
JUN 3 1970

TELETYPY
To: FBI, Cleveland (8-2140)  Date: 6/10/70

Re: UNSUBS;
FIREBOMBING OF ARMY ROTC BUILDING, KENT STATE UNIVERSITY, KENT, OHIO;
5/2/70;
SABOTAGE

Examination requested by: Cleveland
Airtel 6/1/70

Glass - Instrumental - Fingerprint

This report confirms the teletype sent to your office on June 3, 1970.

If available, glass and paint from logical sources should be submitted to the Laboratory so that direct comparison with the glass and paint smears on the Q16 bat can be made.

You are being advised of the results of the latent fingerprint examinations by separate communication.

The submitted bat will be retained in the Laboratory and subsequently returned along with the evidence submitted in this case.

Enclosures (2) (2 Lab reports)  4 JUN 26 1970

ETM: moh(10)
To: FBI, Cleveland

Re: UNSUBS;
FIREBOMBING OF ARMY ROTC
BUILDING, KENT STATE
UNIVERSITY, KENT, OHIO;
5/2/70; SABOTAGE

Specimens received 6/2/70

Q16 Softball bat

Results of examination:

Fresh glass particles suitable for comparison purposes were found embedded in numerous fresh cuts on the upper portion of the Q16 bat.

Extremely thin red and tannish-gray paint smears were found on Q16. These smears are of very limited value for comparison purposes because of the limited amount of paint composing them and because of contamination.

ETM: moh(10)
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

File # PC-C6847 JP LY
Lab. #

Re: UNSUBS;
FIREBOMBING OF ARMY ROTC BUILDING, KENT STATE UNIVERSITY, KENT, OHIO; 5/2/70; SABOTAGE

Examination requested by: FBI, Cleveland (98-2140)
Examination requested: Glass (P & O) - Instr. (Spec.) - Fingerprint
Result of Examination: O

Specimens submitted for examination

QL6 Softball bat
I am confused about the data I have received. It seems to be missing some key information.

But there is no doubt that the project is progressing well. The team has been working hard to ensure that all requirements are met.

The product is almost ready for launch. We are confident that it will meet the expectations of our customers.

These efforts have been driven by our commitment to excellence. Thank you for your support.
TO: DIRECTOR, FBI
ATTN: FBI LABORATORY
FROM: SAC, CLEVELAND (98-2140)
RE: UNSUBS; FIREBOMBING OF ARMY ROTC BUILDING KENT STATE UNIVERSITY KENT, OHIO 5-2-70 SABOTAGE

Enclosed under separate cover is one baseball bat recovered from an unknown subject on the evening of 5-2-70. The bat is believed to have been used in the breaking of windows of the ROTC Building.

EXAMINATIONS REQUESTED:

The FBI Laboratory is requested to examine the baseball bat for latent fingerprints and absorb conduct examinations to locate glass particles or paint chips which may have adhered to the bat while being used for the breaking of ROTC Building windows.

3 - Bureau
4 - Package
2 - Cleveland

DP: amk
(6)

Q/6 baseball bat
UNITED STATES GOVERNMENT

Memorandum

TO: Mr. W. C. Sullivan

FROM: C. D. Brennan

SUBJECT: PETER CHARLES BLEIK;
DOUGLAS CHARLES CORMACK;
RICHARD CONRAD FELBER;
THOMAS GRAYDON FOGLESONG;
JOHN ALVIN MILLER;
JERRY RUPE;
SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

The purpose of this memorandum is to advise that a report dated 6/23/70, (a copy attached) has been received from Cleveland concerning the Kent State University (KSU) ROTC burning which substantiated involvement of some of the subjects.

The report primarily sets forth interviews requested by the Internal Security Division of the Department for the purpose of further substantiating the involvement of the subjects by displaying photographs to the persons interviewed, which photographs were not previously available.

Many persons interviewed when displayed photographs identified numerous individuals who were present at the KSU ROTC burning 5/2/70 and several persons identified subjects Rupe and burning American flags and along with other subjects interfering with firemen attempting to put out the blaze.

One Kent State fireman believes Rupe was person observed placing gasoline soaked rag into ROTC window. Another individual believed it was Rupe he observed throwing barrel containing fire through ROTC window.

Enclosure said 6-29-70

GHM; pca (6)

CONTINUED - OVER

JUL 13 1970
Memorandum to Mr. Sullivan

Re: Peter Charles Bleik; Douglas
     Charles Cormack; Richard Conrad Felber; Thomas
     Graydon FogleSong; John
     Alvin Miller; Jerry Rupe;
     98-46479

Cleveland is still attempting to locate two subjects
for purposes of displaying
photographs. Also, interviews conducted have identified
other persons who were present on 5/2/70 who will be located
and interviewed as possible witnesses. This will be followed
closely in order that this matter can be resolved as soon
as possible.

RECOMMENDATION

That the attached letter to the Attorney General
with copies for the Deputy Attorney General, Assistant
Attorneys General, Internal Security Division, Civil Rights
Division, and Criminal Division; and a letter to John D.
Ehrlichman at the White House be approved, enclosing for
each a copy of the above report.

[Signature]

[Initial]

[Initial]
Title changed to include complete name of RICHARD CONRAD FELBER, as developed through interview with him on June 4, 1970. FELBER's name previously listed as "RICK-FELBER". Title also changed to include name of "..."

REFERENCE

Cleveland report of SA dated 6/4/70.
ENCLOSURES

Enclosed herewith for the Bureau are two sets of photographs containing 22 photographs each. These photographs are identical to those displayed to witnesses, results of which are contained in instant report. One set of these photographs is included for dissemination by the Bureau to the Department of Justice. Locally, one set of photographs is being disseminated to the USA, Cleveland.

LEADS

CLEVELAND:

1) Will continue efforts to locate [redacted] and display photographs to them.

2) Will maintain liaison with USA, Cleveland, pending a prosecutive decision in this matter.
On June 17, 1970, at 11:30 AM, [redacted], Cleveland, Ohio, advised that at 12:00 noon this date he is being admitted to Deaconess Hospital, 4229 Pearl Road, for major back surgery and believes he will be hospitalized for at least 2 weeks.

It is to be noted that [redacted] when interviewed on May 10, 1970, stated he was present during the burning of the ROTC Building at KSU but could not identify the individuals that set the fire to the building but described them as approximately 19-20 years of age with shoulder-length hair and hipster-type dress. During this interview on May 10, 1970, [redacted] gave no description of any specific individual whom he believed fired this building.
Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) b 7 d with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ____________________________________________ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):
________________________________________________________________________
________________________________________________________________________

☐ For your information: __________________________________________________________
________________________________________________________________________

☐ The following number is to be used for reference regarding these pages:
________________________________________________________________________
was displayed a group of photographs as listed below. He stated from this group he recognized JERRY RUPE and ALLEN TATE as having been on the Kent State University (KSU) campus on the evening of May 2, 1970. He said that he had not seen TATE in the vicinity of the U. S. Army ROTC Building at the time persons were attempting to set fire to this building, but later saw him in the area of the small archery shed that was burned and also at the Tri-Towers area.

stated that he had seen JERRY RUPE in the immediate vicinity of the U. S. Army ROTC Building when persons from the crowd assembled around the building were attempting to set fire to the building. He commented he had never seen RUPE trying to set fire to the U. S. Army ROTC Building, but he had seen him throw stones and also had been agitating the crowd. He stated he had observed RUPE burn a United States of America flag and had later seen him beating an unknown person who apparently had attempted to take his photograph at the time he was burning the American flag. again stated that at no time had he seen RUPE attempting to set fire to the building.

The following is a list of the photographs observed by

PETER CHARLES BLEIK (3 photos)

ALAN CANFORA

RICHARD CONRAD FELBER

THOMAS GRAYDON FOGLESONG
THOMAS DAVID MILLER

JERRY RUPE

ALLEN TATE

UNKNOWN SUBJECT
Copy to: 1 - USA, Cleveland

Report of: SA
Date: June 23, 1970

Title: PETER CHARLES BLEIK;
DOUGLAS CHARLES CORMACK;
RICHARD CONRAD FRIEDER;
THOMAS GRAYDON FOGLESONG;
JERRY ROPE;

Character: SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY;
CIVIL RIGHTS ACT OF 1968 - INTERFERENCE WITH FEDERALLY
PROTECTED FACILITY

Synopsis:

PETER CHARLES BLEIK, Rochester, N.Y., reinterviewed 5/25/70. BLEIK again acknowledged being present at burn of ROTC Building, but denied active involvement. BLEIK made available clothing which was worn by him at Kent. This clothing was submitted to FBI Lab and was examined for presence of smoke particles and incendiary chemical residues. Results were negative.

Photographs of suspects were displayed to witnesses with the following results:

advised he believed that JERRY ROPE was one individual who threw a gas-soaked rag in ROTC Building.
Ohio, advised that RUPE was one of the hard-core demonstrators at burning of the building, and possibly threw a barrel at building.

THOMAS FOGLESONG, JERRY RUPE, and himself, pulled hoses from firemen. Also saw RUPE throw rocks at ROTC Building, and saw burn American flag.

Ohio, advised he observed RUPE with a burning American flag.

Ohio, advised that RICHARD FELBER was one of the agitators in the crowd prior to the ROTC burning.

THOMAS FOGLESONG, Silver Lake, Ohio, advised that pulled hoses away from the firemen.

Cleveland, Ohio, identified PETER BLEIK as person who helped start fire at ROTC Building with gas-soaked rag.

Ohio, advised that BLEIK was present when ROTC Building was burned. She also said that was a leader in the crowd just prior to burning.

Kent, Ohio, pointed out an unknown subject, who he saw set fire to curtains inside the building.

Kent, Ohio, stated that photo of closely resembled individual he saw at ROTC burning.
ENCLOSURES:

Enclosed herewith for the U.S. Department of Justice, Washington, D.C., and for the United States Attorney, Cleveland, Ohio, are one copy each of a series of twenty-two photographs which were displayed to witnesses.

DETAILS:
FEDERAL BUREAU OF INVESTIGATION

6/2/70

-1-

PETER CHARLES BLIEK, 34 Highwood Road, 34 Irondequoit, was reinterviewed at his place of employment.

He was orally advised of his rights by SA and furnished a copy of a waiver and rights form which he read and executed.

BLIEK advised that on May 2, 1970, at approximately 8:00 p.m., he attended a student rally on the commons at State University. He advised that the rally turned into a march through campus, gathering additional students and that he marched in the group as an observer and upon the group returning to the commons, an unknown male leader said "Let's get the ROTC Building." He advised that there appeared to be four leaders. All four were dressed in blue denim jackets and pants. One had long hair and a full beard, one was a white male, five feet, eight inches to five feet, ten inches tall, light brown hair, wearing a leather jacket, and he could not give any further description of the other two. He stated that three of these individuals siphoned gasoline from a motorcycle in the parking lot next to the commons and that two of the three threw something into the ROTC (Reserve Officers Training Corps) Building at which time the building caught fire. BLIEK stated that he was in the middle of the commons at the time and was not in the vicinity of the ROTC Building and did not take part in the fire bombing of the ROTC Building. He stated that a group of students then proceeded to tear down a fence which led to the athletic shed. He attempted to discourage students from setting fire to the shed but his efforts were unsuccessful.

He advised during this time he was not with anyone in particular; however, he marched with a white female named (Last Name Unknown), a blond, five feet, six inches, from New York City and also talked with her while the ROTC Building burned. He stated that he was at times also with and with other students, names unrevealed. He advised that on the evening May 2, 1970,
he wore powder blue tennis shoes, blue bell bottom denims, a tee shirt, color unknown, and no jacket. He advised that he does have a brown corduroy car coat and an orange tee shirt with red horizontal stripes which he wore on Monday May 4, 1970. BLIEK furnished the trousers, tee shirt, and car coat.

BLIEK furnished the following list of student associates at Kent State University:
BLIEK furnished the following list of associates in the Rochester, New York area:

BLIEK advised that he is not a member of any recognized or underground group at Kent State University, is not a member of Students for a Democratic Society, and has no association with the radical leaders on campus.

BLIEK reiterated that he had no part in the fire bombing of the Army ROTC Building on May 2, 1970, and does not know the names of any students that were involved.
FIREBOMBING OF ROTC BUILDING,
Kent State University (KSU),
Kent, Ohio,
May 2, 1970
SABOTAGE

Specimens received 6/1/70

Q13  T shirt
Q14  Trousers
Q15  Coat

Results of examination:

Specimens Q13, Q14 and Q15 were examined for the presence of smoke particles and incendiary chemical residues, but none were found.
advised that he is a student at Kent State University, Kent, Ohio, he was an observer at the rally held by students on the Common and at that time was with PETER BLIEK. He stated that at this time there were approximately 150 students near the ROTC Building, with an additional 350 to 1,000 students on the hill surrounding the Common, and that some of the students in the group of 150 entered the ROTC Building, breaking windows. Some students threw objects through the windows. Approximately twenty minutes after the incident started the ROTC Building caught on fire.

advised that he was on the hill observing the fire and did not take an active part in the demonstration and that prior to the burning BLIEK had left his company and could not say what BLIEK's actions were during this time, however, they rejoined during the march through the campus, after the burning.

advised that he and PETER are not members of any groups on campus and neither are members of Students for a Democratic Society (SDS).

He advised that he and BLIEK both attended Monroe Community College, Rochester, New York, last year and that they are good friends. He stated that BLIEK was not a radical and probably did not participate in the burning of the ROTC Building and that BLIEK's involvement would probably be nothing more than stone throwing.

The following description was obtained through observation and interview:

Race
Sex
Date of Birth
Place of Birth
Height
Weight

On 5/26/70 at New York File: Buffalo 08-1235
by SA
Date dictated 5/28/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to you for inspection only. It and its contents are not to be distributed outside your agency.
New York, advised he is a student at Kent State University, Kent, Ohio.

He stated that at 10:00 PM, when he left the station he observed the RTC Building on fire, however, proceeded to his room in the Tri Tower Dormitory, and stayed there for the remainder of the evening. He advised that he has no knowledge regarding the fire bombing of the RTC Building.

He advised he has known PETER CHARLES BLANK since the last quarter at Kent State University, through a mutual interest in modern music. He does not consider BLANK to be a radical, nor a member of any group on campus. He stated BLANK is not politically minded and would not be the type to become involved in the fire bombing of the Army RTC Building, although he presently would be present as an observer.

The following description was obtained through observation and interview:

- Race: 
- Sex: 
- Date of Birth: 
- Place of Birth: 
- Height: 
- Weight: 
- Hair: Brown
- Eyes: Brown
- Social Security Number: 
- [Redacted]


SA by: [Redacted] Date dictated: 6/23/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is issued to your agency. It and its contents are not to be distributed outside your agency.
Kent State University (KSU), Kent, Ohio, was contacted regarding information he furnished on May 13, 1970, to the effect that he had something to do with the burning of the ROTC building at KSU. He advised that he possessed no information to the effect that he started the fire, but that he understood that associates of JERRY RUPE, who was involved in the crowd at the burning of the building.
telephone number Ohio, was telephonically contacted in an effort to determine who his former roommate was whose first name was __________. He was advised that __________, his former roommate, whose first name is __________ and whose last name is unknown to the __________ had made a statement to __________ on May 3, 1970, that demonstrators used gasoline from a motorbike in setting fire to the ROTC Building at Kent State University. __________ was of the opinion that __________ (Last Name Unknown) was actually present during the burning of the building.

__________ stated that he ________ was also present with ________ on May 3, 1970, when ________ made statements regarding the burning of the building. ________ said that ________ is actually _________. ________ further advised that ________ had actually indicated that he was not present during the burning of the ROTC Building, but that he had learned of the incident from other students around the campus.

__________ said that in his opinion, ________ was being truthful and had not been present at the burning of the building. He added that he believes that he knows ________ much better than ________ and that ________ had apparently misinterpreted ________ statement.
Ohio, was advised of the official identity of Special Agents and and furnished the following information:

advised that his son, was in Kent, Ohio, on the night of May 1, 1970, with some friends from Cuyahoga Falls. He was at a bar on North Water Street, and this bar closed early due to disturbances in the area.

told his father that when he emerged from the bar, he was informed that one of his friends had been picked up by the Kent Police Department, and was at that department.

went to the police department, and subsequent to his arrival there, got into an argument with a member of the Kent Police Department. Lost his temper, used profanity, and was immediately jailed. One of the friends with him in Kent was RONALD HAJNED, Cuyahoga Falls.

continued that on the morning of May 2, 1970, he learned of the whereabouts of his son, and went to Kent. At Kent, he got out of jail on a $200.00 bond, and accompanied his father to the State of Pennsylvania on the afternoon of May 2, 1970, where he remained for the weekend.

stated that his son, did not return to the Kent area subsequent to May 2, 1970, when he was released from jail.
Mrs. CHARLES F. (HELEN) HAMMOND, 2027 High Street, Cuyahoga Falls, Ohio, was advised of the official identity of Special Agents and furnished the following information:

Her son, RONALD HAMMOND, 2027 High Street, Cuyahoga Falls, was in Ocean City, Maryland, on a one week vacation. While in Ocean City, he was attempting to obtain employment there, and if successful in obtaining work, would remain in Ocean City for the summer. She stated that RONALD graduated from Cuyahoga Falls High School in June, 1969.

RONALD was currently staying at Possey's Guest House, Ocean City, Maryland.

Mrs. HAMMOND stated that RONALD had told her that on the night of May 1, 1970, he had been in Kent, Ohio, with some friends, one of whom was Cuyahoga Falls. They were in a bar on North Miller Street, and this bar closed early, due to disturbances on that street. RONALD told her that when he left the bar, he had been told that one of his friends was in difficulty with the Kent Police, and RONALD went to the Kent Police Department, to determine the status of his friend.

While at the Kent Police Department, an official later identified as the Kent City Prosecutor, told RONALD to leave the premises. RONALD did not do this immediately, and was placed under arrest, and jailed in Kent. On the following morning, he was released from jail on bond, and did not return to the Kent area subsequent to the night of May 1, 1970.

On._ 6/1/70 at Cuyahoga Falls, Ohio, File __, Cleveland CS-2110
by __ Date dictated 6/1/70

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The following investigation was conducted on June 1, 1970, at Kent, and Akron, Ohio, by Special Agents [redacted] of the Kent Police Department, advised that he was unable to locate any address for one of [redacted] of Akron. This individual allegedly had been a non-student, and was one of fourteen students and/or non-students arrested on the charge of disorderly conduct in connection with the disturbance in Kent, presumably on May 1, 1970, who had been released on bond, on May 2, 1970. This information had been set forth in the Akron Beacon Journal on May 3, 1970. [redacted] advised that apparently this had been an arrest by the Ohio State Highway Patrol, and that the booking of this individual in all probability had occurred at Ravenna, Ohio, at the Sheriff's Office.

It should be noted that previous inquiry conducted in this matter at the Portage County Sheriff's Office, Ravenna, had reflected that no record had been maintained of the individuals booked through that department on the nights of May 1, 2, 3, 4, 1970. No residence address for [redacted], Akron, was located.

[redacted] of the Akron Credit Bureau, advised that she was unable to locate any record identifiable with [redacted].

A review of the current Akron City Directory failed to reflect a listing for one [redacted], age 19, of Akron.
telephone number and exhibited photographs of the people observed by him at the time of the burning of the PCC building.

On 5/29/70 at Ohio by SSA. Date dictated 5/25/70.

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Cuyahoga Falls, Ohio, was contacted at above residence by Special Agent [redacted] and voluntarily made himself available for photographing. Four photographs were taken.
FEDERAL BUREAU OF INVESTIGATION

Date 6-10-70

[Redacted] Ohio, furnished one photograph of [redacted]. He advised that this photo was taken in [redacted]. He advised that this photo is an excellent likeness of [redacted] as he currently appears.

On 6-10-70 at [redacted] Ohio

SAs [redacted]

File # Cleveland 23-2140

Date dictated 6-10-70

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Special Agent contacted ALAN CANFORA at his residence, 303 Newell, Barberton, Ohio, for the purpose of photographing him. CANFORA was agreeable to this and was photographed in the presence of his mother, Mrs. ALBERT J. CANFORA.

On 6-11-70 at Barberton, Ohio Fico Cleveland 98-2140

by SA Date dictated 6-16-70

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The following interviews were conducted for the purpose of displaying photographs in an attempt to identify persons responsible for the destruction of the U.S. Army ROTC Building at Kent State University (KSU), Kent, Ohio, on May 2, 1970. The group of photographs shown to these witnesses included photographs of the following individuals:

PETER CHARLES BLEIK
ALAN CANEORA
RICHARD CONRAD FELBER
THOMAS CRAYDON EGGLESON
THOMAS DAVID NELER
TERRY RUFFE
ALLEN TATE
UNKNOWN SUBJECT

Attempts were also made to obtain a suitable photograph of DOUGLAS CORMACK. However, CORMACK would not submit to being photographed when previously interviewed, and no suitable photographs were obtained in time to display to witnesses.
Kent, Ohio, was interviewed at the Kent, Ohio Fire Department, Kent, Ohio, as advised of the identity of the interviewing agents and furnished the following voluntary statement:

"June 18, 1970
Kent, Ohio

"I, furnish the following voluntary statement to the persons who have identified themselves to me as Special Agents of the Federal Bureau of Investigation.

"I reside in Kent, Ohio and work as a Kent, Ohio fireman, part-time.

"On May 2, 1970 I responded to a fire at the ROTC building on the Kent State University Campus (KSU), Kent, Ohio at about 2:00 PM. When I and the fire truck I was assigned to arrived at the fire the fire was very small and just a small amount of smoke.

"When I arrived at the scene of the fire I observed two motorcycles parked on the Commons area of the KSU campus, approximately 50 feet from the ROTC Building. I was involved in attempting to put out the fire in the ROTC building. I observed three individuals approach the two motorcycles and gather around one of the motorcycles, and I saw the gas tank lid of one of the motorcycles thrown out into the Commons. I don't know which of the three people who approached the motorcycle threw the gas cap out onto the Commons. I observed one of the three people around the motorcycle dunk a rag into the gas tank, and all three ran over to a window of the ROTC building (north east window) and laid the rag on the window sill of the window and one of the three lit the rag and

On 6/13/70 at Kent, Ohio

File: Cleveland 98-2140

by

Date dictated 6/18/70

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one of the three threw the rag into the building, and the fire inside the building 'took off'.

"After I observed this I started toward the window and was going to extinguish the fire. The same three that lit the rag came at me, one had a club and he hit me on the helmet and the other two knocked me to the ground by jumping on my back, the person with the club hit me again, while I was down. The same three people took the fire hose away from me. After awhile myself and the other firemen left the scene of the burning ROTC building.

"About three weeks after the ROTC fire I was in Seavers Cafe, on North Water St., Kent, Ohio eating lunch. I observed a person in this cafe that I believe he is one of the three people I saw throw the gasoline soaked rag into the KSU ROTC building as I described above. I was unable to determine the name of the person in 'Seaver's' at that time I saw him. About one week after I saw the man in Seaver's I went to the Kent, Ohio Police Dept., and they showed me pictures of a man named Jerry Rupe. This man Jerry Rupe is the same man I saw in Seaver's.

"Today I have viewed 22 photographs displayed to me by the interviewing agents. Photograph described on back as 'Jerry Rupe, DOB 7/23/48, 5'11" 180 lbs brown hair and blue eyes' is a photograph of the person, I believe, was responsible for throwing the gas soaked rag into the ROTC building. I believe this is the same person that was involved in the ROTC burning as I described above, however, I cannot say for sure unless I am able to see Jerry Rupe in person.

"I have initialed the back of all 22 pitchers. I have read the above statement consisting of this page and two other pages. I have initialed all corrections and the two other pages I now sign this statement because it is true. /s/

"Witness: /s/ [Redacted] FBI
Cleveland, Ohio 6/10/70
/s/ [Redacted] Agent FBI Cleveland,
9/18/70
Photographs of the following people were displayed to:

THOMAS DAVID MILLER, aka. Tom Aquinas
ALLEN TATE
PETER CHARLES BLEIK
UNSUB (center of photograph, facing camera)
THOMAS GRAYDON FOGLESONG
JERRY RUPE
RICHARD CONRAD FELBER
ALAN CANTORA

PETER CHARLES BLEIK (long hair and beard)
PETER CHARLES BLEIK (long hair and beard, no shirt)
Ohio, was interviewed at the Painesville Resident Agency of the FBI and at that time was displayed the following photographs:

- THOMAS DAVID MILLER, aka., Tom Aquinas
- ALLEN TATE
- PETER CHARLES BLEIK
- UNSUB (center of photograph, facing camera)
- THOMAS GRAILDON POLEGONG
- JERRY RUPE
- RICHARD CONRAD FELBER
- ALAN CAUTINA
- PETER CHARLES BLEIK (long hair and beard)
- PETER CHARLES BLEIK (long hair and beard, no shirt)

He advised he recognized the photographs of BLEIK and as the individuals present on the Commons of the Kent State campus in the area of the ROTC building on Saturday night, May 2, 1970 and on Sunday evening, May 3, 1970. He stated he has never seen BLEIK before. He recognized the photograph of as being Kent State University (KSU) students.

He recognized the photograph of RUPE as being the individual described by him in a previous interview with SA [redacted] of the FBI on May 11, 1970. He remembers

on 6/18/70 or [redacted], Ohio File [redacted] Cleveland 98-2140

by [redacted] Date dictated 6/19/70

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that on Saturday evening at the demonstration and burning of the ROTC building, RUFF was the individual who was wearing the red and white striped bell bottom trousers and on Sunday evening was wearing a flag wrapped around his head. He is certain that this individual was one of the hard core demonstrators at the burning of the ROTC building. He said that he is now approximately fifty per cent certain that RUFF is one of the three individuals who threw a barrel with fire inside through a ROTC building window on Saturday evening, May 2, 1970. He stated that he can picture RUFF in his mind as being one of the activists but at this point cannot be absolutely certain that RUFF was one of the individuals responsible for throwing the barrel through the window.
Cuyahoga Falls, Ohio, was advised of the identities of the interview agents and asked to examine twenty-two photographs for a possible identification of any individual who might have been connected with the events that transpired at Kent State University (KSU), Kent, Ohio, May 2, 1970.

Identified the photographs of

THOMAS CLEARY FOGNESSON

and JERRY RUPE.

FOGNESSON, and drove to KSU in the Volkswagen bus driven by JERRY RUPE in Kent, Ohio. They had met at an apartment owned by JERRY RUPE in Kent, Ohio, and himself pulled on the firehose during the ROTC burning, thus impeding the attempt to put out the fire.

They saw one on the KSU campus, May 2, 1970, but did not see them participate in any of the disturbances.

JERRY RUPE was agitating the crowd in front of the ROTC building and helped to pull the firehose away from the firemen. He also saw him throw a rock at the ROTC building.

He also saw one leading chants in front of the crowd, May 2, 1970. He saw one ignite an American flag, which was then paraded around the area in flames. He stated that one was agitating the crowd, goading them on. One has been pulling the firehose, along with other students, away from the firemen.

The following is a list of the photographs shown to

On 6/18/70 at Cuyahoga Falls, Ohio

File:

Cleveland 98-2140

Sts

2nd

Date dictated 6/19/70

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THOMAS DAVID MILLER, aka., TOM AQUINAS

ALLEN TATE

PETER CHARLES BLEIK

Unknown Subject (center of photograph, facing camera)

THOMAS GRAYDON FOGLESONG

JERRY RUPE

RICHARD CONRAD PELBER

ALAN CAMFORA

PETER CHARLES BLEIK (long hair and board)

PETER CHARLES BLEIK (long hair and beard, no shirt)
Cuyahoga Falls, Ohio, was contacted and after being advised of the matter under investigation and the identity of the interviewing Agents, he advised as follows:

"June 17, 1970
Cuyahoga Falls, Ohio

I, [redacted], Cuyahoga Falls, Ohio, furnished the following voluntary statement to Special Agents [redacted] and [redacted] who have identified themselves to me as Special Agents of the Federal Bureau of Investigation.

Ohio, on a part-time basis. I have completed my senior year at Cuyahoga Falls High School with a graduation date of June 9, 1970.

"On Saturday, May 2, 1970, around 6 to 7:00 P.M., I drove two other individuals to Kent, Ohio, from Cuyahoga Falls, Ohio, in my mother's 1970 Green Maverick automobile. I went to the Kent State University campus, upon my arrival in Kent. At approximately 9:00 pm, I was at the campus of Kent State University near the Reserve Officers Training Corps (ROTC) building. I observed a burning United States of America flag being held aloft and carried from place to place by Jerry Rupe, who later threw same on the ground.

"Today I have viewed 21 photographs displayed to me by the interviewing agents. Photograph described on back as 'Jerry Rupe, D.O.B. 7/23/48, 5'11", 180 lbs., brown hair and blue eyes,' is a photograph of the person I saw carrying a burning United States of America flag.

"I have initialed the backs of all 21 photographs. I have read this statement consisting of this and one other page and have signed each page and initialed each correction which I made.

On 6/17/70 Cuyahoga Falls, Ohio File No. Cleveland 98-2140

by SA [redacted]

Date dictated 6/18/70

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"I now sign this statement because it is true._

"/s/__________"

"Witnessed: [Redacted] Special Agent, FBI, CV.,
Cleveland, Ohio 6/17/70"
PETER CHARLES BLEIK (long hair and beard)
PETER CHARLES BLEIK (long hair and beard, no shirt)
Cuyahoga Falls, Ohio, was advised of the identity of the interviewing Agents. Viewed photographs of the following people:

THOMAS DAVID MILLER, aka., Tom Aquinas
ALLEN TATE
PETER CHARLES BLEIK
UNSUB (center of photograph, facing camera)
THOMAS GRAYDON FOGLESONG
JERRY RUPE
RICHARD CONRAD FELDER
ALAN CANFORA

On 6-17-70 at Cuyahoga Falls, Ohio  File  Cleveland 98-2140

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<table>
<thead>
<tr>
<th>Picture Description</th>
<th>Knowledge of Person In Picture</th>
</tr>
</thead>
<tbody>
<tr>
<td>THOMAS GRAYDON FOGLESONG</td>
<td>TOM FOGLESONG</td>
</tr>
<tr>
<td>DOB: 5-7-50</td>
<td>Silverlake, Ohio</td>
</tr>
<tr>
<td>6'3&quot; 180 lbs.</td>
<td>Graduate of</td>
</tr>
<tr>
<td>Blond hair - blue eyes</td>
<td>Cuyahoga Falls High School</td>
</tr>
<tr>
<td>RICHARD CONRAD FELBER</td>
<td>RICK (LHU)</td>
</tr>
<tr>
<td>DOB: 9-12-49</td>
<td>Resides in an apartment on</td>
</tr>
<tr>
<td>6'1(\frac{1}{2})&quot; 165 lbs.</td>
<td>Main Street, Kent, Ohio, near</td>
</tr>
<tr>
<td>Blond hair - green eyes</td>
<td>Main Street and Mantua</td>
</tr>
</tbody>
</table>
JERRY RUPE
DOB: 7-23-48
5'11" 180 lbs.
Brown hair - blue eyes

JERRY RUPE
Resides same place as
RICK (LHU) on Mantua Street,
Kent, Ohio
FEDERAL BUREAU OF INVESTIGATION

Date 6-19-70

was advised of the identity of the interviewing Agents.

Ravenna, Ohio, interviewed photographs of the following people.

THOMAS DAVID MILLER, aka., Tom Aquinas

ALLEN TATE

PETER CHARLES BLEIK

UNSUB (center of photograph, facing camera)

THOMAS GRAYDON FOGLESONG

JERRY RUPE

RICHARD CONRAD FELPER

ALAN CANFORA

on 6-18-70 at Ravenna, Ohio

File #: Cleveland 98-21

SAs

by

Date dictated 6-19-70

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PETER CHARLES BLEIK (long hair and beard)
PETER CHARLES BLEIK (long hair and beard, no shirt)

stated, after looking at all the above photographs, that photographs described on the back as
on the back as

resembles the person who ran into Wright Hall Lounge, Kent State University (KSU), Kent, Ohio, on May 3, 1970, at about 3:30 a.m., and talked to another person about the burning of the ROTC building on the KSU campus. The person who came into Wright Hall made statements such as, "We did it; we did it; we got the riot started." "Don't worry about tonight, wait until tomorrow night, we just got the word. We're going to burn the ROTC Building." "We had better get the stuff and distribute it starting with Tri-Towers first and then hitting the other dorms."

stated that she could not make a positive identification of

unless she could see additional pictures or see the people in person.
interviewed at his place of employment, Ohio, was
and was exhibited photographs of the following individuals:

MARSHALL J. FREEMAN

THOMAS DAVID MILLER, also known as Tom Aquinas

ALLEN TATE

PETER CHARLES BLACK

UNKNOWN INDIVIDUAL (center of photograph, facing camera)

THOMAS CRAYDON FOGLESONG

JERRY RUPE

RICHARD CONRAD FELBER

ALAN CANFORA

6/17/70

Aurora, Ohio

Cleveland 98-2140

6/19/70

Data dictated
PETER CHARLES BLEIK (long hair and beard)

PETER CHARLES BLEIK (long hair and beard, no shirt)

[Redacted] advised the only one of the above individuals with whom he is acquainted is [Redacted], whom he did not recognize as one of the participants in the ROTC Building burning at Kent State University (KSU). He identified the photograph of RICHARD FELDER as being one of the agitators in the crowd prior to the ROTC Building burning and as the individual who threw several firecrackers at the ground. He identified FELDER also as being the individual mentioned in his last interview with the FBI who had a large machete-type knife strapped to his right leg the evening of the ROTC Building burning. He advised at no time did he observe the knife unsheathed.

[Redacted] stated that he did not observe any of the other above individuals participate in any of the activities surrounding the burning of the ROTC Building. He advised he does not know who burned the ROTC Building but that if he knew he does not think he would tell the FBI.
THOMAS FOGGESONG, 2046 South Oakhill Road, was exhibited photographs of the following individuals:

THOMAS DAVID MILLER, also known as Tom Aquinas

ALLEN TATE

PETER CHARLES BLEIK

UNKNOWN INDIVIDUAL (center of photograph, facing camera)

THOMAS GRANDON FOGGESONG

JERRY KUPE

RICHARD CONRAD FELDER

ALAN CANFORD

On 6/13/70 at Silverlake, Ohio File #: Cleveland 76-2140

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PETER CHARLES BLEIK (long hair and beard)

PETER CHARLES BLEIK (long hair and beard, no shirt)

FOGLESONG identified the photograph of [redacted] as being one of the individuals who pulled the fire hose away from the firemen at Kent State University (KSU) during the burning of the ROTC Building and thus hampered the efforts of the firemen extinguishing the fire. However, FOGLESONG refused to sign a statement regarding the above identification.

He advised he is acquainted with several of the other individuals mentioned above, but that he did not observe them participate in the burning of the ROTC Building. He advised he does not know who set fire to the ROTC Building, but would probably tell the FBI if he did know. FOGLESONG advised he was once a member of the Student Mobilization Committee (SMC) at KSU and is presently a member of the New Korea. He advised the only student for a Democratic Society member with whom he is acquainted is [redacted], with whom FOGLESONG attended elementary school in Stow, Ohio. He further advised he last saw [redacted] approximately two years prior to the date of this interview.
FEDERAL BUREAU OF INVESTIGATION

Date: June 19, 1970

Photographs of the following individuals:

THOMAS DAVID MILLER, also known as Tom Aquinas

ALLEN TATE

PETER CHARLES BLEIK

UNKNOWN INDIVIDUAL (center of photograph, facing camera)

THOMAS GRAYDON Foggerson

JERRY RULE

RICHARD CONRAD FIELDER

ALAN CAMEOBA

On 6/18/70 of [Redacted], Ohio

Cleveland 98-2140

SA [Redacted] 6/19/70

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PETER CHARLES BLEIK (long hair and beard)

PETER CHARLES BLEIK (long hair and beard, no shirt)

advised the only one of the above individuals with whom he is acquainted is [redacted]. He advised he did not observe any of the above individuals participate in any activities regarding the ROTC Building.

He did advise, however, for the information of the FBI, after returning to his residence in [redacted], Ohio from Kent State University (KSU), he received a letter at his residence on or about May 18, 1970, which letter was signed by the Committee for Kent State Massacre Witnesses. [redacted] stated that the letter concerned a request for a donation to be sent to the Student Mobilization Committee (SMC), in Cleveland, Ohio. He advised several committee members' names were reflected at the bottom of the letter, among which were the names of MIKE ALTMAN and MIKE TARR.
Dr. GLEN FRANK, 7446 Westlake Boulevard, Twin Lakes, Ohio, was advised of the identities of the interviewing Agents and shown a series of twenty-two photographs on June 17, 1970. FRANK identified [REDACTED] as the individual who accompanied [REDACTED], Saturday night, May 2, 1970, after the ROTC building, Kent State University (KSTU), Kent, Ohio, was burned. FRANK stated that after the burning of the ROTC building, the mob moved towards President WHITE's house and a dormitory nearby. The dormitory was rumored to be ablaze. [REDACTED] and (at that time) an unknown individual were trying to stop the crowd, but were swept aside. [REDACTED] was identified as [REDACTED]'s companion. FRANK said that [REDACTED] was almost the ROTC building when it was burned, but could not say if [REDACTED] was instrumental in the burning.

Dr. FRANK was familiar with only one other photograph. He recognized THOMAS DAVID MILLER as the person who was jumping up and down in the blood of one of the victims of the shooting. FRANK did not know if he was involved in the burning.

The following is a list of the photographs shown to Dr. FRANK:

THOMAS DAVID MILLER, aka., TOM AQUINAS
ALLEN TATE
PETER CHARLES BLEIK
Unknown Subject (center of photograph, facing camera)

6/17/70 Twin Lakes, Ohio Cleveland 98-2140

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CV 98-2140

THOMAS GRAYDON FOGUESONG

JERKY RUPE

RICHARD CONRAD FELBER

ALAN CANFORA

PETER CHARLES BLEIK (long hair and beard)

PETER CHARLES BLEIK (long hair and beard, no shirt)
Ohio, was shown a set of photographs containing 19 individual photographs of the following individuals:

ALLEN TEBB
THOMAS DAVID BILLER
RICHARD CONRAD BLESSER

THOMAS CRAWFORD COBLESONG
PEPPER CHARLES CLEARY

JERRY RUPE
1 Unidentified Photograph

[Redacted] stated he could not identify any of the above photographs except for the similarities of the photograph of [Redacted]. He stated that he believed that the individual in the photograph of [Redacted] was identical with an individual he saw the night of the burning of the ROTC building at Kent State University. However, he could not absolutely identify the individual as [Redacted].

[Redacted] also stated that he believed the photograph of [Redacted] was also identical with an individual who was arrested in Cleveland, Ohio at an American Telegraph and Telephone demonstration during April, 1970.
was shown a group of 22 photographs consisting of the following individuals:

- Jerry Burns
- Thomas Howard Mercer
- Richard Conrad Felser
- Allen Tate
- Dennis CHAYEK
- Joseph EOGHENGONG
- Alan Culp
- Unknown subject (White male)
- Peter Charles Bleik (3 different photos)

In the process of viewing the above photos which were in no particular order upon viewing a photograph of Peter Charles Bleik, stated "That's it, that's him". He then scrutinized the photograph and at this point stated, "I'd go to the Supreme Court on this identification".

Recalled that on Saturday, May 2, 1970, he was at the U.S. Army ROTC Building at Kent State University (KSU) during the time it was burned. He advised that he saw 2 young white males go over to a motorcycle which was parked near the ROTC Building on the street which faces on the Commons. One of these 2 individuals opened the gas tank of the motorcycle and what appeared to be a handkerchief or a white piece of cloth was inserted into the gasoline tank. They then ran with the gasoline-soaked clothing.

On 6/17/70 at Cleveland, Ohio

File: Cleveland 98-21

Date dictated: 6/18/70

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cloth to a window of the ROTC Building. When they were unable to place the rag in this window they went to another window which was broken. At this window they ignited the gasoline-soaked rag and threw it into the building through the window. As a result of this act advised that he saw the fire in the building flare up.

advised he was unable to identify which of these 2 individuals actually lit the rag and/or threw it into the ROTC Building; however, he is positive that one of the two individual is PETER CHARLES BLEIK as identified from the photographs shown him.

stated that he again saw BLEIK on Sunday, May 3, 1970, in the early afternoon observing the remains of the burned ROTC Building at KSU. He again saw BLEIK on Monday, May 4, 1970 at the confrontation between KSU students and the Ohio National Guard. On May 2, 3, and 4, 1970, BLEIK was wearing the same clothes which consisted of a dark brown jacket, horizontal strip T-shirt, long dark blue bell-bottomed pants, light blue canvas-sneakers. stated he does not recall seeing this individual on the KSU campus prior to May 2, 1970.

also identified and ALLEN T from the photographs as being present at the burning of the ROTC Building on May 2, 1970, but he did not see these individuals participate in the destruction of the building.
South Euclid, Ohio, was shown a group of photographs of the following individuals to determine if she recognized any of these persons as being present at the burning of the ROTC Building on Kent State University (KSU) campus May 2, 1970:

PETER CHARLES BLEIK (three different photographs)

ALLEN TATE

THOMAS GRAYDON FOGLESONG

ALAN CANFORA

An unknown subject wearing boots, dungarees, dark jacket, and glasses, standing on hillside.

RICHARD CONRAD FELBER

on 6/18/70 at South Euclid, Ohio  File: Cleveland 98-2140

SAs by Date dictated  6/18/70

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After viewing the above photographs, [redacted] advised that she recognizes the photograph of [redacted] as being the individual who was standing on the victory bell located on the grounds and this person was talking to the crowd of students. [redacted] could not hear what he was saying although it was obvious that he was a leader of the group and was giving instructions to the group as to what the next action would be. This person was standing on the bell at sometime around dusk on Saturday, May 2, 1970.

[redacted] was also identified by [redacted] as being a person who was present at the burning of the ROTC Building and she noted that he was present on campus all during the weekend of May 1-4, 1970. [redacted] said she believes [redacted] is a student and recalls that he was on campus on Thursday evening, April 30, 1970, and participated in a waterfight near Engleman Dormitory where [redacted] resides.

[redacted] selected the photograph of [redacted] as being an individual she saw on several occasions during the weekend of May 1-4, 1970, although she could not recall the exact dates she saw him on campus.

Another individual who was present at the burning of the ROTC Building and who, in [redacted] opinion was giving directions and was an activist during the burning of the building, was a tall white male who wears glasses and who was supposed to get a dog on fire with napalm on the KSU campus the preceding week. [redacted] does not know this person's name and has not seen a photograph of him to date. She advised that she was not close enough to the fire to be able to identify the persons who actually started the fire.
observed a group of photographs consisting of 22 different individuals and after observing same, he picked the photograph of ALLEN TATE, date of birth February 18, 1951, as the only individual in this group known to him as a present or former student at Kent State University, Kent, Ohio. He advised he is aware TATE was arrested during the disturbances at Kent, Ohio in May, 1970; however, he does not recall seeing him on the night of May 2, 1970 at the time the ROTC building was burned.

after observing the photographs, picked two photographs, both depicting white males with long hair, and stated he does not know these individuals and could not state positively that they were present on May 2, 1970 at the time the ROTC building was burned. However, they look similar to individuals who were involved in the activities involved in the destruction of the ROTC building. Photographs picked by of the two white males are those of PETER CHARLES BLEIK and .

Set forth below are the identities of all 22 individuals depicted in photographs observed by

THOMAS DAVID MILLER

UNSUB (center of photograph, facing camera)

PETER CHARLES BLEIK (three separate photographs)

THOMAS CRAYTON ROGERS

ALLEN TATE

JERRY RUPE

On 6/17/70 at Ohio File Cleveland 98-2140

by SA Date dictated 6/19/70

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Ohio, viewed a group of photographs in an effort to determine if he could identify any of the persons in the photographs as being identical with the persons who started the fire at the KIC Building on Kent State University (KSU) campus on Saturday, May 2, 1970, or if he could select any individuals who were present during the time the building was burning. The following photographs were shown to him:

PETER CHARLES BLEIK (three different photographs)

ALLEN TATE

THOMAS GRAYDON FOGLESONG

ALAN CANFORA

An unknown subject wearing boots, dungarees, dark jacket, and glasses, standing on hillside.

on__6/18/70__ at__Parma, Ohio__ File: Cleveland 98-2140

by__SAs__ Date dictated__6/18/70__

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RICHARD CONRAD FELDER

JERRY RUPE

THOMAS DAVID MILLER

advised that the only individual he recognizes by name is ALLEN TATE. TATE was on campus Friday, Saturday and Sunday nights and recalls that TATE was carrying a sword approximately three feet long on Friday evening. He cannot recall if TATE was present at the time the ROTC Building was burned on the evening of May 2, 1970.

He selected the photograph of PETER CHARLES BLEIK as being an individual who was living at KSU and as an individual he recalls being around campus Sunday night. He cannot recall if BLEIK was on campus Saturday evening at the ROTC fire.

He selected the photograph of a man as an individual who is in the Chemistry Laboratory at the same time.

He indicated that because of the darkness at the time of the fire he doubts that he would be able to recognize any of the persons directly responsible for setting fire to the ROTC Building.
Kent, Ohio, was contacted and after being advised of the matter under investigation and the identity of the interviewing agents, advised as follows:

"June 17, 1970
Ravenna, Ohio

I, [redacted], furnished the following voluntary statement to Special Agents [redacted], who have identified themselves to me as Special Agents of the Federal Bureau of Investigation.

I am employed [redacted], Ravenna, Ohio, and have completed approximately 2/3 of college with two years at Kent State University (KSTU). I attended KSTU beginning spring, 1963, and ending at the termination of the fall quarter, 1969.

On Saturday, May 2, 1970, between 8:30 p.m. and 9:15 p.m., I was at the campus of KSTU near the Reserve Officers Training Corps (ROTC) building. I observed a white male at this time approach the ROTC building, light a white cloth which he carried, and then reach through the broken window, setting the curtains on the inside of the building on fire. I have previously described this white male in a signed statement.

Today I have viewed 22 photographs displayed to me by the interviewing agents. Photograph described on the back as "Unknown Subject, center of photo, facing camera", is a photograph of the person I saw set fire to the curtains inside the ROTC building.

I have initialed the backs of all 22 photographs.
"I have read this statement consisting of this and one other page and have signed each page and initialed each correction which I made. I now sign this statement because it is true.

/s/ [Redacted]

"Witnessed: [Redacted], Special Agent, FBI, Cleveland, Ohio 6/17/70

The following photographs were displayed to

[Redacted]

THOMAS DAVID MILLER, aka. Tom Aquinas

ALLEN TATE

PETER CHARLES BLEIK

UNSUB (center of photograph, facing camera)

THOMAS GRAYDON FOGLESONG

[Redacted]

JERRY RUPE

RICHARD CONRAD FELBER

ALAN CANFORA
PETER CHARLES BLEIK (long hair and beard)

PETER CHARLES BLEIK (long hair and beard, no shirt)
FEDERAL BUREAU OF INVESTIGATION

June 19, 1970

[Redacted] Associate Professor of Sociology, Kent State University (KSU), was interviewed at his residence. He was advised of the identities of the interviewing Agents, at which time he was given a number of photographs and requested to view these photographs to determine if he could recognize any of these individuals as having been on the KSU campus or near the burning of the ROTC Building on May 2, 1970.

[Redacted] viewed these photographs and stated that he recognized a number of these individuals from having seen them in the past or on or near the campus of KSU. However, the only individual that appeared familiar to him that may possibly be identical with the person he saw running toward the ROTC Building while it was afire is [Redacted] He stated that the individual he was thinking of would have blond hair, weighing approximately 160 pounds, had cut-off shirt on, and at the time he saw him near the ROTC Building he would have been wearing a head band and carrying either rocks or a stick.

[Redacted] stated the photograph of [Redacted] appeared to be a very good likeness of this individual and although he could not positively identify him from the photograph, he felt that if he saw him in a lineup, he definitely could identify this individual or eliminate him as the person he was thinking of. He stated from viewing the photograph of [Redacted] he felt that this may possibly be the individual he saw running toward the ROTC Building on May 2, 1970.
Senior student, Kent State University (KSU), Kent, Ohio, who resides at Pennsylvania, advised that he observed one individual whom he identified from a photograph on May 2, 1970, as being with a group of students and other persons in the vicinity of the ROTC Building. He identified this individual as ALLEN TATE. He stated that he could not state the activities of TATE on the occasion of the burning of the ROTC Building, but he was definitely with a group of persons near the ROTC Building.

He stated that a KSU student from Ohio, probably observed TATE on the evening of May 2, 1970 or knew of his activities.

He stated that he was accompanied by Miss KSU student from Ohio, on the evening of May 2, 1970, who observed the same activities as he did concerning the burning of the ROTC Building. He stated that Miss was employed at a and usually finishes work at approximately 4:00 p.m. He stated she is presently living at home.

He stated that he had heard that has stated that she knew the persons who were involved in the burning of the ROTC Building, KSU, on May 2, 1970, and had further stated to persons he desired not to name that she would give the names of these individuals if required to do so.

He stated that he determined that a KSU student who was ultimately shot and killed named ALLISON KRAUSE from Pittsburgh was one of the young ladies who entered the Johnson Hall ladies' restroom on May 4, 1970. He stated she was one of the individuals whom he observed urinating in a Pepsi Cola little and ordered her off the premises of Johnson Hall.

Pittsburgh 98-1317
On 6/19/70 at Pennsylvania File Clevehd 98-2140

by SA Date dictated 6/19/70

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(1) [Name redacted] a student at Kent State University (KSU), Kent, Ohio, and a resident of [redacted] Ohio, was shown a group of 22 photographs.

[Name redacted] advised that some of the individuals depicted in the photos appeared familiar to him, however, he does not associate any of these individuals with the burning of the U.S. Army ROTC Building on the campus of KSU or the subsequent confrontation between the Ohio National Guard and KSU students during the period May 2-4, 1970.

He believes that he is familiar with some of the individuals depicted in the photographs as he has seen them on the campus at KSU. He noted that he knows these individuals by their face and appearance rather than by their names.
FEDERAL BUREAU OF INVESTIGATION

Date: June 18, 1970

Cuyahoga Falls, Ohio, observed the following 22 photographs and advised he did not see anyone who is identical to the persons involved in the burning of the ROTC Building on the Kent State University Campus on May 2, 1970:

THOMAS DAVID MILLER, a/k/a Tom Aquinas

ALLEN TATE

PETE CHARLES BIELEK

UNSUB (center or photograph, facing camera)

THOMAS GRAYDON POGLESONG

JERRY KUPER

RICHARD CONRAD FELBER

ALAN CANFORA

On 6/17/70 at Kent, Ohio

File #: Cleveland 90-2140

Date dictated 6/18/70

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PETER CHARLES BLEIK (long hair and beard)
PETER CHARLES BLEIK (long hair and beard, no shirt.)
Kent, Ohio, advised that none of the following 22 photographs he viewed on June 18, 1970, was the photograph of the individual he saw throwing flares into the ROTC Building:

THOMAS DAVID MILLER, aka. Tom Aquinas

ALLEN TATE

PETER CHARLES BLEIK

UNSUB (center of photograph, facing camera)

THOMAS GRAYDON FOGLESONG

JERRY RUPE

RICHARD CONRAD FELBER

ALAN CANTORA

On 6/18/70 at Kent, Ohio

File: Cleveland 98-2140

Date dictated 6/18/70

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PETER CHARLES BLEIK (long hair and beard)
PETER CHARLES BLEIK (long hair and beard, no shirt)
was contacted at his residence, Sandusky, and shown a series of 22 photographs of individuals who might have been present at the burning of the ROTC Building at Kent State University (KSU), Kent, Ohio, on May 2, 1970. Had been previously interviewed by Agents of the FBI at which time he established his position on the campus of KSU on Saturday, May 2, 1970, as being at the burning of the ROTC Building.

could not identify any of the individuals in the photographs he was shown and could provide no further information as to the actual burning of the building; however, he did state that a friend of his from Sandusky, was with him at the burning of the building and perhaps could identify some of the individuals in the photographs.

On 6/17/70 at Sandusky, Ohio, File: Cleveland 18-2140

by 3A Div./Sky Date dictated 6/17/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.
(1) Sandusky, Ohio was contacted at his residence and shown a series of 22 photographs of individuals who might have been present at the burning of the ROTC Building at Kent State University (KSU), Kent, Ohio, on May 2, 1970.

could make no identification of the individual in the photographs and further stated that during most of the actual burning of the building he was not in a good position to see who was actually participating as he was on top of Johnson Hall.
Cuyahoga Falls, Ohio, was advised of the identity of the interviewing agents. She was shown photographs of the following people, and she advised she is unable to identify any of the people in the photographs, as people who took part in the burning of the Kent State University (KSU) ROTC building on the KSU campus on May 2, 1970:

THOMAS DAVID MILLER, aka., Tom Aquinas

ALLEN TATE

PETER CHARLES BLEIK

UNSUB (center of photograph, facing camera)

THOMAS GRANDON FOGLESONG

JERRY RUPE

RICHARD CONRAD FELBER

ALAN CANFORA

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6-17-70  Cuyahoga Falls, Ohio  File  Cleveland 98-2140

by  Date dictated  6-19-70

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PETER CHARLES BLEIK (long hair and beard)
PETER CHARLES BLEIK (long hair and beard, no shirt)
Kent Hall, Kent State University, was advised of the identity of the interviewing agents, at which time he was furnished a number of photographs and requested to view these photographs to determine if any of these individuals were present during the burning of the ROTC building at Kent State University on May 2, 1970.

He viewed all of the photographs made available to him, at which time he stated that he did not recognize any of the individuals as having been present during the burning of the ROTC building. He stated, however, that he was not in a position to eliminate any of these individuals, he just wanted to make it known that he could not recognize any of them as persons that he recalled as having seen on campus the evening of May 2, 1970.
after being advised of the identities of the interviewing agents, was furnished a group of photographs and requested to view these photographs to determine if he could recognize any of these individuals as having been present on campus during the burning of the ROTC Building at Kent State University (KSU) on May 2, 1970.

He reviewed these photographs after which he stated that some of the individuals appeared familiar to him, however, the familiarity of these individuals did not necessarily indicate that he had seen them at the burning of the ROTC Building and that he was unable to make any positive identification.

6/18/70 Kent, Ohio

Cleveland 98-2140

On [Redacted] at

SA R.

6/18/70

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photographs of the following individuals:

- Allen Tate
- Peter Charles Bleik
- Bob Kish
- Alan Calfora
- Paul Bowers
- Thomas McGilvrey
- Richard Miller
- Thomas David Miller

He stated that he could not identify any of the above individuals as being in the group of five or six males he had seen in the vicinity of the burning ROTC building at Kent State University on May 2, 1970, and who attempted to cause students to throw rocks and disrupt the efforts being made to extinguish the fire.
Kent, Ohio, was advised of the identity of the interviewing agents and was displayed a group of photographs which are listed below. Advised he was unable to identify any of these persons as having been at the scene of the burning of the ROTC Building on the Kent State University (KSU) campus on the evening of May 2, 1970:

PETER CHARLES BLEIK (3 photos)

ALAN CANFORA

RICHARD CONRAD FELBER

THOMAS GRAYDON FOGLESONG

THOMAS DAVID MILLER

6/18/70

Kent, Ohio

Cleveland 98-2140

On

at

File #

by

Date dictated

6/18/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.
Akron, Ohio, was advised of the official identity of Special Agents of the FBI.

Present as his mother, Mrs. stated he is 17 years of age and is a student at Woodridge High School, Peninsula, Ohio. He was told the purpose of the interview with him was to show him some photographs in connection with the burning of the ROTC Building on the Kent State University (KSU) campus, Kent, Ohio, on the night of May 2, 1970. said he was agreeable to viewing these photographs.

He was shown a group of photographs which included the following individuals who he observed on the KSU campus, Kent, Ohio, on the night of May 2, 1970, at the scene of the burning of the ROTC Building:

(Previously known to as [ILLEGIBLE])

JERRY RUPE, (previously known to

on 6/18/70 at Akron, Ohio 80.2140

SAS

by __________________________ Date dictated 6/19/70

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RICHARD CONRAD FELBER (previously known to

stated he had no additional

information to furnish the FBI concerning the burning of the

ROTC Building, KSU, Kent, Ohio, on May 2, 1970.
was shown photographs of the following individuals:

ALLEN TATE
PETER CHARLES BLINK
JERRY RUMP
ALAN CALIFRA
THOMAS FOSTER
THOMAS DAVID MILLER

After viewing these photographs, [REDACTED] said he did not recognize any of them as persons he knew or as anyone he had seen throwing rocks or burning rags at the ROTC building at Kent State University on May 2, 1970. None of these individuals was identified by [REDACTED] as those persons he had seen stealing a fire hose at the ROTC fire.

[REDACTED] stated that he doubted very seriously whether he would be able to positively identify anyone he had seen involved in the ROTC building incident, even if he saw these individuals personally.
FEDERAL BUREAU OF INVESTIGATION

Date 6/19/70

1. [Redacted] interviewed at his place of employment [redacted] Ohio, and advised as follows:

[redacted] stated after viewing a group of 32 photographs of individuals believed to be involved in the burning of the ROTC Building at Kent State University (KSU), Kent, Ohio, on May 2, 1970, that none of the individuals viewed were identical to the individuals he observed at the burning.

6/19/70
Warren, Ohio

File Cleveland SR-2140

SAS

Date dictated 6/19/70

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FEDERAL BUREAU OF INVESTIGATION

6-22-70 at Ohio Cleveland 98-2140

Date dictated 6/22/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is to be released to your agency.

His content is not to be distributed outside your agency.
After viewing photographs of the foregoing individuals, [redacted] advised that he did not recognize any of these individuals as persons participating in the activities that occurred on the campus of Kent State University during the period of May 2, 1970 through May 4, 1970.
The following investigation was conducted by SAs at Cuyahoga Falls, Ohio, on June 18, 1970.

An attempt was made to contact and advised the interviewing Agents that his stepson is not home. left Cuyahoga Falls, with his parent's permission, during the first part of June, 1970, after he got out of high school for the summer. completed his junior year at Cuyahoga Falls High School. told his parents he wished to travel around the United States during the summer of 1970. does not know where his stepson is or how to get in touch with him. called his parents on about June 7, 1970, and stated he was in Florida and was planning to go to Atlanta, Georgia.

advised he would tell his stepson that the FBI wished to show him some photographs the next time calls home. will contact the Akron, Ohio, FBI office as soon as he hears from his son and can possibly set up a place where photographs can be shown to will be returning to Cuyahoga Falls for high school in September, 1970.
On June 17, 1970, Ohio, grandmother of Ohio, early A.M. this date en route to Boston, Massachusetts. She advised she does not know his mode of travel or exact destination, however, he is to return within two or three days, and she would inform him he should contact the Canton, Ohio, Resident Agency of the FBI.

On June 17, 1970, Ohio, advised her daughter, is currently in Chicago, Illinois, visiting friends, exact address unknown, and is to return to Ohio June 19, 1970 and thereafter enter summer school at Kent State University, Kent, Ohio. June 22, 1970. She advised her daughter would be available on or after June 19, 1970.
Kent, Ohio, age 22, a senior student at Kent State University (KSU), Kent, Ohio, was recontacted June 23, 1970, at which time she was shown a group of 22 photographs of various male individuals.

From this group she identified a photograph of [redacted] as the only individual whom she recognized. [redacted] is the person she referred to in her signed statement furnished to the FBI on May 14, 1970. She said he is the individual she talked to on May 8, 1970 at Kent, Ohio, at which time he told her he was involved in the burning of the ROTC Building at KSU on May 2, 1970. She continued that [redacted] admitted to her he crawled through a window of the ROTC Building and started the fire from the inside while some of his friends and others started the fire from the outside. [redacted] also told her he was from Canton, Ohio and was not a student at KSU but that he had a brother who was a student at KSU.
5 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) 67c 67d with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

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5 Page(s) withheld for the following reason(s):

Index of Names from Reports

☐ For your information: ____________________________

☐ The following number is to be used for reference regarding these pages: ____________________________

XXXXXX

NO DUPLICATION FEE

FOR THIS PAGE

XXXXXX

7 5-29 (10-29-78)
THOMAS GRAYDON FOGLESONG
DOB 5-7-50
6' 3" 180 lbs.
Blond hair - blue eyes

UNKNOWN SUBJECT
(center of photo, facing camera)

PETER CHARLES BLEIK
(long hair & beard, no shirt)
FEDERAL BUREAU OF INVESTIGATION
FOI/PA DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) _________ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) __________________________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies): __________________________________________, as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):

________________________________________

☐ For your information:

________________________________________

☐ The following number is to be used for reference regarding these pages:

________________________________________
ALAN CALFORA
DOB 2-13-49
5' 7" 135 lbs.
Blond hair - green eyes

PETER CHARLES BLEIK
(long hair & beard)
By airtel 6/5/70, Cleveland advised that Philip Morris, Attorney, Internal Security Division, Department of Justice, had contacted that office following a review of reports in the investigation which concerns the burning of the ROTC building at Kent State University on 5/2/70.

Mr. Morris advised he was not inclined to present this sabotage case to a Federal grand jury at this time until additional investigation is conducted because he saw no reason to call uncooperative witnesses and that if it was necessary to call such persons to testify, he desired additional information concerning them on which he could base his interrogation. He advised that subject Peter Charles Bleik and Jerry Rupel are the only subjects he would consider in connection with a sabotage violation.

Mr. Morris advised that he desired certain potential witnesses be reinterviewed and exhibited photographs for identification purposes, which photographs were not available at the time of the initial interview.

As relates to the other subjects, Mr. Morris advised it would be more appropriate to consider charging them with violation of Title 18, Section 231, U. S. Code. This section...
Memo to Mr. W. C. Sullivan
Re: Peter Charles Bleik; Douglas Charles Cormack; Rick Felber; Thomas Graydon Fogleman; Jerry Rupe;

of the Antiriot Law prohibits interference with firemen or police during civil disorders. Mr. Morris stated a decision on such charges could not be made until the Internal Security Division consults with the Criminal Division which handles this violation.

It was pointed out to Mr. Morris that local or state authorities would probably initiate prosecutive action before the investigation requested by him could be completed. Although apparently sufficient evidence of such Antiriot Law violations is available, Mr. Morris advised that Assistant Attorney General Walter Yeagley, had been contacted and concurred with his recommendation to request additional investigation before any Federal prosecutive action is initiated.

It is agreed that the investigation requested would be important in the event of a trial, particularly with respect to a sabotage violation by Bleik, but it appears that this request by the Department side-steps an immediate decision on the Antiriot Law charges against seven subjects. Such a tactic is in keeping with foot dragging by the Internal Security Division.

Attached is a letter to the Attorney General requesting an immediate decision as to prosecutive action against those subjects in this case who may have violated the Antiriot Law statute.

RECOMMENDATION:

That the attached letter to the Attorney General requesting an immediate decision as to prosecuting subjects for violation of the Antiriot Law be approved.
Reference is made to my letter dated June 11, 1970, in this matter, which requested an early decision as to whether
prosecution action was warranted concerning certain subjects involved in the destruction of the Reserve Officers' Training
Corps building at Kent State University May 2, 1970.

A representative of this Bureau attended a meeting
at Ravenna, Ohio, on June 25, 1970, with Mr. Jerris Leonard,
Assistant Attorney General, Civil Rights Division, who advised
that he had requested this meeting on your specific instruction.
Those attending the meeting also included representatives of the
Portage County, Ohio, Prosecutor's Office and the Ohio State
Highway Patrol.

Mr. Leonard pointed out that it had always been the
policy of the Department of Justice in situations of this type
to defer to state authorities in lieu of Federal prosecution. He advised that it had been decided to turn over to the Portage
County, Ohio, Prosecutor's Office all evidence and information
relating to the investigations of incidents at Kent State
University between May 1, 1970, and May 4, 1970. Mr. Ronald J.
Kane, Prosecutor, Portage County, Ohio, assured Mr. Leonard
that he would vigorously pursue the evidence and information
received and secure prosecution against any individual who
has violated state laws in connection with the above incident.
Mr. Leonard was advised during this meeting that reports of
investigation of these incidents by the Ohio State Highway
Patrol and the Ohio National Guard are forthcoming and will
be furnished to Mr. Kane.
The Attorney General

Inasmuch as Federal prosecution in this matter is
no longer being considered, no further investigation will be
conducted in this case unless specifically requested by you.
You have been furnished the results of previous investigation
and a closing report will be promptly submitted.

1 - The Deputy Attorney General
1 - Assistant Attorney General
   Civil Rights Division
1 - Assistant Attorney General
   Criminal Division
1 - Assistant Attorney General
   Internal Security Division

NOTE:

   See memorandum C. D. Brannan to W. C. Sullivan
captioned as above, dated 7/2/70, GHM:pab.
AIRTTE

To: SAC, Cleveland (98-2140)
From: Director, FBI (98-46479) and others

SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

Re: CVT teletype 6/25/70.

In view of the Department's decision in this matter that information and evidence will be turned over to the local prosecutor in Ohio in lieu of Federal prosecution, there appears to be no basis for additional investigation in this case.

Accordingly, the Attorney General has been advised that no further investigation will be conducted in this case unless such has been specifically requested by the Department.

Cleveland will therefore discontinue investigation and promptly submit a closing report. Advise by return communication the date it is contemplated such a report will be submitted. No dissemination of information or evidence in this matter shall be made by Cleveland to local authorities until you are so advised by the Bureau.

NOTE:

By memorandum 7/2/70, the Director was advised that the Department decided to make available to the local Ohio prosecutor all information and evidence in this case for local prosecution in lieu of Federal prosecution. It was recommended and approved by the Director that the Attorney General be advised that no further investigation will be conducted unless specifically requested. Cleveland is therefore being requested to discontinue investigation and submit closing report.
TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140) (P)
SUBJECT: TERRORISM; SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1968 - INTERFERING WITH FEDERALLY PROTECTED FACILITY

Re Bureau telephone call, 6/24/70; Cleveland report of SA ...
On June 13, 1970, a group of photographs (as listed below) by Special Agents of the Federal Bureau of Investigation. He stated from this group he recognized JERRY RUPE and ALLEN TATE as having been on the Kent State University (KSU) campus on the evening of May 2, 1970. He said that he had not seen TATE in the vicinity of the U.S. Army ROTC Building at the time persons were attempting to set fire to this building, but later saw him in the area of the small archery shed that was burned and also at the Tri-Towers area.

He stated that he had seen JERRY RUPE in the immediate vicinity of the U.S. Army ROTC Building when persons from the crowd assembled around the building were attempting to set fire to the building. He commented he had never seen RUPE trying to set fire to the U.S. Army ROTC Building, but he had seen him throw stones and also had been agitating the crowd. He stated he had observed RUPE burn a United States of America flag and had later seen him beating an unknown person who apparently had attempted to take his photograph at the time he was burning the American flag. Again stated that at no time had he seen RUPE
RE: [Redacted]

SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT
PROPERTY; CIVIL RIGHTS ACT OF 1963 -
INTERFERING WITH FEDERALLY
PROTECTED FACILITY

attempting to set fire to the building.

The following is a list of the photographs
observed by [Redacted]

PETER CHARLES BLEIK (3 photos)

ALAN CAMFORA

RICHARD CONRAD FELBER

THOMAS GRAYDON FOGLESONG

[Redacted]

THOMAS DAVID MILLER

[Redacted]

JERRY RUPE
RE: SECRET
SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT
PROPERTY; CIVIL RIGHTS ACT OF 1968 -
INTERFERING WITH FEDERALLY
PROTECTED FACILITY

ALLEN TATE
UNKNOWN SUBJECT

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recommendations nor conclusions of
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3*
INFORMATIVE NOTE

The attached refers to Bureau letter to the Attorney General 7/6/70 which advised no additional sabotage investigation concerning the burning of the Kent State University ROTC Building would be conducted in absence of a specific request from the Department. Cover memorandum approving this letter is also attached.

This action resulted from the decision of the Department to turn over information and evidence to local authorities in lieu of Federal prosecution.

The attached requests no dissemination of investigation conducted be made until a procedure to be followed is received from the Department.

Cleveland has been advised to discontinue investigation and submit a closing report but not to furnish information to local authorities without advice from the Bureau.

GMM: bk

[Signature]
Memorandum

TO: Director
Federal Bureau of Investigation

FROM: Jerris Leonard
Assistant Attorney General
Civil Rights Division

DATE: July 12, 1970

SUBJECT: Your Memorandum of July 6, 1970 and others
Sabotage; Sedition; Civil Rights - Federally Protected Activity;
Destruction of Government Property

You will please not deliver any of the information or execute in any other way
the proposals set out in the referenced memorandum until you receive specific
authorization from me.

A memorandum setting out the procedure
to be followed relative to this matter
will be forthcoming.

cc: Attorney General
    Deputy Attorney General
    Will Wilson
    J. Walter Yeagley
Memorandum

TO: Mr. W. C. Sullivan

FROM: C. D. Brennan

DATE: July 2, 1970

SUBJECT: SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

Investigation of the ROTC building arson at Kent State University (KSU), 5/2/70, resulted in the identification of nine subjects who were reportedly engaged in various acts including setting fire to the building and interfering with firemen fighting the blaze which destroyed structure. Since 5/2/70, Cleveland has submitted five reports consisting of 12 volumes totaling more than two thousand pages of investigation in this case.

By memorandum 6/10/70 you were advised that the Internal Security Division requested certain additional investigation in this case before any other Federal prosecution action would be initiated. Inasmuch as the facts then indicated prima facie violations by seven subjects of the Antitrust Law in connection with interference with firemen, this request for investigation sidestepped making a prosecutive decision. The Attorney General by letter 6/11/70 in connection with the foregoing was requested to promptly advise whether prosecutive action was warranted. In reply to this letter, the Internal Security Division on 6/15/70 pointed out that its request for additional investigation related only to the possible sabotage aspects of the case. The Criminal Division on 6/15/70, also in response to this letter to the Attorney General, requested the FBI determine the nature of any local prosecution at Kent, Ohio. It was explained that this information was desired to support a position that Federal prosecution was warranted as to such matters as Destruction of Government Property and Antitrust Law violations considering the lack of local action in over 45 days.

The attached teletype stated that the Assistant Attorney General, Civil Rights Division, stating he was under instructions of the Attorney General, agreed to turn over all evidence and information to the Portage County Prosecutor in Ohio for local prosecution as to all incidents at KSU between 5/1-4/70. This naturally includes the ROTC burning on 5/2/70 and the matter relating to the killing of four students on 5/4/70.

Enclosures (2) as of 7-6-70

CONTINUED - OVER

GHM:pab (7)
Memorandum to Mr. W. C. Sullivan
RE: ARTHUR SCOTT BARNHART, and others

In view of the foregoing, there appears to be no prospect for Federal prosecution of any violation and no basis for further investigation by the FBI. Reports of investigation by Ohio State Highway Patrol and Ohio National Guard relating to incidents at KSU between 5/1-4/70 are forthcoming and will be made available to the Portage County Prosecutor.

RECOMMENDATION:

That the attached letter to the Attorney General be approved advising that inasmuch as all evidence and information in this matter will be made available to local authorities in lieu of Federal prosecution, no further investigation will be conducted by the FBI. Upon approval of this recommendation, Cleveland will be instructed to submit a closing report.
TO: DIRECTOR, FBI (93-46479)

FROM: SAC, CLEVELAND (93-2140)(P)

RE: SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DESTRUCTION OF GOVERNMENT PROPERTY

Re Cleveland airtel to Bureau and all offices, dated 5/10/70.

By communication dated 7/8/70, the Bureau advised in view of the Department's decision in this matter that information and evidence will be turned over to the local prosecutor in lieu of Federal prosecution, there appears to be no basis for additional investigation in this case.

Accordingly, the Attorney General has been advised that no further investigation will be conducted in this case unless such has been specifically requested by the Department.

Consequently, all investigation regarding this matter is to be discontinued per Bureau instructions. Cleveland is discontinuing investigation in instant matter and anticipates a closing report will be submitted by 7/17/70.

Receiving offices will discontinue all investigation regarding this matter and immediately furnish Cleveland any pertinent FB-302s for incorporation into closing report, noting anticipated date, above, for submission of report.

Approved: C.D. BRADENT
Special Agent in Charge
TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140)(P)
RE: ET AL
SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT PROPERTY;
CIVIL RIGHTS ACT OF 1968 -
INTERFERENCE WITH FEDERALLY
PROTECTED FACILITY

OO: Cleveland

Re Bureau airtel to Cleveland, 7/8/70.

In accordance with Bureau instructions, Cleveland has discontinued investigation in this matter. Auxiliary offices have been advised to also discontinue investigation and promptly submit results to Cleveland Office. Cleveland will submit closing report to Bureau by 7/17/70.

2 - Bureau (RM) 1 -
2 - Cleveland

WMC/clo
(4)

EX 105
REC-39

JUL 11 70

Sent M Per

54  F337

Special Agent in Charge
Reference is made to my letter dated July 6, 1970, which advised that no further investigation would be conducted concerning the burning of the Reserve Officers' Training Corps facility at Kent State University, Kent, Ohio, on May 2, 1970, unless specifically requested by you. You were also advised that a closing report would be submitted concerning this matter.

There is enclosed for your information a copy of the closing report of Special Agent [redacted] dated July 20, 1970, at Cleveland, Ohio, which contains further investigation conducted.

A copy of the enclosed report is being furnished to Honorable John D. Ehrlichman at the White House.

Enclosure

1 - The Deputy Attorney General (Enclosure)
1 - Assistant Attorney General (Enclosure)

Internal Security Division

SEE NOTE PAGE TWO
The Attorney General

1 - Assistant Attorney General (Enclosure)
Civil Rights Division

1 - Assistant Attorney General (Enclosure)
Criminal Division

NOTE:

See memorandum Mr. R. L. Shackelford to Mr. C. D. Brennan, dated 7/24/70, captioned as above, prepared by GHM:kks.
Honororable John D. Ehrlichman  
Assistant to the President  
for Domestic Affairs  
The White House  
Washington, D. C.

Dear Mr. Ehrlichman:

Reference is made to my letter dated June 29, 1970, and previous letters, furnishing you the results of investigation of the Federal Bureau of Investigation concerning the burning of a Reserve Officers' Training Corps building at Kent State University on May 2, 1970.

There is enclosed for your information a copy of the report of Special Agent [redacted] dated July 20, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

Enclosure

NOTE: See memorandum Mr. R. L. Shackelford to Mr. C. D. Brennan, dated 7/24/70, captioned as above, prepared by
July 27, 1970

BY LIAISON

Honorable John D. Ehrlichman
Assistant to the President
for Domestic Affairs
The White House
Washington, D.C.

Dear Mr. Ehrlichman:

Reference is made to my letter dated June 29, 1970, and previous letters, furnishing you the results of investigation of the Federal Bureau of Investigation concerning the burning of a Reserve Officers' Training Corps building at Kent State University on May 2, 1970.

There is enclosed for your information a copy of the report of Special Agent [redacted] dated July 20, 1970, at Cleveland, Ohio, which contains the results of additional investigation conducted.

A copy of this report is being furnished to the Attorney General.

Sincerely yours,

[Signature]

Enclosure
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE  OFFICE OF ORIGIN  DATE  INVESTIGATIVE PERIOD
CLEVELAND  CLEVELAND  7/20/70  6/8/70 - 7/1/70

TITLE OF CASE
PETER CHARLES BLEIK;
DOUGLAS CHARLES CORMACK;
RICHARD CONRAD FELEER;
THOMAS GRAYDON FOGLESON;
JERRY RUPES;

CHARACTER OF CASE
SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1958 - INTERFERENCE WITH FEDERALLY PROTECTED FACILITIES

REFERENCES
6/23/70. Cleveland report of SA__ dated
Bureau airtel to Cleveland, dated 7/8/70.

C

ADMINISTRATIVE

In accordance with instructions contained in

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APPROVED

SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

14 - Bureau (98-46479)(RM)
1 - USA, Cleveland
5 - Cleveland (98-2140)

Dissemination Record of Attached Report

Agency

Request: 6-7-70

How Fed.

By

COVER PAGE

U.S. GOVERNMENT PRINTING OFFICE: 1970 0-378-120
CV 98-2140

referenced Bureau airtel to Cleveland, dated July 8, 1970, Cleveland has discontinued investigation and placed this matter in a Closed Status.
UNIVERSITY OF CLEVELAND

Copy to: 1 - USA, CLEVELAND

Office: CLEVELAND

Report of: SA
Date: 7/20/70

Field Office File #: (98-2140)

Title: PETER CHARLES BLEIK; DOUGLAS CHARLES CORMACK; RICHARD CONRAD FELBER; THOMAS GRAFONTO FORCLES;

Character: 

Synopsis: JERRY RUPE;

SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1968 - INTERFERENCE WITH FEDERALLY PROTECTED FACILITY

Synopsis:

Kent, Ohio, witnessed burning of ROTC Building and furnished names of individuals she recognized in crowd at fire. She stated she observed an attempt to set the building on fire. She also saw JERRY RUPE burn an American Flag and saw RUPE and an individual she believed to be RICK FELBER attack a fireman.

Photographs of suspects were displayed to her, and he identified those individuals he observed at burning.

, described burning as being "premeditated" inasmuch as some demonstrators possessed flares and machetes. He said that only about six or seven individuals appeared to actually engage in starting the fire, and a group of about 20 persons interfered with the firemen attempting to extinguish the fire.

New York, furnished names of five individuals who he believed had witnessed the burning of the building.

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Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☑ Deleted under exemption(s) b7c with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) , was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):

☐ For your information:

☐ The following number is to be used for reference regarding these pages:
Kent, Ohio, furnished the following information:

She stated she had been on the Kent State University (KSU) campus on the evening of May 2, 1970, with...[redacted]. She said they had arrived on campus at about 7:30 p.m. and had gone to the Commons area where a crowd had started to gather around the bell. She commented the crowd then began a march toward the Tri-Towers dormitory area, and upon arriving there, several more students joined the crowd.

After leaving the Tri-Towers area, the crowd then marched past the Fastway Center and returned to the Commons area, arriving there sometime after 8:00 p.m. She remarked some of the persons in the crowd began throwing stones at the United States Army ROTC Building, which is located next to the Commons. She noted the only persons she recognized in this crowd were JERRY RUPE, RICK FELBER, and [redacted].

RUPE and FELBER attempt to set fire to the ROTC Building, but she did see [redacted] go to one of the windows which had been broken by stones and attempt to set fire to the curtains with a match. He was unsuccessful in these efforts, and the crowd had laughed at his attempts. She stated she had observed JERRY RUPE, and she believes FELBER, attack one of the firemen from the Kent Fire Department. They knocked this man down and had also pulled the firehose away from the firemen. This firehose was pulled into the crowd and cut with knives. She added RUPE and FELBER had knives in sheaths on their legs, and these were used to cut the hoses. She commented in addition to these activities, she had observed RUPE burn an American flag.

[redacted] advised she had seen some flares thrown at the ROTC Building, but they did not appear to have
started the fire in the building. She noted
had been with her during those activities, and he had not
engaged in anything other than to throw a few rocks at the
building. She stated a part of the crowd had then left
the area of the ROTC Building and went to a small building
located on the other side of the Commons where some baseball
equipment reportedly was stored and this building was
broken into and later burned. She commented she and
had been with this group but had not participated
in the burning of the small building.

The group then marched across the campus,
down Terrace Drive to East Main Street and had then
started toward downtown Kent. She said as they were
marching toward the downtown area, the Ohio National Guard
had arrived in the Kent area, and she and another went
back on campus with several others of the crowd.

This group then started walking back toward the
Commons area and upon arriving back at the Commons, she
observed the ROTC Building was on fire. She stated
neither she nor anyone had been present when
the ROTC Building was set on fire and she does not know
who set the building on fire. She commented during the time
she had been in the area of the ROTC Building, she had
not seen anyone throw burning rags into the building, and
when she and others left the area to go with the
crowd, the ROTC Building was not on fire.

She advised the above information is
as she recalls the burning to the ROTC Building, and she
does not recall seeing anyone in the crowd, other than those
she has mentioned.

She advised she would not be willing to testify
to the information she has furnished.

observed a large group of photographs
from which she selected the following as being persons she
either knows or recognizes. She again stated the only person
she knows were at the ROTC Building burning are those she
mentioned, and other than their photographs which are among
this group, she does not recall seeing any of the others
at the above incident.
The following is the group selected by [redacted]

RICHARD CONRAD FELBER

JERRY RUPE

THOMAS DAVID MILLER, also known as Tom-Aquinas
FEDERAL BUREAU OF INVESTIGATION

(1) Date 7/2/70

was located for interview at Ohio. was advised of his rights orally by SA and of the identity of the interviewing agents and he read his rights and thereafter executed a "Warning of Rights and Waiver Form".

On this occasion, was shown a group of photographs and after viewing same he singled out the following photographs stating the individuals depicted therein are totally unknown to him and he does not recall having seen any of the individuals on the Kent State University Campus on May 2, 1970 at the time the ROTC Building was burned. Persons picked as unknown by are as follows:

ALAN CAMRORA:

UNKNOWN SUBJECT, center of photo facing camera;
Three Photos of PETER CHARLES BLEIK;

The remaining photographs displayed to this occasion, were chosen by him as persons known to him and he furnished the following statements with regard to each of these persons:

- an individual who he met at Kent, Ohio on May 2, 1970 and rode to the ROTC Building area prior to same being burned, known to him as a student, high school, from Peninsula, Ohio.

THOMAS DAVID MILLER - known to him as a friend of JEFF MILLER, one of the individuals shot on the Kent State University Campus, May 4, 1970. THOMAS DAVID MILLER, not closely associated with or known by

On 6/24/70 at Canton, Ohio Files Cleveland 98214

SAs TBBilah Date dictated 6/25/70

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picked a photograph of him, bearing the date of birth. Identified as an individual with whom he rode to the Kent State University Campus in his, 1970 green Maverick on May 2, 1970, and thereafter traveled with to the rally held at the Commons, near the ROTC Building.

THOMAS GRAYDON FOGLESONG - known to him as a student who traveled from 127 N. Matawa Street, Kent, Ohio on May 2, 1970 to the Tri-Towers Dormitory and thereafter was observed at the burning of the ROTC Building on the Kent State University Campus.

Stated he recalls this individual's name was and identified him as the individual who drove the Volkswagen Bus to the Tri-Towers Dormitory to an area near the rally and he, rode in this bus with this individual.

ALLEN TATE - Stated he does not know this individual by name, however, he observed him at the Tri-Towers Dormitory complex and at the ROTC fire on May 2, 1970 and this individual talked to him about being involved in the incident on May 2, 1970, however, he did not observe TATE throw any rocks or set the fire.

JERRY RUPE - He stated RUPE resided with Kent, Ohio and he recalls RUPE was wearing striped pants at the time he was present in the vicinity of the ROTC Building, which was burned on the Kent State University Campus, May 2, 1970 and he, RUPE, was observed to throw milk cases, steel, through the windows of the ROTC Building and was also carrying a burning American flag around the area.

RICHARD CONRAD FELBER - Stated as he recalls FELBER was wearing either striped pants or Levis on the night the ROTC Building was burned on the Kent State University Campus, May 1970, and he, FELBER, is a roommate of JERRY RUPE's and Kent, Ohio.
advised he rode to the Tri-Towers Dormitory complex on the Kent State University Campus on the night of May 2, 1970, from 127 N. Watawa Street, in the 1970 Green Maverick, owned by RICK. He advised he recalls that JERRY RUPE and RICK FELLER rode to the Tri-Towers Dormitory from this same address in a yellow Chevrolet, owned by RICK. He stated the individual who he knows as [REDacted] as the driver of the Volkswagen Bus, drove the Volkswagen Bus to the Tri-Towers Dormitory with the other individuals previously described and he and [REDacted] thereafter, traveled with [REDacted] and the other individuals in the Volkswagen Bus to the area of the Student Union, where the rally was to be held, near the ROTC Building, on the Kent State University Campus.
who has just completed his sophomore year at Kent State University (KSU), was interviewed at the advises that he is majoring in architecture at KSU.

advises that on the morning of Saturday, May 2, 1970, he heard that there would be a rally held at the KSU campus at 8:00 PM that evening. He advises that the rally was to be held on the Commons. He advises that he arrived about 20 minutes early that evening and saw a crowd of approximately 500 people there, and noticed several teachers in the crowd wearing blue arm bands. He advises that he does not know why these teachers were there, but did recognize one or two of them as having been involved in campus demonstrations the previous year.

advises that the crowd seemed unorganized at this time and that shortly after he arrived two males ran over to the Victory Bell and began ringing it as a call for more people to join the crowd. He advises that "radical types" then ran up the hill toward Taylor Hall and headed toward the Tri Towers Dormitory chanting "one two three four, we don't want your (obscene) war". He advises that some of these individuals apparently were carrying cans of spray paint concealed on their person because immediately upon arriving at Tri Towers they began spraying anti-war and anti-NIXON slogans on the sidewalks and pillars of Tri Towers.

advises that apparently the reason for the crowds moving to Tri-Towers was to encourage the students living there to come out and join the crowd. He advises that the crowd got no initial response from those inside the dormitory and then numerous people decided to enter the dormitory and run through the halls in order to roust out some students. He advises that he remained outside in the crowd and shortly after the dormitory
was entered the fire alarm sounded, many students then emptied out of the dormitory and joined the crowd.

advised that the crowd moved to Eastway and Beal-McDowell Dormitory complexes but did not enter these buildings. He advised that some students from these dormitories came out and joined the crowd which had grown to about 1,000 people. He advised that the crowd then went toward the Army ROTC building.

further advised that during this entire phase of the Saturday night disturbances at KSU, a guppy shaped, unmarked helicopter followed the crowd from above.

advised that as the crowd moved across the Commons toward the ROTC building, it began to lose momentum. He advised that at this point, someone shouted "to the ROTC building" and the crowd gathered, spread and ran to the building. He advised that a handful of students in the front of the crowd began throwing rocks at the ROTC building.

advised that the KSU police were nowhere to be seen at this point in the demonstration. He advised that as some students began throwing rocks at the ROTC building the crowd began to cheer. He advised that he could not recognize anyone who was throwing rocks because it was very dark at this point. He advised, however, that these rock throwers appeared to him to be "hippie types". He advised that the crowd appeared to get braver because they did not see the KSU Police anywhere in the area. He advised that some individuals in the forefront ran up to the building and broke windows with a big oil drum which they continuously smashed against the windows. He advised that at this point a student threw
two lighted flares at the ROTC building, the first landing on the roof with no affect and the second being thrown carefully threw a broken window. He advised that a student approached a broken window and reached inside and set the draperies on fire, but this fire seemed not to spread.

advised that he feels this activity in front of the ROTC building was "premeditated" since people do not normally walk around carrying flares or the machetes which were later used to chop the fire hoses when the fire department arrived on the scene.

advised that it appeared to him that only six or seven students were actually engaged in setting the ROTC building on fire. He advised that at this point the firemen appeared from the opposite side of the ROTC building and one fireman began dragging a hose around the corner. He advised that before this fireman could make any progress in controlling the blaze, about 20 students lunged on him and turned the hose on them. He further advised that the group of 20 or so quickly overpowered the fireman and he ran off. He advised that he was then surprised to see a number of machetes appear and to see the individuals wielding them quickly chop the fire hoses.

advised that shortly before the firemen had arrived a "hippie" held up an American flag and set it on fire, whereupon someone in the crowd took a flash picture. He advised that a shout sounded up calling for the crowd to "get that camera". He advised that a number of individuals then jumped on the cameraman and beat him up and destroyed his camera. He advised that the firemen made a second attempt to put out the fire at the ROTC building but again their hoses were chopped by machete wielding individuals in the crowd.
advised that in the mean time he observed from a distance another student set a fire in the opposite corner of the ROTC building and this fire began to spread. He advised that he observed someone standing near a motorcycle parked in a lot nearby. He advised that this individual made several trips between the motorcycle and the corner of the building where the fire was spreading. He advised that he does not know what this individual was doing nor could he recognize him because of the distance and darkness involved.

advised that at this time the KSU Police arrived on the scene wearing gas masks, helmets and carrying tear gas guns. He advised that the police did not order anyone around, but only tried to protect the firemen in their efforts to extinguish the blaze in the ROTC building. He advised that there were only about 18 KSU policemen and they lined up along the side of the building with their tear gas guns ready. He advised that the crowd approached perhaps within 20 feet of them, but quickly backed off when the police fired tear gas at them. He advised that this enabled the firemen to put out the blaze in the first corner of the building.

advised that a number of individuals in the forefront of the crowd who were perhaps the same ones who had initiated the rock throwing, then led the crowd to the tennis courts, where they ripped down a chain linked fence and set fire to a sports equipment shed. He advised that the van guard of the crowd proceeded past President WHITES house and went down Main Street, where the crowd polarized with the "activist" marching down the street and those who were simply observing stood on the grass and sidewalks. He advised that the individuals in the street tore down signs, overturned telephone booths, broke windows and scattered trash and trash cans all over. He advised that the crowd caused traffic on Main Street to be diverted.
advised that at the intersection of Main and Lincoln Streets he observed the Ohio National Guard (ONG) approaching in trucks and jeeps. He advised that the people standing on the sidewalks began to scatter but then stopped when they realized that the ONG would not do anything anyway. He advised that the group in the streets, however, began throwing rocks at the ONG, which then picked up speed and proceeded into downtown Kent without ever entering the KSU campus. He advised that this was at about midnight. He advised that this seemed to encourage the crowd and as a result some students began smashing windows in a information booth located in front of the library.

advised that the crowd then proceeded back toward the Commons at which point the KSU police again shot gas. He advised that the crowd began to scatter when numerous people began shouting "back to the Commons", and he observed large flames on the horizon near where the ROTC building was located. He advised that a cheer went up from the crowd as they realized that the ROTC building was burning out of control and would soon be destroyed.

advised that at about 12:30 AM, he left and went back to his dormitory. He advised that throughout the night there were small groups of people milling around the campus and he heard and saw many students leaning out the windows of the dormitories yelling obscenities at the ONG.

advised that Sunday was very quiet and many students actually socialized with members of the ONG and the entire atmosphere seemed to him to have calmed down considerably. He advised that he and some friends spent approximately one hour talking with some guardsmen and he would have been the last to think that any additional violence would have broken out.
advised that on Monday afternoon a rally formed after a declaration banning the gathering of crowds had been issued. He advised that about 4,000 students gathered in the Commons area, concentrating on the Johnson, Engelmon, West, and Prentice Halls areas. He advised that the ONG occasionally fired gas at the crowd but the wind blew this gas back in their own faces which caused the crowd to laugh. He advised that the ONG continuously urged the crowd to disperse and return to their dormitories and a student continuously ran between the crowd and the Victory Bell and rang it. He advised that the antics of this student around the Victory Bell appeared to be the main attraction at the time and the attempts of the ONG to chase this student away seemed to keep everyone in hysterics. He advised that he was on the northside of Taylor Hall and the students gathered on the south side apparently were throwing rocks, bricks, bottles, and pieces of pipe at the ONG which was gathered on the south - southwest corner. He advised that the crowd appeared to him to be "antagonizing the ONG to a very high degree." He advised that the rock-throwing students approached within a short distance of the ONG, which began to retreat from range and then turn and knelt. He advised that he then heard what sounded like a five to seven second volley of small firecrackers but it was apparently the ONG firing at the students. He advised that he did not see any students actually get shot and did not know that anyone had been shot until a short time later when he saw a student with blood streaming down his arm who said that some students had been shot.
was interviewed at the Cook County Jail, 26th and California Avenue, where he was incarcerated while awaiting disposition of narcotic charges stemming from his recent arrest by Officers of the Cook County Sheriff's Police.

advised he left Southern Illinois University (SIU) in mid-April and went to New York City, where he stayed for two days. He advised that he did not meet anyone in particular in New York, and just loafed around looking at the sites. He advised that he then flew from New York's La Guardia Airport to Cleveland, Ohio, where he was met at the airport by , who he had met while both were inmates at the federal Youth Correction Center (FYCC), Ashland, Kentucky. He advised that he then accompanied to a house at 230 East Main Street, Kent, Ohio, where he resided while enrolled at Kent State University (KSU).

advised that he stayed with for seven or eight days and while there, met the following individuals:

who played in a band called "The Measles".

who worked for the Welfare Department and was recently discharged from the United States Navy.

(phonetic), who appeared to be Jewish and had a girlfriend from New Jersey named

, who was from New Jersey.

who was a quiet guy.

, who owned a 1956 Thunderbird automobile, black in color, with a removable top.

advised that had a girlfriend who looked like MIA FARROW. He advised that across the street from this house where all these people lived, was a KSU Sorority House, and that a lot of the girls would come over

On 6/8/70 at Chicago, Illinois  File # CG 98-1975

by SA  Date dictated 6/10/70

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to the house and talk with the guys who lived there. He advised that one of these girls called herself [redacted] (phonetic), and another was named [redacted].

[redacted] advised that [redacted] had a former girlfriend, her name he does not know, who always came over to the house with food. He advised that this girl was sort of "kookie" and still had a crush on [redacted] and tried to slit her wrist once while he was there. He advised that he told [redacted] that he better get that crazy girl out of the house before she got them all in trouble.

[redacted] advised that he did not discuss politics with any of the people who lived in this house at 230 Main St. because politics do not interest him. He advised that he did not engage in any discussions about ROTC either.

[redacted] advised that he left KSU on a Monday or a Tuesday near the end of April, and hitchhiked to Gainesville, Florida, to visit [redacted], who was a student at Santa Fe Junior College, and a friend of his from FYCC. He advised that he remained there about two days, and then travelled by bus to Mobile, Alabama, where he caught a flight to O'Hare Airport, Chicago, changed planes, and flew to Omaha, Nebraska. He advised that he met a girl at O'Hare named [redacted] who was also flying to Omaha. He advised that from Omaha he and [redacted] hitchhiked to California. He advised that while hitchhiking outside of Salt Lake City, Utah, a hippy-type guy and girl in a Volkswagen Van stopped and told them about the shootings at KSU. He advised that this was the first time he had heard about the trouble at KSU. He advised that they told him that a lot of campuses had been closed down and that there was rioting on other campuses. He advised that they had a radio and that the news reports seemed to indicate that the shooting had occurred a day or two before.

[redacted] advised that he went from California where he spent only three or four days to SIU and then went to Parkridge, Illinois, to visit [redacted], a friend of his from SIU. He advised that while attending the Kikapoc (phonetic) Creek Rock Festival a guy named [redacted] gave him some LSD to
sell and he was subsequently arrested by undercover agents of the Cook County Sheriff's Police.

He advised that while at KSU, he was introduced to JEFF MILLER by [redacted] who arranged through JEFF to buy some marijuana. He advised that he thinks [redacted] was from JEFF's home town. He advised that he was introduced to JEFF MILLER at the house at 230 East Main Street. He further advised that he does not believe that he knew JEFF MILLER prior to this time.

He advised that while at KSU, he attended a rally at which a prominent person, perhaps Dr. SPOCK, was scheduled to speak, but left before the speaker arrived because there had been a delay of over one hour in starting the rally and he became bored.

He advised that he has seen photographs in magazines of the KSU shootings and believes he saw a picture of [redacted] kneeling next to a body which was perhaps that of JEFF MILLER. He advised that after viewing this photograph, in the magazine, he called [redacted]'s home and was told by [redacted]'s mother that she did not know where he was. He advised that he then called [redacted] who said he thought [redacted] had gone to Pennsylvania.

He advised that when he was at KSU, the campus seemed to be very quiet and he had no indications of any impending demonstrations. He advised that he had no indications that he was involved in any New Left activities, but feels that if there was a demonstration, he would be in it simply out of curiosity. He advised that he did not discuss political matters with JEFF MILLER and has no indications that JEFF was involved in New Left activities. He advised that he talked briefly with [redacted] about the draft, but had no indication that [redacted] was involved in New Left activities. He advised that he got the impression, however, that [redacted] was perhaps the most likely one to be involved in such disturbances. He further advised that while at KSU, he met a white male named [redacted] who was a
and that once made the statement that the only way police harassment of youths could be stopped was for Negroes and hippies to band together.
New York, telephone: a white male born February 24, 1949, at , upon interview advised as follows:

He was a Junior at Kent State University, Kent, Ohio, during the 1969-1970 school year, and left the campus in early May, 1970.

On the evening of May 2, 1970, at which time there was a curfew in effect at Kent, he was visiting his girl friend at her residence at Kent. Also present at that time was roommate (phonetic) and her boy friend,

Sometime between 8:30 P.M.-9:00 P.M. to the best of his recollection, they heard the sounds of police, fire and other emergency vehicles outside and went out on the porch of the residence at , and noted flames coming from the campus area. The four of them drove to the campus, and noted the ROTC Building on campus was ablaze and almost burned to the ground. There were crowds of several thousand students and others in the area watching the fire.

At the time arrived at the area of the fire, the fire trucks had already left and he heard that when they had attempted to extinguish the fire the fire hoses had been cut by students or others. When and his three companions arrived at the fire scene, the National Guard and other law enforcement officers were merely allowing the fire to burn out and were primarily concerned with keeping the crowd away from the fire at a safe distance.

heard from unrecalled sources, that the fire had been started by a small group of students, numbering at most 150, and that had the Ohio State Police riot police, who had been on campus, taken firm steps at that time they could have prevented the building being set afire.

On 6/16/70 at New York Cleveland 93-2140
by SA 98-1235

Date dictated 6/16/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
stated he is more than willing to cooperate fully with the FBI in this investigation, but inasmuch as he was nowhere near the ROTC Building at the time of the fire outbreak, he could furnish no really pertinent information.

advised he had no idea who had actually set the fire, and could furnish no information concerning it.
Pennsylvania, 15117, telephone number advised as follows:

is 20 years old. He is employed by the Pennsylvania. He was a second year student majoring in physical education at Kent State University (KSU), Kent, Ohio, during the school year 1969-1970.

was home the weekend of May 1-2, 1970. He returned to the KSU campus at about 2:30 PM, on Sunday, May 3, 1970, and observed that the Reserve Officer Training Corps (ROTC) Building had been completely destroyed.

was told by various individuals that Kent, Ohio, was under Martial Law. Many students were saying that there was to be a rally on the University campus at noon the following day, Monday, May 4, 1970.

On May 4, 1970, was hurrying from his room off the campus to attend the rally, he heard a volley of shots. He hurried to the campus Commons where he pushed to the front of about 1,500 students. Someone said that a student had been killed.

At this time, there were a great many long haired students in the front and he is of the opinion they may have been the leaders of the students.

It was said that the leaders were graduate students or instructors. He did not know any of them. One of the students with whom he discussed the matter stated that one of the girls involved was known to be a student at Akron University. The KASSIE girl who was killed, was previously observed on the campus by an indefinite number of days prior to the rally, wearing a cat. She had that reputation and was the "hippie" type.
Following the shooting, the National Guard attempted to disperse the crowd which remained at about 1,500 individuals. One Guard announced that the crowd had 5 minutes to disperse. Many members of the crowd hooted and used profane language and some made obscene signs with their hands. Some students sat down and refused to move. The officer left shortly thereafter. He had no knowledge of the identities of the students involved.
Ohio, advised he is employed during the summer as a laborer for [redacted]. Presently working at [redacted], Ohio. He is a Sophomore at Kent State University (KSU), Kent, Ohio.

During the weekend of May 1-4, 1970, [redacted] returned to the campus on Saturday afternoon, May 2, 1970. During the evening when the ROTC Building on campus was burned, [redacted] was in his dorm, Hie Hall, and he advised he had no knowledge of the individuals who burned the building. [redacted] advised he was in possession of no information as to who was responsible for setting the fire.

[redacted] advised that on Monday, May 4, 1970, he arrived at the Commons area subsequent to the shooting of the students, as he had a class scheduled in Van Deusen Hall. He had no information to relate concerning the shooting of the students.

Concerning both the burning of the ROTC Building and the demonstration, [redacted] was of the opinion that these were spontaneous incidents. He heard no prior announcements concerning either by any individual or group. He had no suspects in the ROTC Building burning.

[redacted] volunteered the following background information:

Name: [redacted]
Race: White
Sex: Male
DOB: 11/13/50
POB: Warren, Ohio
Address: [redacted], Ohio
Marital status: Single

On - 6/24/70 at Ohio File# Cleveland 98-21

SA 6/26/70

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.
Occupation: Student - Sophomore, Kent State University, Kent, Ohio; during the Summer is a laborer for Neer Hall, KSU Physical Education

School address: 5'9"

Major Study: 175 lbs.

Height: brown, long

Weight: Brown

Hair: None

Eyes:

Arrests:
FOIPA DELETED PAGE INFORMATION SHEET

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) [b7c b7d] with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) ____________________________, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); ____________________________, as the information originated with them. You will be advised of availability upon return of the material to the FBI.

3 Page(s) withheld for the following reason(s):

Index of Names from Report

☐ For your information: ____________________________

☐ The following number is to be used for reference regarding these pages: ____________________________
Memorandum

TO: Mr. C. D. Brennan

FROM: Mr. R. L. Shackelford

DATE: 7/24/70

SUBJECT: PETER CHARLES BLEIK;
DOUGLAS CHARLES CORMACK;
RICHARD CONRAD FELBER;
THOMAS GRAYDON FOGLESONG;
JERRY RUPE;
SABOTAGE; SEDITION; CIVIL RIGHTS -
FEDERALLY PROTECTED ACTIVITY;
DESTRUCTION OF GOVERNMENT PROPERTY

The purpose of this memorandum is to advise that a closing report dated 7/20/70 (a copy attached), has been received from Cleveland concerning the Kent State University ROTC burning which further substantiates the involvement of several of the above subjects in this incident.

One individual interviewed advised she observed subject attempt to set fire to the ROTC building. This individual also saw subject Rupe burn an American flag and saw Rupe and a person she believed to be subject Felber attack a fireman. Another person advised he considered the burning of the ROTC building to be premeditated since demonstrators possessed flares and machetes. This individual believed only about six or seven persons started the fire and about twenty persons interfered with firemen fighting the blaze.

By letter 7/6/70, the Attorney General was advised that inasmuch as Federal prosecution is no longer being considered, no further investigation in this case would be conducted unless specifically requested by him. He was advised that a closing report would be submitted.

Enclosures sent 7-27-70

CONTINUED - OVER
Memorandum to Mr. C. D. Brennan
Re: [redacted]

Peter Charles Bleik;
Douglas Charles Cormack;
Richard Conrad Felber;
Thomas Graydon Fogleson;
Jerry Kuep;
98-46479

RECOMMENDATION:

That the attached letter to the Attorney General with copies for the Deputy Attorney General, Assistant Attorneys General, Internal Security Division, Civil Rights Division and Criminal Division; and a letter to John D. Ehrlichman at the White House be approved, enclosing for each a copy of the above report. Also if approved, in accordance with Mr. Ehrlichman's request, a copy of the report will be furnished to the President's Commission on Campus Unrest.
FBI

Date: 8/31/70

Transmit the following in

(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (98-46479)

FROM: SAC, CLEVELAND (98-2140)

RE:

ET AL

SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1968 - INTERFERENCE WITH FEDERALLY PROTECTED FACILITY

Re Cleveland airtel, 8/24/70.

On this date, the items listed in referenced airtel, along with other material seized in the search of 230 East Main Street, Kent, Ohio, on 5/10/70, were returned by SAS of the Cleveland Division to [redacted], Kent, Ohio. These items were all originally obtained from [redacted] on 5/10/70, and a receipt was obtained from him regarding the return of all these items to him on 8/31/70.

JNO:jks

(5)

EX-109

9 SEP 2 1970

6 US 15 1970

Approved: [Signature]

[Special Agent in Charge]
UNSUBS;
FIREBOMBING OF ROTC BUILDING
Kent State University (KSU)
Kent, Ohio
May 2, 1970
SABOTAGE

Q13 through Q15

Registered

716975

MAILED 3
AUG 25 1970
COMM-FBI

FBI File No.

8/25/70

PC-6812 MK
August 12, 1970

Director of FBI Lab.
Dept. of Justice
Washington, D.C.

Gentlemen:

Shortly after the incidents at Kent State University, on approximately May 5 to May 12, FBI officers for the Cleveland office searched my son's headquarters at 230 E. Main St. Kent, Ohio. The officers took clothing, books, papers to be examined in the then current investigation.

Upon the advice of [redacted] of the Patchogue, L.I., office of the FBI, I am writing to you requesting that the personal belongings of [redacted] be returned to his home, at the above address. The books and papers are of little value, but the garments you hold are valuable and in excellent condition.

I would appreciate a prompt reply if you still need the clothes for your investigation, or their immediate return. Thank you.

Sincerely yours

[Redacted]
New York 11803

Dear Mr. [Redacted],

Reference is made to your letter received on August 21, 1970, requesting advice concerning the return of certain items belonging to your son which were reportedly taken from 230 East Main Street, Kent, Ohio, in May 1970.

A number of items were obtained from this address during an investigation conducted by this Bureau as the result of the execution of a search warrant on May 10, 1970.

At the direction of United States Attorney Robert B. Krupansky, the items obtained as the result of this search warrant are being returned to [Redacted], 230 East Main Street, Kent, Ohio, or to some other person in charge of those premises. Inquiry concerning these items should be directed to that address.

Sincerely yours,

J. Edgar Hoover
Director

(SEE NOTE PAGE 2)
New York 11803

Dear Mr. [Name] 

Reference is made to your letter received on August 21, 1970, requesting advice concerning the return of certain items belonging to your son which were reportedly taken from 230 East Main Street, Kent, Ohio, in May 1970.

A number of items were obtained from this address during an investigation conducted by this Bureau as the result of the execution of a search warrant on May 10, 1970.

At the direction of United States Attorney Robert B. Krupansky, the items obtained as the result of this search warrant are being returned to [Name], 230 East Main Street, Kent, Ohio, or to some other person in charge of those premises. Inquiry concerning these items should be directed to that address.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

(SEE NOTE PAGE 2)
Mr. Bernard Novick

NOTE:

Reply co-ordinated with Supervisor G. H. Menzel, Domestic Intelligence Division. Delay in replying to addressee necessitated by obtaining information from the Cleveland Office. See Cleveland airtel to the Director dated 8/24/70, Re: [redacted]; Sabotage; Sedition; Destruction of Government Property; Civil Rights Act of 1968 - Interference with Federally Protected Facility.
TO: DIRECTOR, FBI (98-46479)
ATTENTION: FBI LABORATORY
FROM: SAC, CLEVELAND (98-2140) (F)
RE: ET AL
SABOTAGE; SEDITION; DESTRUCTION OF
GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF 1968-
INTERFERENCE WITH FEDERALLY PROTECTED FACILITY

Re Cleveland telephone call to Laboratory this date.

Inasmuch as requests have been received for the return of certain items previously submitted to the Laboratory in this letter, with Cleveland letter to the Bureau, 5/11/70, captioned "UNSUBSPECTED firebombing of Army ROTC Building, Kent State University (KSU), Kent, Ohio, 5/2/70, SABOTAGE", the Laboratory is requested to return the following items to the Cleveland Division:

Item #1  3/4 length gray winter jacket (parka) with fur-lined hood and orange lining.
#2    One pair blue denim jeans
#3    One pair tan suede gloves
#4    One blue man's shirt (cotton)
#5    One hippie-type headband
#6    One pair purple levis
#7    One tan corduroy coat in plastic dry-cleaners bag.
#8    Two make-shift peace armbands, made from dungarees

Bureau (RM)
- Cleveland

Approved: [Signature]
Special Agent in Charge
#9 Items found in first floor bedroom:

6 rubber balloons
1 tube Elmer's contact cement
1 tube Duco Cement
1 cardboard tube partially covered with aluminum foil, with burned hole in one end (makeshift marijuana pipe?)

The above items were among those seized in the search of 230 East Main Street, Kent, Ohio, under authorization of a search warrant issued 5/10/70, by U.S. Commissioner CLIFFORD E. BRUCE, Cleveland, Ohio. This search warrant was executed 5/10/70, by searching the aforementioned residence for clothing, incendiary material or any other material that could be used for destructive purposes by explosion, thermal or incendiary destruction.

The occupants of the aforementioned premises were subsequently determined not to have been involved in the burning of the ROTC building and the actual perpetrators have been identified. As a result, U.S. Attorney ROBERT B. KRUPANSKY has advised the above listed items may now be returned.

[Redacted] Cleveland Division obtained the above items from [redacted] who signed the certification regarding these items taken from his premises at 230 East Main Street, Kent, Ohio, where other persons were also living in this communal-type residence. In order to preclude several individuals making claim on us for the same items, the Cleveland Division will return all these items taken from the 230 East Main Street address to [redacted] at that address, or, in absence, to any other person in charge of those premises.
TO: DIRECTOR, FBI
FROM: SAC, CLEVELAND (98-2152) (C)
SUBJECT: ALLEGED PLOTS TO DESTROY ROTC BUILDING, CLASSROOMS AND DORMITORIES AT KENT STATE UNIVERSITY (KSU), KENT, OHIO, SABOTAGE

DATE: 9/1/70

00: Cleveland

Re Cleveland airtel and LIM to the Bureau, 6/23/70.

Enclosed herewith for the Bureau are six (6) copies of a Letterhead Memorandum (LIM) pertaining to captioned matter. Locally, two copies are being disseminated to Secret Service, Cleveland and one copy each to military intelligence agencies.

In the absence of any acts to burn or bomb KSU buildings during the summer school session at KSU, and in the absence of any known plots to commit such acts during the coming fall school session, the Cleveland Office is not contemplating any additional inquiries in this matter, UACB.

Logical sources have been alerted to the possibility of violence at KSU, and in the event pertinent information is subsequently received indicating that acts of violence are imminent, the Cleveland Office will promptly advise the Bureau and all interest agencies.

Bureau (Enc. 6) (R1)
CLEVELAND

SAC/ZZ (3)

RECEIVED

SEP 3 1970

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
September 1, 1970

Reference is made to memorandum, captioned as above and dated June 23, 1970, at Cleveland, Ohio.

The following individuals, when contacted on June 23, 1970, advised that they were unaware of any plans by individuals, or organizations, to burn or bomb any buildings on the KSU campus:

[Redacted]

recalled that there had been a theft of explosives from the United States Army Ammunition Plant, Ravenna, Ohio, early in the Spring of 1970, but that no recent thefts of this nature had been reported.

The above individuals did advise, however, that the atmosphere surrounding the KSU campus continues to be tense, and that there are a variety of rumors circulating as to the possibility of additional acts of violence at KSU. Each of the above individuals indicated that they would advise the Federal Bureau of Investigation in the event they learned of any actual plans for violence.
RE: ALLEGED PLOTS TO DESTROY
ROT C BUILDING, CLASSROOMS
AND DORMITORIES AT
KENT STATE UNIVERSITY (KSU)
KENT, OHIO
SABOTAGE

When contacted on July 29, 1970 and August 24, 1970, supra, advised that there had not been any attempts to burn, or bomb, KSU buildings during the summer school session. He reiterated that he would notify the Federal Bureau of Investigation in the event he learned of any plans of violence on the campus during the fall school term.
TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140)
RE: ET AL.
SABOTAGE; SEDITION;
DESTRUCTION OF GOVT. PROPERTY;
CIVIL RIGHTS ACT OF 1968 -
INTERFERENCE WITH FEDERALLY
PROTECTED FACILITY

Enclosed for the information of the Bureau are
two copies of an article which appeared in the 10-23-70
issue of "The Cleveland Press", a daily evening newspaper
published in Cleveland.

ENCLOSURE

2 - Bureau (Encl. 2) (RM)
1 - Cleveland
JNO: mr
(3)

Approved: [Signature]
Sent M Per
Special Agent in Charge
Kent State riot charges explained

By DOUGLAS McCORMICK
Press Ohio Bureau

RAVENNA — Of the 25 persons indicted by the Portage County Grand Jury, some have been charged with first-degree riot and some with second-degree riot.

Other charges include inciting to riot and obstructing a fireman.

Under state law enacted in 1968 first-degree riot involves five or more persons in violent and tumultuous conduct with intent to commit a felony or facilitate a felony or any forceful offense against a person, or when a violator knows somebody uses or intends to use a deadly weapon or explosive.

Possible examples would be the rioter who as one of a group bombs a building or clubs a guard with a rock.

A person convicted for first-degree riot may be put in prison for 1 to 3 years under a felony penalty. Or he may be fined up to $1000 or imprisoned up to one year, or both, which is a misdemeanor penalty. Judges are given discretion in levying punishment.

If the person carried a firearm during the riot he could be sentenced to an additional 1 to 3 years.

Second-degree riot involves five or more persons in violent and tumultuous conduct with intent to do a lawful act with unlawful force and violence in such a manner as to create a clear and present danger to person or property.

Or the violators may be acting with intent to prevent or coerce official action, or hinder a function of government, or commit or facilitate the commission of a misdemeanor.

Thus a possible example of a second-degree rioter would be a person who is in a protest march (lawful) that gets out of hand, surges into the street and ties up traffic (unlawful) so that a fire truck can’t get to a burning building.

Another example might be a person who as a member of a group rages over the campus smashing windows.

Penalty for second-degree riot may be imprisonment for up to one year, a fine of up to $1000, or both.

Inciting to riot means inciting to first-degree riot. Penalty is the same as for first-degree riot.

Obstructing a fireman can result in a sentence of 30 days to six months, or a fine of $50 to $500.
FBI
Date: 10/20/70

TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140)
RE: ET AL.
SABOTAGE; SEDITION;
DESTRUCTION OF GOVT. PROPERTY;
CIVIL RIGHTS ACT OF 1968-
INTERFERENCE WITH FEDERALLY
PROTECTED FACILITY

Enc. for the Bureau are two copies of articles re captioned matter, which appeared in the 10/16, 10/18, and 10/19/70 issues of "The Cleveland Press", a daily evening newspaper published in CV.

Ravenna, Ohio, made available on 10/19/70, the following names of individuals who have been indicted by the Special Grand Jury investigating the Kent State shootings on 5/4/70:

DOUGLAS CHARLES CORMAK
12841 Cherry Lane
Chesterland, Ohio

JOSEPH B. COLLUM
2506 Vera Place
Canton, Ohio

JOHN GERBETZ

RUTH GIBSON

KENNETH J. HAMMOND

2-Bureau (Enc. 4) (RM)
1-Cleveland
2-oj @ jac (Enc. 904) ENCLOSURE

Sent M Per 5
CV 98-2140

DR. THOMAS LOUGH
THOMAS D. MILLER
CAROL LYNN MIRMAN
1012 Page Street
San Francisco, California
JAMES M. RIGGS
JERRY RUPE
LARRY A. SHUB
DAVID O. ADAMS
WILLIAM G. ARTHRELL
PETER BLIEK
ALAN M. CANFORA
308 Newell Street
Barberton, Ohio
ROSE ANN CANFORA
RICHARD G. FELBER
Portage County Jail
THOMAS GRAYDON FOGLESONG
3046 South Oak Hill Road
Silver Lake, Ohio
JEFFREY D. HARTZER
JOSEPH J. LEWIS
CRAIG A. MORGAN
Apartment 718
College Towers
Kent, Ohio
MARY HELEN NICHOLAS
CV 98-2140

ALLEN TATE

RONALD WEISSENBERGER

MICHAEL STEVEN ERWIN

It is to be noted that five of the above individuals are subjects in instant 98 case.
PROF,
4 OTHERS ARRESTED IN KSU VIOLENCE ROUNDUP
RAVENNA—A Kent State professor and a convicted drug peddler were the first persons put under arrest today as deputies rounded up 25 persons indicted in the campus disorders of last May.

Two of the first five in custody were Greater Clevelanders.

Prof. Thomas S. Lough, 42, professor of sociology indicted for inciting to riot, surrendered voluntarily, apparently having learned that he was to be arrested. He was accompanied by his attorney.

The other also was easy to find. He was Richard C. Felber, 21, of Akron, a freshman at Kent State last year and presumably a student at the time of the fatal clash. He was already in jail.

Felber was charged with first degree riot, attempting to burn property, assault and interfering with a fireman at the scene of a fire. The fire was that which razed the ROTC Bldg. May 2.

He recently was convicted of selling drugs and is in the Portage County Jail here awaiting transfer to the Mansfield Reformatory to begin a sentence of 20 to 40 years.

Lough was released on $5000 personal recognizance bond.

The Greater Clevelanders, both of whom surrendered voluntarily, were James M. Riggs, 20, of 29235 Sunset Dr, Westlake, a sophomore in business administration, and Larry Shub, 1676 Clenmont Dr, Cleveland Heights, a freshman last year.

Each is under indictment for second-degree riot.

The fifth in custody is Jerry Rupe, 21, of Kent, not a student, who already was in Stark County Jail on a charge of possession of narcotics. He was indicted for arson, assault, striking a fireman, interfering with a fireman and first-degree riot.

DEPUTIES, armed with warrants, were rounding up the others. None will be named until arrested.

None of those indicted last week by a special Grand Jury was among the National Guard troops who killed four students and wounded nine as a climax to four days of rioting on the KSU campus.

University officials chafed at the continuing court orders banning discussion of the jury report.

Kent State President Robert E. White said he had been given permission by the presiding judge to comment but not to criticize. He said he would not hold any press conferences as a consequence.

MEANTIME, the Case Western Reserve Student Mobilization Committee to end the War in Vietnam announced a public meeting...
on the Kent State—jury re-
port would be held Thurs-
day at 8 p.m. in the Student
Union Ballroom, 1111 Eu-
cid Ave.

Jerry Gordon, coordinator
of the National Peace Action
Coalition, will speak. Co-
sponsors include the B’nai
Brith Hillel Foundation,
Young Socialist Alliance and
the Peace Action Comit-
etee.

Five other groups will
sponsor a rally tomorrow at
8 p.m. in the CWRU student
union ballroom. Theme will
be "Avenge Kent—Fate the
Murderers, Free the Stu-
dents." Students from Kent
will speak. Sponsors are
Youth Against War and
Fascism, Cleveland State
University Conference, Ar-
tists for Peace, Dostal De-
fense Committee and CWRU
Strike Community.

In Columbus, the Ameri-
can Civil Liberties Union of
Ohio called for a Federal
Grand Jury investigation of
the Kent State killings on
the grounds that National
Guardsmen had deprived
students and others of their
civil rights.

IN CLEVELAND, C ong.
Louis Stokes said in a press
conference that the jury
findings had given new fuel
to radicals. He said it was
unfortunate that the jury
could find no reason to re-
turn indictments against
those who pulled the trig-
gers.

In a speech in St. Louis
last night, Robert W. Morse,
former president of Case
Western Reserve called the
shootings "an act of assassi-
nation against American
youth." He said he still
found it impossible to be-
lieve that "Middle America’s
sons and daughters were
shot down in an open field
on their own campus."
KENT JURY INDICTS 25

Guard absolved in report
Campus rally is peaceful
Riot panelist disagrees
By HASKELL SHORT, Press Ohio Bureau Chief

RAVENNA — A special state's Grand Jury today indicted 25 persons for 43 offenses as it returned its investigative report of the May rioting at Kent State University which saw four students killed and nine wounded by National Guard troops.

The jury ruled that the guardsmen, placed in an untenable position with only deadly weapons to control an onrushing, rock-throwing crowd, fired in self-defense and cannot be prosecuted under Ohio laws.

Names of the persons indicted were kept secret until they were arrested. Those accused were not identified in any way—but they definitely did not include guardsmen.

Robert Balas, the state's chief investigator in the inquiry, would not detail the offenses charged against the indicted 25 other than to say no narcotics offenses were involved and the offenses all occurred between May 1 and May 4.

THE COURTHOUSE in Ravenna and the KSU campus five miles away were tense as the jury returned its report pinning responsibility for the four days of rioting upon the university administration's permissive policies toward radicals, which left the administration powerless to control its campus.

The report said it is reasonable to believe that the tragic events of Sunday and Monday (May 3 and 4) following the Saturday night burning of the campus ROTC building, would not have occurred if KSU police had moved in to chase away the four or five students actively fighting firemen at the scene.

Jurors mentioned no names but they sharply criticized the conduct of National Guard commanders, the university administration, a segment of the faculty and university policy developed over the years recognizing all radical student groups wanting to use campus facilities.

IN CONTRAST to the report by the President's Commission on Student Unrest that the Kent shootings were unnecessary and unjustified, this jury of Portage County residents said it uncovered evidence beyond that found by the FBI and other investigative agencies.

While criticizing guard commanders for giving the troops only deadly M-1 rifles, called inappropriate to use in student disorders, the Grand Jury said the retreating soldiers, under rock attack by a riotous mob, fired "in the honest and sincere belief... they would suffer bodily injury had they not done so."

"They are not, therefore, subject to criminal prosecution under the laws of this state for any deaths or injuries resulting therefrom," the 18-page report stated.

"The FBI had turned over all evidence it gathered to the state to help the Grand Jury in its investigation of the Kent investigation it would be highly unusual if the Federal Government would build a case against the National Guard with evidence that a jury of local citizens found the shootings justified."

The Grand Jury also concluded that the same conditions which led to the tragic events still exist and will continue until the university, faculty and students... make a strong stand against radicals bent upon violence... destruction of the school."

It urged that all who would disrupt the university be expelled.

THE GRAND JURY report came after 25 days of studying evidence gathered by federal and state agents and hearing testimony from more than 300 witnesses.

Special security precautions were evident as the report was released because Robert White, KSU president, warned two days ago that radicals were surfacing again on campus.

The report gave a detailed description of events leading to the shootings as the 74 guardsmen on duty retreated across the practice football field toward Taylor Hall when their tear gas barrage failed to break up a student rally at noon. It said 58 guardsmen were hit by rocks.

"The most discouraging aspect of the university's role in the incidents... is that the administrative leadership has totally failed to benefit from past events..."

"Whatever may have been in the minds of those harassed and otherwise taunted the national guardsmen, it is clear that from the time the Guard reached the practice football field they were on the defensive, had every reason to be concerned for their own safety," the jury said.

Student participants were branded as "guilty of dilatory criminal conduct... those who stood by as cheerleaders and onlookers, while not liable for criminal acts, must assume a part of the responsibility..."

"TEAR GAS WAS admittedly ineffective because wind direction and velocity, and it was the belief of most of those guardsmen present on the field that the supply of tear gas had been exhausted," the jury said.
"The circumstances present at the time indicate that 74 men surrounded by several hundred hostile rioters were forced to retreat back up the hill toward Taylor Hall under a constant barrage of rocks and other flying objects, accompanied by a constant flow of chants such as, 'Kill, kill, kill.' "Photographic evidence has established beyond any doubt that as national guardsmen approached the top of the hill adjacent to Taylor Hall a large segment of the crowd surged up the hill led by small groups of agitators, approaching to within a short distance of the rear ranks of the guard."

Although some of the student demonstrators claimed only a few rocks were thrown, the Grand Jury reported that construction workers in the area testified that 200 bricks were taken.

OTHER WITNESSES testified students carried bags of rocks to the rally while others had gas masks and equipment in obvious anticipation that something was going to happen.

Rocks were also stockpiled in the area, some witnesses testified.

"There is additional evidence that advance planning had occurred in connection with the rally held that fatal noon," the jury report said.

"Agreeing with the principle of law that words are not enough to justify use of lethal force, the verbal abuse directed at the guardsmen by men and women students was such that the jurors would not have believed it except that it was confirmed by much testimony and audio tapes.

The jurors obviously were shocked by the "verbal abuse" referred to, saying:

"(II) represented a level of obscenity and vulgarity which we have never before witnessed... It is hard to accept the fact that the language of the utter has become the common vernacular of many persons posing as students in search of higher education.

"THE FACT THAT the Guard fired in self-defense is not an endorsement of the manner in which those in command of the Guard reacted."

"To the contrary... the order to disperse the crowd on the Commons put the guard in an untenable and dangerous position with weapons inappropriate dealing with campus disorders.

"Unfortunately, however, under current practices other weapons have been made available to the guard by the Department of the Army."

The jurors said "23 concerned faculty members" had issued a statement attacking President Nixon, his Vietnam policies, racism, Governor Rhodes and the school administration, although couched in a plea for understanding of campus issues, committed "an irresponsible act clearly not in the best interests of Kent State."

The report stated that d o c u m e n t, distributed dormitories early Sunday evening before the shoot Monday, was prepared in the office of the dean of faculty council, known as the ombudsmen.

The report slapped at a small minority of faculty members who "devote their entire class periods to forcing their students to openly oppose our institution, government, even to the point where one student dared defend the American flag, was ridiculed by professor before his classmates."

THE GRAND JURY declared as "riots" in a literal sense the disorders of Friday night in downtown when the trouble began, the Saturday rally that led to the burning of the ROTC building, the Sunday stand down in the streets and the Monday rally. It said students ignored proper orders to disperse.

The evidence is that the National Guard was ordered into Kent following Kent Mayor Leroy Satrom's scold to Governor Rhodes' office for help because mayor felt local authorities could not handle the situation and no more policemen were available.
"The guard was called solely for the purpose of assisting the civil authority," the jury said and "at no time during the period was martial law declared."

THE JURY SAID the campus police department is "totally inadequate to perform the function of a law enforcement agency" and recommended it be placed under control of a professional police officer.

A clear example of the campus police inadequacy, the jurors said, was "the shocking inability" to protect city firemen responding to the ROTC building fire.

A squad of university police was mobilized three blocks away but "it was decided by those in command not to expose the officers to risk."

This, the jurors said, was a question of judgment but showed a complete inability to respond in the manner expected of a police department.

"It is hard to accept the fact that the language of the gutter has become the common vernacular of many persons posing as students in search of higher education."

AS IT TURNED OUT, the jurors said, no more than four or five students attacked firemen and no more than 10 or 12 persons were involved in burning the building. Early reports had been that a mob of students had chased firemen away.

"It is obvious that the burning of the ROTC building could have been prevented with the manpower available," the jurors said. "If the burning had been prevented it is reasonable to believe that the events which followed on May 3 and 4 would not have occurred."

The jurors heaped criticism upon university policy developed over the years that "fostered an attitude of laxity, overindulgence and permissiveness with students and faculty to the extent it can no longer regulate the activities of either."

This situation, the jurors said, made Kent "particularly vulnerable to any pressure applied from radicals from within the student body or faculty."

AS AN EXAMPLE, the jurors said, the university delegated disciplinary authority under a student code that is "totally ineffective."

"As a matter of policy all criminal offenses are handled by campus police except those are given to student judicial boards with the disposition, if any, being recommended counseling or other meaningless sanctions," the jurors said.

Another example of the university contributing to its own crisis, the jurors said, is overemphasis on the need to avoid dissent.

The jury said this is the procedure that allows students for a Democratic Society, Young Socialist All Red Guard, Student Religious Liberals, and other groups to use the campus.

The jurors expressing the hope that "out of this will emerge order and purpose," called Kent State University a valued part of the community and urged the university to quickly expel trouble makers and stem campus disorder.
TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140)
RE: [Redacted]; ETAL

SABOTAGE; SEDITION;
DESTRUCTION OF GOVT. PROPERTY;
CIVIL RIGHTS ACT OF 1968 -
INTERFERENCE WITH FEDERALLY
PROTECTED FACILITY

Enclosed for the information of the Bureau are two (2) copies of an article which appeared in the 10-16-70 issue of "The Record-Courier" a daily newspaper published at Kent, Ohio. This article sets forth the text of the Special Grand Jury report on the disturbances at Kent State University (KSU) 5/1-4/70.

Bureau (Enc. 2) (RM)
1 - Cleveland
JN0:ral
(3)

Approved: [Signature] 7 DEC 4/1970
Sent M Per

[Signature]
The order of this Court made and entered into September 5, 1970 pertaining to the Special Grand Jury which convened September 14, 1970 is supplemented in the following respect:

1) Paragraph 7 of said order of September 5, 1970 is supplemented by the addition of the following paragraph:

Special Counsel for the Attorney General may hold one (1) press conference on October 16, 1970 at which time they may present to the press media that portion of the report of the Special Grand Jury which is not secret and may answer any general questions pertaining to such portions of the report of the Special Grand Jury without giving any specific information, commenting on any of the evidence presented to the said Special Grand Jury or making any interpretation of such report.

It is further ordered that a copy of this supplemental order shall be made available to the Special Counsel of the Attorney General and to all representatives of the news media participating in said press conference.

It is further ordered that the Clerk of this Court shall enter this Supplemental Order upon the Journal of this Court dated this 15th day of October, 1970.

Edwin W. Jones,
Albert L. Caris

ENTRY ON SPECIAL GRAND JURY

IN RE THE MATTER OF THE SPECIAL GRAND JURY:

This day appeared at the bar of this Court the Special Grand Jury heretofore impaneled and sworn in and for this Portage County, viz:

1. Robert R. Hastings
2. Robert W. Brown
3. Norman H. Kiel
4. Elizabeth H. Heia
5. Lewis H. Miller
6. James H. Duffelhush
7. Otta O. Drake
8. Edward M. Gunman
9. Carol Ann Ralphy
10. Thomas W. Veiger
11. Lewis G. Bacon
12. Anna R. Kaminsky
13. Dallas Fugett
14. Malcolm P. Avery
15. David T. Davis
16. Marjorie L. Allman

(Alternate)

and by their Foreman presented to the Court, their certain 36 bills of indictment covering 25 defendants and 43 offenses, each endorsed by Robert R. Hastings the said Foreman of the Special Grand Jury, "A True Bill," to which endorsement said Foreman subscribed his name, and against the following named persons for the following specified offenses, viz:

Also their report in writing to the Court in the following words and figures, viz:

[Text continues on next page]
REPORT OF THE SPECIAL GRAND JURY
TO THE HONORABLE Edwin W. Jones, Judge of the
Court of Common Pleas, Portage County, Ohio.
The Special Grand Jury of the Court of Common Pleas of
said County of the September term, A.D. 1970, hereby
report to the Court that they have been in session 25 days,
and herewith by their foreman present to the Court the
Indictments found by said Jury.
We have carefully examined all such matters as have
legitimately come to our notice and within our charge,
having examined over 300 witnesses, and presented 40 true
bills covering 25 defendants and 43 offenses considered by
us. The business of this Special Grand Jury has been transacted
in as expeditious a manner as possible.

As has already been reported here, this Special Grand
Jury received testimony from more than 300 witnesses
who have fairly represented every aspect, attitude, and
point of view concerning the events which occurred in the
city of Kent. We visited the campus of Kent State Uni-
versity during the period from May 1, 1970, to May 4, 1970,
inclusive. The persons called as witnesses, the order of
their appearance and the questions presented, clearly
indicated an effort to complete impartially with a full and
complete disclosure of all available evidence. We were satis-
fied that each of these objectives was accomplished.
Many persons, some of whom claimed publicly to be in
possession of pertinent information, and who were not sub-
ject to subpoena, were invited to testify. Some of these
invited did appear, while others declined. All persons who
requested to testify were permitted to do so.
In addition to the many witnesses summoned to testify,
this Grand Jury viewed and otherwise received all phys-
ical evidence believed to have any probative value, includ-
ing numerous radio tapes, photographs, motion picture
films and physical evidence uncovered at the scene.
All requests for further information made by this Grand
Jury have been complied with by the Special Council for
the Attorney General as to the law applicable and the
facts.

The Grand Jury has had available the independent investi-
gative reports of the Federal Bureau of Investigation,
Ohio Highway Patrol, Ohio Bureau of Criminal Identifi-
cation and Investigation, and all other police agencies in-
volved. Their reports and all pertinent information and
evidence have been examined in detail. The Grand Jury
expresses its appreciation to all investigative agencies for
their cooperation.
In addition, the Grand Jury has received a substantial
amount of additional information and evidence that was
not available to the police agencies at the time of their
investigations. Some facts were discovered subsequent to the
investigation of other agencies.
This Grand Jury expresses its appreciation to Judge Ed-
win W. Jones for his leadership and guidance during our
deliberations. They commend the Court for its foresight
in providing an atmosphere of judicial dignity within
which our work could be accomplished. It is our sincere be-


1. The Grand Jurors have determined numerous questions
of fact relative to the issues presented. The Grand Jurors
wish to stress the fact that our findings are entirely our
own and no outside influence were exerted. In view of
the many conflicting and contradictory accounts previously
published concerning these events, we feel it appropriate
to report those findings at this time. They are as follows:

1. The incidents originating on North Water Street in Kent,
Ohio on Friday, May 1, 1970, and which spread to other
parts of the downtown area and the University, constituted
a riot.
We find that no provocation existed for the acts commit-
ted there and that many persons participating in this riot
were not students, but were of a type who always welcome
the opportunity to participate in the unjustified destruc-
tion of property.
The investigative techniques utilized by law enforce-
ment agencies in connection with the suppression of the
riots and destruction of May 1, 1970, were not adequate to per-
mit the successful prosecution of many of the persons who par-
ticipated. It is apparent that new methods and techniques
designed to preserve the identity of future participants
(rioters, etc.) must be made available to our law enforce-
ment agencies. That those responsible for riots, etc. be
held accountable, without exception, and to the maximum
extent provided by law, is obvious.

II.

We find that the rally on the Commons on Saturday, May
II.

2, 1970, which resulted in the burning of the R.O.T.C. build-
ing, constituted a riot. There can never exist any justifi-
cation or valid excuse for such an act. The burning of this
building and destruction of its contents was a deliberate
criminal act committed by students and non-students. Nor
did the rioters stop with the burning of the R.O.T.C.
building. They also set fire to the pharmacy shed and moved
from there to East Main Street on the front campus where
they engaged in further acts of destruction and vandalized the
members of the National Guard as they entered Kent.

Arson is arson, whether committed on a college campus
or elsewhere. The fact that some of the participants were
college students changes nothing, except perhaps to further
aggravate the seriousness of the offense.

It should also be said that the many hundreds of students
who described themselves as merely "observers" or
"cheerleaders" are not totally free of responsibility for what
occurred there. It seems to us that many students are
quick to say that "this is our campus," but slow to
realize that this carries with it a responsibility to care for
and protect that campus and the buildings situated there.
III.

The Grand Jury finds from the evidence that the Kent State University Police Department, as presently constituted, is totally inadequate to perform the functions of a law enforcement agency. A clear example of this inadequacy was the shocking inability to protect the Kent City firemen who responded to the fire at the R.O.T.C. building on May 2nd. The fire was reported to the Kent Fire Department by a University Police dispatcher, one squad of Kent State University Police officers had mobilized in an area approximately three blocks from the R.O.T.C. building. They were readily available to lend the protection to which the firemen were entitled. That it was decided by those in command not to expose their officers to risk represents more than a question of judgment; it indicates a complete inability to respond in a manner expected of any police department. The persons who attacked the firemen numbered no more than 4 or 5. The total number of those persons who actually attempted to fire the building did not exceed ten or twelve. It is obvious that the burning of the R.O.T.C. building could have been prevented with the maneuver then available. If the burning had been prevented it is reasonable to believe that the events which followed on May 3rd and 4th would not have occurred.

The inadequacy of the Kent State University Police Department was further demonstrated with its failure to respond to the events which occurred on Friday night, May 1, 1970, the early morning of Saturday, May 2nd, and Sunday night, May 3rd. This is not intended to criticize any individual officer of that department. If the responsibility for providing adequate law enforcement on campus is to remain with an agency physically situated on that campus, the ultimate command, supervision, and control of that agency must be vested in the University administration and placed in the hands of professionally trained personnel.

IV.

The Grand Jury finds that the events of Sunday, May 3, 1970, on campus and at the corner of Lincoln Street and East Main Street in Kent, Ohio, constituted a riot.

The averted purpose of the leaders of this group was to march into the city of Kent in protest of, and in direct violation of, the 8:00 P.M. curfew established by the mayor of Kent. As the students attempted to leave the campus, they were stopped at the intersection of Main and Lincoln Streets by the Ohio Highway Patrol and the Portage County Sheriff's Department. The protesters then sat down in the street and engaged in their usual oaths, rock throwing, and other disorderly conduct. Had it not been for the combined efforts of the law enforcement agencies present, further extensive damage to persons and property would have resulted in the city of Kent that night. After the removal from the intersection of East Main and Lincoln Streets, the rioters were dispersed by tear gas and retaliated to the dormitory complex known as Tri-Towers where some members of the mob continued to advocate further acts of violence and destruction.

V.

The gathering on the Commons on May 4, 1970, a violation of the directive of May 3rd, issued by the University Vice President in charge of Student Affairs. At that all the persons assembled were ordered to disperse repeatedly, but they refused to do so. The arrest made by a Kent State University policeman, caused a violent reaction and the gathering quickly degenerated into a riot. It is obvious that if the order to disperse had been heeded, there would not have been the consequences of that fateful day. Those who acted as participants and agitators are guilty of deliberate, criminal conduct. Those who were present as chieftains and lookers, willful for criminal acts, must morally assume a part of the responsibility for what occurred.

VI.

We find that as of 5:58 P.M. on Saturday, May 2nd, all circumstances then present in the city of Kent, Ohio, constituted the request for assistance of the National Guard. The events which led to this request began with a phone call at 12:47 A.M. May 2nd by Mayor Lelong to the Governor's office to advise him of the riot in which had taken place in Kent. This phone resulted in the dispatch of an officer of the National Guard to assess the situation. As of noon on Saturday, May 2nd, it had been determined by the Adjutant General that the situation did not require the presence of the Guard.

At 5:58 P.M. on Saturday, May 2nd, Mayor Satrom called the office of the Governor and at this time for requested the assistance of the National Guard. The fact which prompted Mayor Satrom to make this decision was

1. Threats by students to downtown merchants of damage if they did not post signs on the premises. 
2. Protested the war in Vietnam and Cambodia.
3. Report of that two carloads of members of the Women's Faction of the Students for a Democratic Society in Kent under the University campus area.
4. Information that various weapons had been seen on the Kent State University campus.

4. Reports that the R.O.T.C. building, the Kent Police, and the Army Recruiting Office in Kent were burned or otherwise destroyed.

In addition to receiving this information, Mayor Satrom had by this time been advised that substantial assistance would not be available from any local law enforcement agencies to assist in protecting the city and its residents.

We feel that it should be made clear that the National Guard was called solely for the purpose of the civil authority. At no time during the period of 1st through May 4th was martial law declared.
VII.

It should be made clear that we do not condone all of the activities of the National Guard on the Kent State University campus on May 4, 1970. We find, however, that those members of the National Guard who were present on the hill adjacent to Taylor Hall on May 4, 1970, fired their weapons in the honest and sincere belief and under circumstances in which they would have naturally caused them to believe that they would suffer serious bodily injury had they not done so. They are not, therefore, subject to criminal prosecution under the laws of this state for any death or injury resulting therefrom.

Fifty-eight Guardsmen were injured by rocks and other objects hurled at them as they moved across the commons to Taylor Hall Hill and down to the practice football field, and were then forced to retreat. Whatever may have been in the minds of those who harassed and otherwise taunted the National Guard, it is clear that from the time the Guard reached the practice football field, they were on the defensive and had every reason to be concerned for their own welfare. Tear gas was admittedly ineffective because of wind direction and velocity and it was the belief of most of those Guardsmen present on the football practice field that their supply of tear gas had been exhausted. That is later determined that one of the grenades still had a small supply of tear gas remaining in no way changes this fact.

The circumstances present at that time indicate that 74 men surrounded by several hundred hostile rioters were forced to retreat back up the hill toward Taylor Hall under a constant barrage of rocks and other flying objects, accompanied by a constant flow of obscenities and chants such as "KILL, KILL, KILL." Photographic evidence has established beyond any doubt that as the National Guardsmen approached the top of the hill adjacent to Taylor Hall, a large segment of the crowd surged up the hill, led by smaller groups of rioters approaching to within short distances of the rear ranks of the Guardsmen.

The testimony of the students and Guardsmen is clear that several members of the Guard were knocked to the ground or to their knees by the force of the objects thrown at them. Although some rioters claim that only a few rocks were thrown, the testimony of construction workers in the area has established that 200 bricks were taken from a nearby construction site. Various students were observed carrying rocks in sacks to the "rally" and other equipment from off campus in obvious anticipation of what was to happen. Rocks had been stockpiled in the immediate vicinity and cries of "GET THE F**K OUT" were heard as the Guardsmen went onto the practice field. There was additional evidence that advance planning had occurred in connection with the "rally" held at noon on May 4th.

VIII.

As discussed, the occurrence of armed troops on the campus of Kent State University is an appalling sight. Occupation of town and campus by National Guardsmen is testament to the domination of irrationality in the policies of our government.

The President of the United States commits an indiscretion of war and refers to his opposition as "bimbos," students and faculty, and indeed, all thinking people. His position is not only erroneous but patently false. Kent State University is no joke; we respect tactics. Yet the burning of an ROTC building is not.

We deplore this violence but we feel it must be viewed in the larger context of the daily burning of buildings, people, and property by our government in Vietnam, Laos, and now Cambodia.
Leadership must set the example if it is to persuade. There is only one course to follow if the people of this country - young and old - are to be convinced of the good faith of their leaders: The war must stop. The vendetta against the Black Panthers must stop. The Constitutional rights of all must be defended against any challenge, even from the Department of Justice itself. If Mr. Nixon continues his hunt, illegal course, the Congress must be called upon to impeach him.

"We call upon our public authorities to use their high offices to bring about greater understanding of the issues involved in and contribute to the burning of the ROTC building at Kent State University on Saturday, rather than to exploit this incident in a manner that can only inflame the public and increase the confusion among the members of the University community."

Signed by 23 concerned faculty, 
Kent State University, Sunday Afternoon, 
May 3, 1970

Several hundred copies of this unusual document were distributed in the various dormitories situated on the Kent State University campus during the late afternoon and early evening of May 3, 1970. The offices and faculties of the Dean for the Faculty Council, known as the Councilman, were made available to those persons who participated in its preparation. If the purpose of the authors was simply to express their resentment to the presence of the National Guard on campus, their timing could not have been worse. If their purpose was to further inflame an already tense situation, then it surely must have enjoyed some measure of success. In either case, their action exhibited an irresponsible act not clearly in the best interests of Kent State University. Although the 23 persons referred to at the close of the statement did not actually affix their signatures to the document, they, together with their additional party, did leave their signatures with the Dean for the Faculty Council as evidence of their authorship and approval.

It should be pointed out that at least 60 faculty members were invited to the meeting, but a majority apparently elected not to be associated with the product that resulted.

The conduct of these faculty members is in sharp contrast to those of the faculty who, through their efforts on May 4th, restored order and prevented further rioting after the shooting.

We find that the major responsibility for the incidents occurring on the Kent State University campus on May 2nd, 3rd, and 4th rests clearly with those persons who are charged with the administration of the University. To attempt to fix the sole blame for what happened during this period on the National Guard, the students or other participants would be incorrect. The evidence presented to us has established that Kent State University was in such a state of disrepair that it was totally incapable of re-adjusting to the situation in any effective manner. We believe that it resulted from policies formulated and carried out by the University over a period of several years, the more obvious of which will be commented on here.

The administration at Kent State University has fostered an attitude of laissez-faire, non-idealism, and permissiveness with its students and faculty to the extent that it can no longer regulate the activities of either and is particularly vulnerable to any pressure applied from radical elements within the student body or faculty. One example of this can be clearly seen in the delegation of disciplinary authority under a student conduct code which has proven totally ineffective. There has been no evidence presented to us which would indicate that college students are capable of devising their own curricula, participating in the selection of faculty, or setting the standards for their admission or dismissal from the University. Neither have we been convinced that the faculty is necessarily equipped to assume and successfully carry out responsibilities of a purely administrative character which for many years were considered to be totally outside the area of responsibility normally associated with the teaching faculty of our colleges and universities. In short, a segment of the student population and the faculty have demanded more and more control of the administrative functions of Kent State University. The administrative staff has constantly yielded to these demands to the extent that it no longer runs the University.

The student conduct code, as already indicated, has been a total failure. As a matter of policy, all criminal offenses uncovered by the University Police Department, except those which constitute felonies, were referred to judicial boards composed solely of students residing in the dormitory where the alleged offender resided. These students determined the guilt or innocence of the accused and prescribed the punishment. The end result has been, of course, that anywhere any final disposition has been made at all it has consisted of recommended counseling or some other meaningless sanction.

Offenses for which suspension or dismissal from the University could be imposed were heard by the Student Faculty Judiciary Council. Membership consists of two faculty members, two students, and a third member who shall be a Dean of the defendant's college or a faculty member designated by him. A total of only 5 students were dismissed for non-academic reasons during the academic year 1969-70 out of a total enrollment of more than 21,000.

A second example of where the University has obviously contributed to the crisis it now faces is the over-emphasis which it has placed and allowed to be placed on the right to dissent. Although we fully recognize that the right of dissent is a basic freedom to be cherished and protected, we do not agree that the role of the University should be to continually foster a climate in which dissent becomes the order of the day to the exclusion of all normal behavior and expression.
We receive the impression that there are some persons connected with the university who believe and openly advocate that one has a duty rather than a right to dissent from traditionally accepted behavior and institutions of government. This is evident in the administrative staff in providing a forum and available facilities for every radical group that comes along and the "speakers" that they bring to the campus. It is the policy of Kent State University to routinely grant official recognition to every group that makes application. The few conditions that have been imposed are meaningless and we have been unable to find a single instance where recognition has been refused. This is the procedure by which the students for a Democratic Society, Young Socialist Alliance, Bad Guard, Student Religious Liberals, and other groups who advocate violence and disruption were granted recognition. Provisional recognition is automatic upon filing. During the period that is required to process the application, the organization is permitted to use the use of University facilities that it has when fully recognized. No distinction is made between ordinary student organizations whose objectives are related to legitimate activities on campus and the politically active organizations whose objectives openly advocate revolution and anarchy. Once temporary or permanent recognition is granted the organization may sponsor speakers from off campus and have the use of University facilities and equipment for that purpose. It was in this manner that Jerry Rubin was brought to the campus in April, 1970, by the Student Religious Liberals. The inflammatory speech given by Mr. Rubin was so interspersed with vulgarity and obscenity that it could not be reported by the local news media.

A further example of what we consider an overemphasis on dissent can be found in the classrooms of some members of the University faculty. The faculty members to whom we refer teach nothing but the negative side of our institutions of government and refuse to acknowledge that any positive good has resulted during the growth of our nation. They devote their entire class periods to urging their students to openly oppose our institutions of government even to the point where one student who dared to defend the American flag was ridiculed by his professor before his classmates.

We do not mean to suggest that these faculty members represent a majority of the faculty at Kent State University. To the contrary, we suspect that they form a small minority of the total faculty, but this does not mean that their presence should be ignored.

The most discouraging aspect of the University's role in the incidents which have been the subject of our investigation is that the administrative leadership has totally failed to benefit from past events. The same contentious attitude toward the small minority bent on disrupting the University that existed last May is still present. On Wednesday, October 7, 1970, the Youth International Party, more commonly known as the "YIPPIES", applied for and were granted permission from the University to use its auditorium. The request for use of the University facilities was granted in the customary routine manner with no apparent interest in the purpose of the gathering. The meeting was later billed as a "Yippie Open Sound" and was attended by some 250 persons. The agenda consisted of several speakers who expounded in the usual obscene rhetoric with the customary demands to give Dr. Buck Scott, remove ROTC from campus, and to put an end to the liquor.

On Sunday night, October 11, 1970, two appearances were scheduled at the Memorial Gymnasium for a rock music group known as the "Jefferson Airplane." During the second performance and while the "Airplane" were doing their musical numbers, color slides were projected onto a screen behind the group consisting of psychedelic colored scenes of the Ohio National Guard on Kent State campus and scenes of the shooting on May 4th. complete with views of the bodies of the victims.

On October 12th the "YIPPIES" scheduled a meeting at the Auditorium which was supposed to begin in such a manner to relate to the activities of the Grand Jury. Again on October 14th, the same "YIPPIES" group scheduled a noon rally on the Campus. Neither of these events attracted more than a handful of spectators and this is to the credit of the student body. What disturbs us is that any such group of intellectual and social misfits should be afforded the opportunity to disrupt the affairs of a major university to the detriment of the vast majority of the students enrolled there.

CONCLUSION

The members of this Special Grand Jury find that the conditions that led to the May tragedy still exist. It is apparent that an apathetic university community has allowed a vocal minority to seize control of the entire campus. This will continue until such time as the entire university administration, faculty and students take a strong stand against the radical element bent on violence.

The time has come to detach from university those who persist in violent behavior. Expel the troublemakers without fear or favor. Evict from the campus those persons bent on disorder.

This Grand Jury has in this report been critical of Kent State University, but let no one assume that we do not consider the University a valued part of our community. It is our hope that out of this chaos will emerge order and purpose. It is our belief that Kent State University has the capacity to become a greater university in the future.

Respectfully submitted,

Robert R. Bissell, Foreman

October 16, 1970

There being no further business for said Special Grand Jury, they are recessed subject to the further order of Court.

Edwin W. Judson
Judge - Common Pleas Court
SAC, Cleveland (98-2140) 8/25/71

Director, FBI (98-46479)

ET AL.
SABOTAGE; SEDITION; DGP;
CIVIL RIGHTS ACT OF 1969;
INTERFERENCE WITH FEDERALLY PROTECTED
FACILITY

Furnish Bureau with communication concerning status of local prosecution involving 25 individuals 
indicted as a result of violence occurring 5/70 at Kent State University. No active investigation is to be conducted in this matter but requested information should be obtained through public source material and contact with established sources.

TJM:case (4)

NOTE:
The Cleveland Office conducted an extensive sabotage investigation concerning the burning of an ROTC Building at Kent State University 5/2/70. As a result, 9 individuals were identified as having reportedly engaged in acts in violation of several Federal statutes. The Department, after reviewing the reports, deferred prosecution in favor of local authorities. Subsequently, local grand jury indicted 25 individuals as a result of this action. Last information in file indicates that 20 of these individuals were arrested and 5 others were fugitives.

It is felt that this matter should be followed in the event local prosecution is dismissed, so that this matter could then be re-presented to the Department for an opinion regarding Federal prosecution. In view of the recent decision of the Department not to conduct additional inquiries concerning the shooting by the National Guard on the Kent State University campus 5/4/70, Cleveland is instructed to obtain the desired information in a manner not designed to initiate controversy or speculation.

MAIL ROOM    TELETYPRE UNIT
Memorandum

TO: DIRECTOR, FBI (88-46479)

DATE: 10/29/71

FROM: SAC, CLEVELAND (88-2140) (P*)

SUBJECT: ARTHUR SCOTT BARNHARDT ET AL
SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DGP

OO: Cleveland

Enclosed herewith for the Bureau are eight (8) copies of an LHM concerning developments in the local prosecution regarding captioned matter.

The Cleveland office is placing this matter in a Pending Inactive status and will continue to follow local prosecution and report any significant developments.

ENCLOSURE

2 - Bureau (Enc. 8)
2 - Cleveland

VNC: ham
(4)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
On October 20, 1971, Kent State University (KSU), Kent, Ohio, advised that the trials of the 25 individuals who were indicted by the Special Portage County Grand Jury for their alleged participation in the May, 1970, disruptions at KSU have been postponed indefinitely pending appeals on behalf of those indicted and on behalf of the prosecution for the Grand Jury.

The October 22, 1971, edition of the Akron Beacon Journal, a daily newspaper of general distribution in the Akron, Ohio, area, reported that the U.S. Sixth Circuit Court of Appeals, Cincinnati, Ohio, dismissed a second appeal by Ravenna attorney, SEABURY FORD, a special prosecutor for the Grand Jury, "to let the controversial Kent State University grand jury report stand." This article went on to advise that "the court also confirmed a lower court decision which upheld grand jury indictments against 25 persons in the KSU tragedy. The appellate court also reserved a lower court decision which had ruled a "rare rule" imposed on persons connected with the grand jury unconstitutional.

A second article appearing in the aforementioned edition of the Akron Beacon Journal reported that Cleveland, Ohio, attorney, GERALD NISSERMAN had indicated that decisions by the U.S. Sixth Circuit Court of Appeals paved the way for U.S. District Court Judge WILLIAM K. THOMAS, Cleveland, Ohio, to carry out his January 28, 1971, ruling ordering the controversial Portage County Grand Jury report to be destroyed. This article went on to advise that to complicate matters
further, appeals have been pending in both Federal and State Courts. The article indicated that MESSERMAN, representing 32 KSU faculty members, was pursuing his appeals through the Ohio State Courts, while attorneys, DAVID SCRIBNER, of New York, and BENJAMIN SHEEREF, of Cleveland, were representing a group of KSU students and had appealed to the Federal Courts. According to the article, these groups were originally joined together, but that they split on January 28, 1971, when Judge THOMAS ruled out the grand jury report and allowed the indictments against the 25 persons to stand. "Judge THOMAS said the report which exonerated National Guardsmen and blamed the KSU uprising on the university faculty and administration, made fair trials for the 25 impossible and violated free speech" this article further reported.

In a separate article appearing in the Akron Beacon Journal on October 20, 1971, it was reported that aides to the Ohio Attorney General were in Ravenna, Ohio, on October 18 and October 19 interviewing those who might testify for the prosecution in the cases of the 25 persons indicted. According to this article, Ohio Attorney General WILLIAM BROWN is concerned about the trials starting before 1972 because "State law requires that a person be brought to trial within three court terms after he is indicted." The third court term since the indictments were returned on October 5, 1970, will end on December 31, 1971. The article went on to indicate that "there has never been a ruling on whether the three-term requirement is waived while appeals are pending."

Advised that the situation involving the prosecution of the 25 persons indicted by the Portage County Grand Jury is further complicated by the fact that KSU students are petitioning for a Federal Grand Jury regarding the May, 1970, violence.
An article appearing in the October 21, 1971, edition of the Akron Beacon Journal reported that KSU students, GREG RAMBO and PAUL KEANE, accompanied by KSU President Dr. GLENN A. OLDS, were in Washington, D.C. to present a petition to the White House asking for a Federal Grand Jury investigation. This article said that the aforementioned individuals met with Presidential Aide LEONARD GARMENT, "who promised to solicit a response from President NIXON within a month." It also stated that these individuals were attempting to arrange a meeting with Justice Department officials. According to the article, "more than 10,380 KSU students, faculty, and local residents signed the petition." It stated that "the petition charges there is a 'discrepancy' between Attorney General JOHN MITCHELL's decision of August 13 that there is 'insufficient evidence' to warrant a Federal Grand Jury probe and the FBI's report that the shooting was 'unjustified.'" The article further indicated that the aforementioned individuals were being assisted in Washington by Senator EDWARD KENNEDY, who was attempting to arrange a meeting for the students with Justice Department officials, and being assisted by Senator GEORGE MC GOVERN, who had arranged for a press conference for the students.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency and its contents are not to be distributed outside your agency.
FEDERAL BUREAU OF INVESTIGATION

KENT STATE SHOOTING

PART 8 OF 8

FILE NUMBER: 98-46479
TO SACs BUFFALO (98-1235)  
CLEVELAND (98-2140)  

FROM DIRECTOR FBI (98-46479)  

SUBJECT: SABOTAGE; SEDITION; DESTRUCTION  
OF GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF NINETEEN SIXTY-EIGHT  
INTERFERENCE WITH FEDERALLY PROTECTED FACILITY  

RECVTEl NOVEMBER TWENTY-EIGHT, LAST.  

THIS IS TO CONFIRM BUREAU TELEPHONE CALLS, THIS DATE, FROM  
SA ___________ TO SA ___________ CLEVELAND, AND SA ___________  
BUFFALO, NOTIFYING OF DEPARTMENT AUTHORIZATION FOR SA ___________  
BUFFALO, TO APPEAR AT PORTAGE COUNTY COURTHOUSE, RAVENA,  
OHIO, NOVEMBER THIRTY, NEXT, FOR PURPOSE OF TESTIFYING  
AT LOCAL PROCEEDINGS IN CAPTIONED MATTER. BUFFALO CONTACT CLEVELAND  
TO INSURE NECESSARY ARRANGEMENTS FOR ABOVE TRAVEL AND PRESENTATION  
OF NECESSARY DOCUMENTS ARE EFFECTED. SHOULD AGENT ___________ NOT BE  
ABLE TO APPEAR AS DIRECTED, NOTIFY DOMESTIC INTELLIGENCE DIVISION OF  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION  

TJM: cae  
(4)  
REC. 28  

NOTE:  

Captained matter relates to Bureau investigation of  
destruction of ROTC Building, Kent State University, Kent, Ohio  
5/2/70. Concurrently, Bureau also conducted investigation of  
incident involving killing of four students at Kent State Univer  
5/4/70, by members of Ohio National Guard. Department did not  
authorize Federal prosecution in either of the above matters, but  
defered action pending prosecution by local or State authoriti  
As result of local grand jury action, 25 individuals were indic  
for their participation in activities occurring on Kent State  
University campus, 5/1-4/70. Trial of first defendant began in  
local court 11/22/70. Local authorities had requested of  

NOTE CONTINUED PAGE TWO
NOTE CONTINUED:

Department appearance of SA [redacted] to testify in local proceedings in captioned matter 11/30/71. Evening of 11/29/71, Department Attorney Robert A. Murphy advised that such authorization has been granted. A letter to the Department confirming above authorization is being prepared.
Memorandum

TO: Mr. E. S. Willard

FROM: R. L. Shackelford

SUBJECT: SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY

DATE: 11/23/71

PURPOSE:

To advise that trials of 25 individuals indicted by local grand jury for violations occurring out of violent activities on campus of Kent State University (KSU), 5/1-4/70, commenced 11/22/71, and to recommend that Cleveland submit weekly summary airtel reports of developments.

DETAILS:

Captioned matter relates to sabotage investigation of destruction of Reserve Officers' Training Corps (ROTC) Building at KSU, Kent, Ohio, 5/2/70. As a result of this Bureau's investigation, nine individuals were identified as having reportedly engaged in acts in violation of several Federal statutes.

Concurrent with the above, this Bureau also conducted an extensive investigation of the incident involving the killing of four students at KSU, 5/4/70, by members of the Ohio National Guard.

The Department of Justice did not authorize Federal prosecution in either of the above matters, but deferred action pending prosecution by local or State authorities. The Department made available to local authorities results of investigation conducted by the FBI.

As a result of local grand jury action, 25 individuals were indicted 10/16/70, for their participation in activities occurring on the KSU campus 5/1-4/70. Five of these individuals are subjects of the above ROTC Sabotage investigation. We have

Enclosure

98-46479
1 - 44-45339

12 NOV 31 1971

CONTINUED OVER
Memorandum to Mr. E. S. Miller  
Re: [Redacted]  
98-46479

been following local action in this matter in the event local prosecution was dismissed, consideration would then be given to representing facts to the Department for an opinion regarding Federal prosecution.

Available information indicates that State officials intend to try each of the 25 defendants separately. Trial against the first defendant began 11/22/71. A crowd of approximately 25 individuals, some affiliated with the SDS, gathered outside the courthouse to protest the trial. No incidents or arrests occurred. It is expected protest activity will occur on a daily basis; however, no information has been received indicating acts of violence are planned.

In view of our interest in current local proceedings as stated above, there is attached an airtel to the Cleveland Office instructing that these proceedings be followed through sources and a weekly summary airtel be furnished the Bureau commencing 11/29/71. Information having a bearing upon operation of the FBI or that which is determined to be of national import, should, however, be furnished the Bureau by the most expeditious means deemed necessary.

RECOMMENDATION:

That the attached airtel be approved and sent.
NR 001 CV CODE
5:00 PM WITEL 11-28-71 SLO
TO DIRECTOR 98-46479
BUFFALO 98-1235
FROM CLEVELAND 98-2148

ET AL. SABOTAGE; SEDITION; DESTRUCTION OF
GOVERNMENT PROPERTY; CIVIL RIGHTS ACT OF NINETEEN SIXTY-EIGHT --
INTERFERENCE WITH FEDERALLY PROTECTED FACILITY, DOJ CLEVELAND.

FOR INFORMATION OF BUREAU AND BUFFALO, PORTAGE CO., OHIO
AUTHORITIES, RAVENNA, OHIO, CURRENTLY BRINGING TO TRIAL APPROXIMATELY
TWENTY-FIVE INDIVIDUALS ON VARIOUS STATE CHARGES ARISING OUT OF
DISTURBANCES AT KENT STATE UNIVERSITY (KSU) KENT, OHIO, DURING MAY TWO
DASH FOUR, SEVENTY.

TRIAL OF PETER CHARLES BLIEK, THIRTY FOUR HIGHWOOD RD., ROCHESTER,
N.Y. COMMENCES NOV. TWENTY-NINE NEXT IN PORTAGE CO., OHIO, PROBABLY ON
LOCAL ARSON CHARGES, AND JAMES D. PRICKM, JR. SPECIAL ATTORNEY AND
ASSISTANT TO ATTORNEY GENERAL, STATE OF OHIO HAS REQUESTED THE PRESENCE
END PAGE ONE

REC-1898-46477 - 114
12 DEG. 2, 1971

DEC 6-1971

F.38
CV 98-2149
PAGE TWO

OF SA ________, BUFFALO OFFICE, AT PORTAGE COUNTY COURTHOUSE, RAVENNA, OHIO, ALONG WITH ORIGINAL FD THREE - TWO - ZERO AND EXECUTED
WAIVER OF RIGHTS FROM BELIEVED EXECUTED BY BLEIK DURING INTERVIEW BY BUAGENTS DURING MAY TWENTYSIX, SEVENTY. SA ________, EXPECTED TO TESTIFY RE INTERVIEW OF BLEIK AND ANY STATEMENT RE CLOTHING BLEIK MAY HAVE BEEN WEARING ON THE NIGHT OF THE BURNING OF THE KSU ROTC BUILDING ON THE EVENING OF MAY TWO, SEVENTY.


IN THE EVENT THE DEPARTMENT APPROVES THE APPEARANCE OF SA ________ TO TESTIFY IN LOCAL COURT, THE BUREAU IS REQUESTED TO EXPEDITIOUSLY ADVISE BUFFALO OFFICE OF SAME.

END

REM FBI WASH DC CLR

MR. BATZ
INFORMATIVE NOTE

Page: 11/29/71

Attached report presence of Special Agent [redacted] Buffalo Office, has been requested at Portage County Courthouse, Ravenna, Ohio, on 11/29/71 in connection with trial of one of about 25 individuals being brought to trial on various state charges arising out of disturbances at Kent State University (KSU), Kent, Ohio, in May 1970. Request made by Special Attorney and Assistant to Ohio Attorney General, who also requested waiver of rights form executed by defendant and FD-302 (information that may become testimony) be made available. Special Agent [redacted] would be expected to testify regarding interview of defendant and any statement regarding clothing defendant may have been wearing on night KSU Reserve Officers Training Corps building was burned.

SAC, Cleveland, advised requesting Attorney that this request should be forwarded through the Department in accordance with previously-established procedure. Domestic Intelligence Division agrees with SAC, Cleveland, regarding this procedure. Following Department's consideration of the request you will be advised and appropriate reply will be furnished Cleveland Office.

HEM: kah
December 1, 1971

Assistant Attorney General
Civil Rights Division
Director, FBI

SABOTAGE; SEDITION; DESTRUCTION OF
GOVERNMENT PROPERTY; CIVIL RIGHTS

This is to confirm telephone call November 29, 1971,
from Acting Chief Robert A. Murphy, Criminal Section, Civil
Rights Division, to Special Agent [redacted] of this
Bureau authorizing Special Agent [redacted] of our
Buffalo Office to appear at Portage County Courthouse, Ravenna,
Ohio, November 30, 1971, to testify at local proceedings
concerning violent activities which occurred at Kent State
University, Kent, Ohio, May 1 - 4, 1970. Such authorization
included possible introduction into evidence, by Special Agent
[redacted], the executed Waiver of Rights and form FD-302
containing results of interview by Bureau Agents with Charles
Blick, one of the individuals being tried on local charges in
this matter.

For your information, Special Agent [redacted], upon
receipt of the above telephone call, was promptly instructed to
appear as directed above.

98-46479
DEC 1 - 1971
REC-89

TJM: cae (5) DEC 2, 1971

NOTE:
Captioned matter relates to Bureau investigation of
destruction of ROTC Building, Kent State University (KSU), Kent,
Ohio, 5/2/70. Concurrently, Bureau also conducted investigation
of incident involving killing of four students at KSU, 5/4/70, by
members of Ohio National Guard. Department did not authorize
Federal prosecution in either of the above matters, but deferred
action pending prosecution by local or State authorities. As a
result of local grand jury action, 25 individuals were indicted
for their participation in activities occurring on KSU campus
5/1-4/70. Each subject is to be given separate trial, with trial
of first defendant having begun 11/22/71, results not yet known.
Charles Blick is second defendant to be tried. Above telephone
call from Department Attorney Murphy was received 4:30 p.m.,
11/29/71. Both Cleveland and Buffalo were telephonically notified
of above prior to 5:15 p.m., 11/29/71, and a confirming nitel
sent to those offices that same evening.
NR 002 CV CODE
9:40 PM URGENT 11/22/71 RJB
TO DIRECTOR
FROM CLEVELAND (98-2140) 2P

DGP CIVIL RIGHTS ACT OF SIXTYNINE, INTERFERENCE WITH FEDERALLY PROTECTED FACILITY.

TRIALS BEGAN IN PORIAGE CIV, COMMON PLEAS COURT, RAVENNA, O., THIS DATE AGAINST FIRST OF THE KENT TWENTYFIVE DEFENDANTS.

SEPERATE TRIALS ARE TO BE AFFORDED EACH DEFENDENT AND JERRY RUPE IS THE FIRST TO STAND TRIAL. FIRST DAY WAS DEVOTED TO SELECTION OF JURY.

APPROX TWENTYFIVE INDIVIDUALS, SOME OF WHOM ARE CURRENTLY AFFILIATED WITH SDS, GATHERED OUTSIDE COURTHOUSE AT ABOUT ONE PM TO PROTEST THE TRIALS. THERE WERE NO INCIDENTS REGARDING ARRESTS AND THE PROTESTORS DISPERSSED IN ABOUT AN HOUR.

THE FOLLOWING INDIVIDUALS WERE OBSERVED IN THE GROUP:
NORM CAULFIELD, WILLIAM ARTHRELL, JEFF BEUTLER, TOM GRACE, TONY WALSH, WILLIAM WHITTAKER, JERRY PERSKY, JOBY ZALER, GREGG RAMBO, PAUL KEEN, DEBBIE SHYROK, BOBBY FRANKLIN.

END PAGE ONE

55 DEC 9 1971
HOWARD ALLISON, AN ATTORNEY FOR KENT TWENTYFIVE WAS
ALSO OBSERVED IN THE GROUP.

ON NOV. TWENTY, LAST, PORTAGE CTY COMMON PLEAS COURT
ISSUED ORDER BANNING ANY DEMONSTRATIONS NEAR THE COURTHOUSE
WHICH WOULD INTERFER WITH THE ADMINISTRATION OF JUSTICE.
HOWEVER, NO ACTION WAS TAKEN AGAINST THE ABOVE INDIVIDUALS
IN CONNECTION WITH THE COURT ORDER.

INDICATED HE EXPECTS PROTEST ACTIVITY ON A DAILY BASIS
DURING THE TRIALS BUT HAS NO INFO INDICATING THAT ANY ACTS
OF VIOLENCE ARE PLANNED.

LOCAL AUTHORITIES IN PORTAGE CTY ARE COGNIZANT OF ABOVE.

ADMINISTRATIVE

IN THE ABSENCE OF ANY VIOLENCE NO LHM BEING SUBMITTED
RE THE ABOVE. HOWEVER, CLEVELAND OFFICE WILL CONTINUE TO
FOLLOW PROSECUTION AND KEEP BUREAU ADVISED ON A TIMELY BASIS.

END

REW FBI WASH DC

CC-MR. DATES
TO SAC CLEVELAND (98-2140)
FROM DIRECTOR FBI (98-46479)

ET AL; SABOTAGE, SEDITION, DGP,
CIVIL RIGHTS.

K. WILLIAM O'CONNOR, DEPUTY ASSISTANT ATTORNEY GENERAL,
CIVIL RIGHTS DIVISION, U.S. DEPARTMENT OF JUSTICE, ADVISED
DEPARTMENT HAS RECEIVED REQUEST FROM MICHAEL R. SZOLOSI,
SPECIAL ASSISTANT ATTORNEY GENERAL, STATE OF OHIO, FOR BUREAU
AGENTS TO TESTIFY AT LOCAL PROCEEDINGS IN CAPTIONED MATTER.
O'CONNOR AUTHORIZED THE FOLLOWING: REGARDING TRIAL OF
DOUGLAS CORMAK, SPECIAL AGENT SHOULD APPEAR AT
PORTAGE COUNTY COURTHOUSE, RAVENNA, OHIO, MONDAY, DECEMBER SIX,
NEXT, AT EIGHT THIRTY A.M. WHERE HE SHOULD CONSULT WITH STATE
SPECIAL COUNSEL JOHN HAYWOOD; REGARDING THE TRIAL OF MARY
NICHOLAS, SPECIAL AGENTS AND SHOULD BE AVAILABLE FOR A TELEPHONE CALL MONDAY MORNING (TIME
NOT SPECIFIED), DECEMBER SIX, NEXT, FROM STATE SPECIAL COUNSEL
JAMES D. PRIMM AND BE PREPARED TO POSSIBLY TESTIFY PORTAGE
COURTHOUSE, TUESDAY, DECEMBER SEVEN, NEXT. SHOULD ABOVE

SEE NOTE PAGE TWO
TELETYPE TO CLEVELAND
RE: ARTHUR SCOTT BARNHARDT, ET AL.
98-40470

AGENTS NOT BE ABLE TO COMPLY WITH ABOVE INSTRUCTIONS, NOTIFY
DOMESTIC INTELLIGENCE DIVISION OF REASONS THEREFOR BY MOST
EXPEDITIOUS MEANS. MR. O'CONNOR ALSO AUTHORIZED YOUR CONTACTING
LOCAL USA TO REQUEST REPRESENTATIVE OF THAT OFFICE TO BE PRESENT
AT LOCAL PROCEEDINGS TO PROTECT INTERESTS OF AGENTS AND BUREAU.

NOTE:

Captioned matter relates to Bureau investigation of
destruction of ROTC Building, Kent State University (KSU),
Kent, Ohio, May 2, 1970. Concurrently Bureau also conducted
investigation of incident involving killing of four students
at KSU, May 4, 1970, by members of Ohio National Guard.
Department did not authorize Federal prosecution in either
of the above matters, but deferred action pending prosecution
by local authorities. Local grand jury indicted 25 individuals
for their participation in activities occurring on KSU campus
May 1-4, 1970. Two of above indicted individuals have been
tried this past week with one individual being found guilty
on one charge and the second individual acquitted. Department
previously authorized testimony of one Agent at one of the
above trials. Department authorization mentioned in this
Teletype was received by Special Agent
General Investigative Division. A letter to the Department
confirming above authorization is being prepared.
RE BUREAU AIRTEL TO CLEVELAND, NOV. TWENTYFOUR, SEVENTYONE.

JERRY RUPE, FIRST DEFENDENT OF KENT TWENTYFIVE ON TRIAL IN COMMON PLEAS COURT, RAVENNA, OHIO, WAS FOUND GUILTY THIS DATE ON CHARGE OF INTERFERRING WITH FIREMEN. OTHER THREE CHARGES AGAINST RUPE WERE DISMISSED DUE TO HUNG JURY.

CHARGES AGAINST SECOND DEFENDENT ON TRIAL, PETER CHARLES BLIEK, WERE DISMISSED BY JUDGE WHEN STATE WITNESS FAILED TO POSITIVELY IDENTIFY BLIEK.

SA BUFFALO DIVISION, WHO WAS SUBPOENAAED IN BLIEK TRIAL, DID NOT TESTIFY DUE TO DISMISSAL OF CHARGES.

NO ANNOUNCEMENT HAS BEEN MADE AS TO SCHEDULING OF ADDITIONAL TRIALS.

CLEVELAND WILL CONTINUE TO FOLLOW AND KEEP BUREAU ADVISED.

END

TIJ FBI WASH DC CLR  
c. Mr. Bates
727 PM URGENT 12/7/71 RJB
TO DIRECTOR (98-46479)
FROM CLEVELAND (98-2140) 2P

ET AL. SABOTAGE. SEDITION.
DESTRUCTION OF GOVERNMENT PROPERTY. CIVIL RIGHTS - FEDERALLY
PROTECTED ACTIVITY. OO: CLEVELAND.

A CONFIDENTIAL SOURCE WHO HAS FURNISHED RELIABLE
INFORMATION IN THE PAST, ADVISED THIS DATE THAT SDS GROUP AT
KENT STATE UNIVERSITY (KSU) IS ORGANIZING DEMONSTRATION TO
PROTEST TRIALS OF KENT TWENTYFIVE ON DECEMBER EIGHT, NEXT.
SDS INTENDS TO HOLD RALLY ON KSU CAMPUS AT NOON AND THEN
PROCEED TO RAVENNA, OHIO, TO PROTEST OUTSIDE THE COURTHOUSE.
ACCORDING TO A SECOND SOURCE, WHO HAS FURNISHED RELIABLE
INFORMATION IN THE PAST, TWENTY SDS MEMBERS ARE INVOLVED IN
PLANNING THE DEMONSTRATION. HOWEVER, THEY HOPE TO OBTAIN
ABOUT TWO HUNDRED SYMPATHIZERS FROM THE KSU STUDENT BODY.
AFOREMENTIONED SOURCES ARE NOT AWARE OF ANY PLANS TO
UTILIZE VIOLENT TACTICS.

END PAGE ONE
LOCAL LAW ENFORCEMENT AGENCIES ARE COGNIZANT OF THE
ABOVE.

ADMINISTRATIVE.

RE CLEVELAND AIRTEL TO BUREAU DECEMBER THIRTEENTH, LAST.

CLEVELAND WILL CONTINUE TO FOLLOW AND KEEP BUREAU ADVISED.

END

c-M. Bates
This is to confirm telephone call December 3, 1971, from Deputy Assistant Attorney General F. William O'Connor, Civil Rights Division, to Special Agent of this Bureau, authorizing the appearance of Special Agents of our Cleveland Office, at Portage County Courthouse, Ravenna, Ohio, December 6 – 7, 1971, to testify at local proceedings concerning violent activities which occurred at Kent State University, Kent, Ohio, May 1 – 4, 1970.

For your information, upon receipt of the above telephone call, instructions were forwarded to our Cleveland Office instructing the above Special Agents to appear as indicated.

98-46479

TJM:cae
(10) CAE

NOTE:

See memorandum R. L. Shackleford to Mr. E. S. Miller, captioned as above, dated 12/6/71, prepared by TJM:cae.
Memorandum to Mr. E. S. Miller  
Re: Arthur Scott Barnhardt  
98-46479

Agents would testify to results of interviews they conducted with defendants Cormak and Nicholas during above-mentioned Bureau investigation of destruction of ROTC Building.

Cleveland Office was advised of information received from Mr. O'Connor by urgent teletype dated 12/3/71. Cleveland has been instructed to keep the Bureau fully advised of pertinent developments.

Attached is a letter to the Assistant Attorney General, Civil Rights Division, confirming above instructions received from Deputy Assistant Attorney General V. William O'Connor.

RECOMMENDATION:

That the attached letter to Assistant Attorney General, Civil Rights Division, be approved and sent.
Memorandum

TO: Mr. E. S. Miller

FROM: R. L. Shackelford

SUBJECT: SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS

PURPOSE:

To advise that Department has authorized three Special Agents of the Cleveland Office to testify at local proceedings in captioned matter on 12/6-7/71.

DETAILS:

Captioned matter relates to this Bureau's investigation of destruction of ROTC Building, Kent State University (KSU), Kent, Ohio, 5/2/70. Concurrently, this Bureau also conducted investigation of incident involving killing of four KSU students 5/4/70, by members of Ohio National Guard. Department did not authorize prosecution in either of the above matters, but deferred in favor of local prosecution.

As a result of local grand jury action, 25 individuals were indicted for their participation in activities occurring on KSU campus 5/1-4/70. Each subject is to be given separate trial. The first two defendants have recently been tried, with one being found guilty on one count, with the second being acquitted.

Department authorized appearance of one Agent at one of the above trials for purpose of offering testimony.

On 12/3/71, Deputy Assistant Attorney General William O'Connor, Civil Rights Division, telephonically advised Special Agent General Investigative Division, that he had received request from Michael R. Szolosi, Special Assistant Attorney General, State of Ohio, for Bureau Agents to testify at local proceedings in forthcoming trial of defendants Douglas, Connah and Mary Nicholas. Mr. O'Connor authorized the appearance of Special Agent at Portage County Courthouse, Ravenna, Ohio, 12/7/71. He also authorized consultation of Special Agents with local prosecutor Monday morning 12/6/71, in preparation for possible testimony 12/7/71.

Enclosure

CONTINUED - OVER
730PM URGENT 12/7/71 RJB
TO DIRECTOR (98-46479)
FROM CLEVELAND (98-2140) 2P

ET AL. SABOTAGE, SEDITION

SOP. CIVIL RIGHTS.

CHARGES AGAINST MARY HELEN NICHOLAS, KENT TWENTYFIVE
DEFENDANT ON TRIAL IN COMMON PLEAS COURT, RAVENNA, OHIO, WERE
DISMISSED DURING HER TRIAL THIS DATE.

STATE PROSECUTOR SUBSEQUENTLY REQUESTED THAT CHARGES
BE DISMISSED AGAINST ALL REMAINING KENT TWENTYFIVE DEFENDANTS
AND TRIAL JUDGE IS TAKING THE MOTION UNDER ADVISEMENT.

CONFIDENTIAL SOURCES WHO HAVE FURNISHED RELIABLE
INFORMATION IN THE PAST ADVISED THAT THE SDS DEMONSTRATION
SCHEDULED FOR DECEMBER EIGHT, NEXT, MAY BE CANCELLED DUE TO
THE ABOVE.

END PAGE ONE
ADMINISTRATIVE.

BE CLEVELAND TEL TO BUREAU THIS DATE.

CLEVELAND WILL CONTINUE TO FOLLOW AND KEEP BUREAU ADVISED.

P

END

cc: M. Bates
TO: DIRECTOR, FBI (98-46479)
FROM: SAC, CLEVELAND (98-2140) (P)
RE: ET AL
SABOTAGE; SEDITION;
DESTRUCTION OF GOVERNMENT
PROPERTY;
CIVIL RIGHTS -
FEDERALLY PROTECTED ACTIVITY

OO: CV

Re Buairtel to CV, 11/24/71.

SUMMARY AIRTEL

Three of the 25 individuals indicted by the Portage
County Special Grand Jury which investigated the campus
disruptions at Kent State University (KSU), Kent, Ohio,
during May, 1970, have been tried in Common Pleas Court,
Cleveland, Ohio.

On 11/30/71, the first individual to be tried,
JERRY RUPE, was found guilty of interfering with a fireman,
which is a misdemeanor. RUPE had also been charged with arson,
striking a fireman and first degree riot. However, the jury
could not reach a decision on those charges.
Also on 11/30/71, charges were dismissed against the second defendant, PETER CHARLES BIEK, by the Judge, when a witness for the State of Ohio failed to positively identify BIEK, and a special state prosecutor requested that the charge be dropped. BIEK had been charged with burning an uninhabited building and first degree riot.

On 12/1/71, LARRY SHUB, the third defendant, entered a plea of guilty to first degree riot. SHUB had also been charged with attempted arson and second degree riot. State prosecutors indicate that the latter charges will probably be dismissed.

The next trials are scheduled to begin on 12/6/71; they will involve MARY HELEN NICHOLAS, who is charged with interfering with a fireman, and RICHARD C. FELBER, who is charged with first degree riot, attempted arson, assault and striking a fireman. The trial of DOUGLAS CORMACK was also scheduled for next week. However, CORMACK's attorney, DAVID SCRIBNER, filed an affidavit of prejudice charging that Judge ALBERT CARIS would not be able to provide a fair trial. A decision on whether Judge CARIS can hear the case will be decided by the Ohio Supreme Court.

During the week of 11/29/71 through 12/3/71, no attempts were made by dissident groups to disrupt the court proceedings.

LEAD

CLEVELAND:

AT KENT, OHIO

Will continue to follow the prosecutions and keep the Bureau advised.
FBI

Date: 11/26/71

TO: DIRECTOR, FBI (93-46479)

FROM: SAC, CLEVELAND (98-2140) (P*)

RE: SABOTAGE; SEDITION; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY; DGP

OO: Cleveland

Rec Cleveland teletype to Bureau, 11/22/71; and Cleveland airtel and LIM to Bureau, 10/9/71.

Enclosed herewith for the Bureau are eight (8) copies of an LIM concerning developments in the local prosecution regarding captioned matter.

The Cleveland Office will submit a weekly airtel summary regarding local prosecution in this matter. However, Cleveland will continue to immediately notify the Bureau of any unusual developments.

[Other details redacted]
An article appearing in the November 13, 1971, edition of the Akron Beacon Journal, a newspaper of general distribution in the Akron, Ohio, area, reported that the Spokesman from the White House Press Office had advised that the Justice Department is studying the advisability of initiating a Federal Grand Jury in connection with captioned matter and that the White House would have nothing to say about it until the Justice Department reports back to the President.

Trials for the 25 individuals indicted by the Portage County Grand Jury in connection with the May, 1970, campus violence at Kent State University (KSU), Kent, Ohio, began in Common Pleas Court, Ravenna, Ohio, on November 22, 1971. Separate trials are to be afforded each defendant, with JERRY RUPE the first to stand trial. RUPE is being charged with arson, striking a fireman, interfering with a fireman and first degree riot in the burning of the campus ROTC building on the KSU campus on May 2, 1970. Jury selection for this trial took place on November 21 and 22, 1971.

On November 22 and 23, 1971, approximately 25 persons, some of whom are currently affiliated with the Students for a Democratic Society (SDS), gathered outside
the courthouse in Ravenna, Ohio, at about 1:00 PM to protest the trial. These individuals were peaceful and there were no incidents or arrests. The protesters dispersed after about an hour, and some of them entered the courtroom where they peacefully observed the proceedings.

STUDENTS FOR A DEMOCRATIC SOCIETY (SDS)

Students for a Democratic Society (SDS) was founded during June, 1962, at Fort Huron, Michigan, and in the 1960's functioned as the leading New Left campus-based student organization in the United States. From a stance of "participatory democracy," the SDS moved to a radical-revolutionary position. It maintained a national office at 1608 West Madison Street, Chicago, Illinois, until February, 1970. Internal factionalism during 1969 produced three main factions: Weatherman, Revolutionary Youth Movement (RYM) and Worker Student Alliance (WSA). The Weatherman and RYM no longer consider themselves associated with the SDS. The WSA faction continues to use the name SDS.

The following individuals were observed in the group of protesters:

BosS, CANFIELD
WILLIAM ANTHREE (Anth/or)
JEFF BUTLER
TOM CRANE
WILLIAM WHITTAKER
JERRY PERSKY
JODY ZALEK
BOBBY FRANKLIN

Also observed was Kent, Ohio, attorney HOWARD ALLISON, who is employed as one of the lawyers for the "Kent 26." According to.
Department, ALLISON advised the protestors to maintain a peaceful assembly, but told them he was there to represent any who might be arrested for unlawful assembly.

An article appearing in the November 23, 1971, edition of the Akron Beacon Journal reported that PAUL KEANE, who along with GREG RAMBO, forwarded to President NIXON a petition containing over 10,000 signatures asking for a Federal Grand Jury probe of the KSU violence, was present in Ravenna on November 22, 1971, to protest the local prosecution of the "Kent 25." The article quoted KEANE as saying that "The taxpayers of Ohio don't want to pay for a mockery of justice. The taxpayer ought to insist the trials stop." This article also reported that KEANE was critical of other protestors who chanted, "Ho, Ho, Ho Chi-Minh" and "Seig Heil, Judge JONES." KEANE maintained that such action would divide, not unify, the citizenry.

On November 20, 1971, Judge ERWIN JONES, who is presiding over the trials of the "Kent 25," issued an order which established the rules of conduct for the trials and, among other things, prohibits any demonstrations near the courthouse which would interfere with the administration of justice.

On November 22, 1971, the protestors at the courthouse were organized by the SDS group from KSU and that he anticipated that they would continue to picket the trials for an indefinite period. He added, however, that he possessed no information indicating that this group intends any acts of violence or intends to disrupt the court proceedings.

On November 24, 1971, advised that the court would recess for Thanksgiving, November 25, 1971, and would not convene again until Monday, November 29, 1971.
To advise that after local court trials involving 5 of 25 individuals indicted in connection with the 1970 disorders at Kent State University (KSU), local authorities have requested court permission to dismiss charges against remaining 20 defendants.

**DETAILS:**

Captioned matter relates to this Bureau's investigation of destruction of ROTC Building, KSU, Kent, Ohio, 5/2/70. Concurrently, this Bureau also conducted investigation of incident involving killing of 4 KSU students 5/4/70 by members of Ohio National Guard. Department did not authorize prosecution in either of the above matters, but deferred in favor of local prosecution.

As a result of local grand jury action, 25 individuals were indicted for their participation in activities occurring on KSU campus 5/1-4/70. Each subject was to be given a separate trial. First trial began 11/22/71. Since that time, 5 individuals have been tried. One, Jerry Rupe, was convicted for interfering with firemen; two, Larry Shub and Thomas Fogle, pleaded guilty to first degree riot; and two, Mary Nicholas and Peter Blik, have been acquitted.

On 12/7/71, Special State Prosecutor, State of Ohio, admitting he lacked sufficient evidence to proceed, requested court permission to dismiss all charges against the remaining 20 defendants that had been indicted by local grand jury. Two local Judges hearing these cases stated they could not dismiss the charges until the Ohio Supreme Court had ruled on Affidavits of Prejudice, filed against them by one of the defense attorneys.
Memorandum to Mr. E. S. Miller
Re: [Redacted]
98-46179

The Ohio Chief Justice has stated that he could not dismiss the affidavits without a formal request to do so from the defense attorney. It is expected that these local technicalities will be cleared up shortly and that a dismissal order will be forthcoming.

ACTION:

None. Above submitted for information. You will be kept advised.

TJM

EM JAS/TSS

R
TO: DIRECTOR, FBI (98-46479)

FROM: SAC, CLEVELAND (98-2140) (P)

SUBJECT: SABOTAGE; SEDITION; DGP; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY SUMMARY AIRTEL

OO: Cleveland

Re Bureau airtel, 11/24/71.

On 12/6/71, THOMAS FOGLESONG, Kent 25 Defendant entered a plea of guilty in Common Pleas Court, Ravenna, Ohio, on charge of first degree riot in connection with May, 1970, disturbances at Kent State University (KSU). FOGLESONG had also been indicted for interfering with a fireman. Sentencing of FOGLESONG on the riot charge was deferred.

On 12/7/71, charges against Kent 25 defendant, MARY HELEN NICHOLAS were dismissed during the trial proceedings.

Subsequently, on 12/7/71, the prosecution for the State of Ohio filed a motion to dismiss charges against all remaining defendants. The judge took the motion under advisement, indicating that he would favorably consider the motion if attorneys for defense would withdraw previous charges of prejudice against common pleas judges handling the trial.

REC-102.55 - 12/27 - 1971

20 DEC 15 1971

2 - Bureau
4 - Cleveland
(1-100 NICHOLAS)
(1-100 FOGLESONG)

Approved: SPECIAL AGENT IN CHARGE

Sent M Per
On 12/7/71, the Akron Beacon Journal, a daily newspaper of general distribution in the Akron, Ohio, area reported that defense attorneys had announced that they were withdrawing their charges of prejudice. Common pleas court has recessed until 12/13/71.

On 12/8/71, the Students for a Democratic Society (SDS) organization at KSU held a demonstration at noon on KSU campus and speakers discussed the fact that charges against remaining defendants were being dropped. Approximately 100 persons attended the rally; however, most of them were spectators. This rally was peaceful and orderly and there were no incidents or arrests.

LEADS

CLEVELAND:

AT CLEVELAND, OHIO

Will continue to follow and keep Bureau advised.
TO: DIRECTOR, FBI

FROM: SAC, CLEVELAND (98-2140) (P)

SUBJECT: ET AL
SABOTAGE; SEDITION;
DG; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY
SUMMARY AIRTTEL
OO: Cleveland

Re Cleveland teletype to Bureau, 12/10/71.

On 12/17/71, Ravenna, Ohio, advised that judges of common pleas court had not rendered a decision concerning the motion by prosecution for State of Ohio regarding dismissal of charges against remaining "Kent 25" defendants. went on to advise that he expected a decision regarding this matter to be forthcoming in the near future.

UACB, Cleveland division will submit an LHM concerning prosecution in captioned matter when this matter is finally adjudicated by local authorities.

(2) - Bureau
2 - Cleveland

WM: ham
(4)

6 DEC 22 1971

F92

51 JANA 1972

Sent

M Per
6:10 PM URGENT 12-3-71 SLO
TO: DIRECTOR 98-46479
FROM CLEVELAND 98-2140

7C

ET AL. SABOTAGE, SEDITION, DESTRUCTION OF
GOVERNMENT PROPERTY. CIVIL RIGHTS - FEDERALLY PROTECTED
ACTIVITY. 001: CLEVELAND

KENT, OHIO, ADVISED THAT SDS DEMONSTRATION TOOK PLACE AS SCHEDULED
THIS DATE AT NOON ON CAMPUS AT KSU. DEMONSTRATION LASTED ABOUT THIRTY
MINUTES AND DEMONSTRATORS DID NOT PROCEED TO RAVENNA, OHIO, AS
PREVIOUSLY PLANNED. APPROXIMATELY ONE HUNDRED INDIVIDUALS, MOST OF
WHOM WERE OBSERVERS, ATTENDED. SPEAKERS INCLUDED KEN HAMMOND, JERRY
PERSKY, ROBERT FRANKLIN, THOMAS LOUGH, BILL ARTHRELL, AND JEFF
BEUTLER.

SPEECHES GENERALLY CONCERNED THE FACT THAT PROSECUTION FOR THE
STATE OF OHIO HAS REQUESTED THAT CHARGES AGAINST REMAINDER OF KENT
END PAGE ONE

58 JAN 4 - 1972
TWENTYFIVE DEFENDANTS BE DISMISSED. A CEREMONY WAS HELD WHEREIN A DOCUMENT PURPORTED TO BE AN INDICTMENT WAS BURNED.

OBSERVED IN ATTENDANCE AT THE DEMONSTRATION WERE THE FOLLOWING INDIVIDUALS:

ROSEANN CANFORA; MARY HELEN NICHOLAS; JERFY ALTER; NORMAN CAULFIELD; RON TOMPKINS; JERRY LEWIS; TOM GRACF; TONY WALSH;

DEMONSTRATION WAS PEACEFUL AND ORDERLY AND THERE WERE NO INCIDENTS OR ARRESTS.

ADMINISTRATIVE:

RE CLEVELAND TELS TO BUREAU DECEMBER SEVEN, LAST.

CLEVELAND WILL CONTINUE TO FOLLOW AND KEEP THE BUREAU ADVISED.

END

CC-MR. BATES
Memorandum

TO: DIRECTOR, FBI (88-46479)
FROM: SAC, CLEVELAND (98-2140)(C)
DATE: 2/8/72
SUBJECT: SAROTAGE; SEDITION; DGP; CIVIL RIGHTS - FEDERALLY PROTECTED ACTIVITY

OO: Cleveland

Re Cleveland airtel to Bureau, 12/17/71.

Enclosed hereewith for the Bureau are 11 copies of an IDM concerning the disposition of local prosecution of "Kent 25."

Inasmuch as this matter has been adjudicated locally and there is no federal prosecution outstanding, the Cleveland Office contemplates no additional inquiries in this matter UAOZ.

Cleveland
26 - Bureau (Enc. 11, Rw)
(1 - 100-SHUB)
(1 - 100-FOGLESONG)
(1 - 100-BLEIK)
(1 - 100-FELBER)
(1 - 100-COPMACK)
(1 - 100-GIBSON)
(1 - 100-TATE)
(1 - 100-NICKMAN)
(1 - 100-NICHOLAS)
(1 - 100-RUPF)
(1 - 100-RIGGS)
(1 - 100-MORAN)
(1 - 100-MULLER)
(1 - 100-LEWIS)
(1 - 100-WEISSBERGER)
(1 - 100-LOUGH)
(1 - 100-ADAMS)
(1 - 100-ARMORELL)
(1 - 100-CANPOLIA, ALAN)
(1 - 100-CANPOLIA, ROSEANN)
(1 - 100-CULLUM)
(1 - 100-GERBETZ)
(1 - 100-JEAN)
(1 - 100-HAENDEL)
(1 - 100-HARTZELER)

74/01

2/14/72

U.H.C./O.L. 1972/1/72

[Handwritten notes and signatures]
Memorandum to Mr. E. S. Miller
Re: 98-46479

On 2/3/72, Clerk of Courts, Portage County, advised that in addition to charges being dismissed against the remaining 20 defendants, charges were also dismissed against Foglesong, supra, and it was anticipated that charges would shortly be dismissed against Shub, supra. The Clerk of Courts added that the court is not aware of any other local charges currently pending against any of the above-referred-to 25 defendants.

All of the above information has been furnished to the Department. The Department has been advised that no further action will be taken by this Bureau concerning this matter unless a specific request for same is received from the Department.

ACTION:

None. Above submitted for information.
Investigation in this matter was initiated as a result of violence which erupted on the campus of Kent State University (KSU), Kent, Ohio, during May 1-4, 1970. This disruption included the destruction by fire of a United States Army Reserve Officers Training Corp (ROTC) building and culminated with the slaying of four KSU students by members of the Ohio National Guard.

As a result of this disruption, on August 3, 1970, former State of Ohio Governor JAMES A. RHODES ordered that a Special Grand Jury be convened to investigate the events. On October 16, 1970, the Special Grand Jury returned indictments against the following 25 individuals who were allegedly involved in the disruptions:

<table>
<thead>
<tr>
<th>NAME</th>
<th>CHARGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>LARRY SHUB</td>
<td>First Degree Riot</td>
</tr>
<tr>
<td>THOMAS FOGLESONG</td>
<td>First Degree Riot</td>
</tr>
<tr>
<td>PETER BLEIK</td>
<td>First Degree Riot; Arson</td>
</tr>
<tr>
<td>RICHARD FELBER</td>
<td>Attempt to Burn Property;</td>
</tr>
<tr>
<td></td>
<td>Assault and Striking a Fireman;</td>
</tr>
<tr>
<td></td>
<td>Interfering with a Fireman at the Scene of the Fire;</td>
</tr>
<tr>
<td></td>
<td>First Degree Riot</td>
</tr>
<tr>
<td>DOUGLAS CORMACK</td>
<td>First Degree Riot; Inciting to Riot;</td>
</tr>
<tr>
<td></td>
<td>Interfering with a Fireman</td>
</tr>
</tbody>
</table>
RUTH GIBSON  Malicious Destruction of Property; Second Degree Riot
RONALD WEISSENBERGER  First Degree Riot; Second Degree Riot; Inciting to Riot; Interfering with a Fireman
DR. THOMAS LOUGH  Inciting to Riot
DAVID ADAMS  Second Degree Riot
WILLIAM ARTHRELL  Second Degree Riot
ALAN CANFORA  Second Degree Riot
ROSEANNE CANFORA  Second Degree Riot
JOSEPH CULLUM  Second Degree Riot
JOHN GERBELT  Second Degree Riot
MICHAEL ERWIN  Second Degree Riot
KENNETH HAMMOND  Second Degree Riot
JEFFREY HARTZLER  Second Degree Riot
JOSPEH LEWIS  Second Degree Riot
THOMAS MILLER  Second Degree Riot
CRAIG MORGAN  Second Degree Riot
JAMES RIGGS  Second Degree Riot
JERRY RUPE  First Degree Riot; Arson; Assaulting a Fireman; Interfering with a Fireman
MARY HELEN NICHOLAS  Interfering with a Fireman
CAROL MIRMAN
Warrant never executed, specific charges unknown.

ALLEN TATE
First Degree Riot;
Arson

The above individuals were referred to locally as the "Kent 25." Only five of the 25 individuals indicted were tried. FOGLESONG and SHUB entered pleas of guilty. RUFE was found guilty on the charge of interfering with a fireman, and subsequently received a six month sentence to run concurrently with a previous sentence on a narcotics charge. Charges against BLEIK and NICHOLAS were dismissed during their trials.

Two of the 25 defendants were never located and arrested by Portage County authorities. They were MIRMAN, who reportedly went to California, and TATE, who reportedly went to New York.

On December 7, 1971, Special State Prosecutor JOHN HAYWARD asked Common Pleas Judge EDWIN JONES to dismiss charges against the remaining 20 individuals under indictment due to lack of evidence.

On December 29, 1971, Portage County, Ravenna, Ohio, advised that on December 23, 1971, Common Pleas Judges EDWIN JONES and ALBERT CARIS signed orders dismissing the charges against the remaining 20 defendants. She noted that the request for dismissal was made by the State prosecutors on December 7, 1971, and that the request reportedly emanated from the office of the Ohio Attorney General WILLIAM BROWN. She added that she is not aware of any other charges by local authorities currently pending against any of the 25 defendants. She further advised that the only individuals who has been sentenced was RUFE and that FOGLESONG and SHUB were expected to be placed on probation.

On February 3, 1972, advised that on December 30, 1971, charges against FOGLESONG were also dismissed and that charges against SHUB will probably be
RE: [REDACTED]

dismissed inasmuch as they both entered pleas of guilty. She reiterated that she is not aware of any other local charges currently pending against any of the 25 defendants.

*This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is issued to your agency; it and its contents are not to be distributed outside your agency.*
Memorandum

TO: Mr. E. S. Miller

FROM: R. L. Shackelford

SUBJECT: ET AL.; SABOTAGE; SEDITION; DESTRUCTION OF GOVERNMENT PROPERTY; CIVIL RIGHTS

DATE: 2/24/72

PURPOSE:

To advise that after local court trials involving five of 25 individuals indicted in connection with 1970 disorders at Kent State University (KSU), local Judges signed orders dismissing charges against remaining 20 defendants.

DETAILS:

Captioned matter relates to this Bureau's investigation of destruction of ROTC Building, KSU, Kent, Ohio, 5/2/70. Concurrently, this Bureau also conducted investigation of incident involving killing of four KSU students 5/4/70 by members of Ohio National Guard. Department did not authorize prosecution in either of above matters, but deferred in favor of local prosecution.

As a result of local grand jury action, 25 individuals were indicted for their participation in activities occurring on KSU campus 5/1-4/70. Each subject was to be given a separate trial, first trial beginning 11/22/71. Since that date, five individuals were tried. Jerry Rupe was found guilty on a charge of interfering with firemen and received a six-month sentence to run concurrently with a previous sentence on a narcotics charge. Larry Shub and Thomas Foglesong pleaded guilty to first degree riot. Charges against Mary Nicholas and Peter Bleik were dismissed during their trials.

On 12/7/71, Special State Prosecutor, State of Ohio, admitting he lacked sufficient evidence to proceed, requested court permission to dismiss all charges against the remaining 20 defendants that had been indicted by local grand jury. On 12/23/71, two Common Pleas Judges, Portage County, Ravenna, Ohio, signed orders dismissing the charges against the remaining 20 defendants.

98-46479
TJM: cae L & C
(8)

MAR 8 - 1972
Memorandum

TO: ACTING DIRECTOR, FBI (98-46479)  DATE: 5/9/73
FROM: SAC, CLEVELAND (98-2140) (C)
SUBJECT: LT AH
SABOTAGE; SEDITION; DGP;
CIVIL RIGHTS - FEDERALLY
PROTECTED ACTIVITY
(00: CLEVELAND)

Enclosed herewith for the Bureau are five copies of an LHM concerning a newspaper article about captioned matter.

Enclosed LHM is being submitted for the information of the Bureau and for dissemination to the United States Department of Justice if warranted.

The Cleveland Office does not anticipate making any additional inquiries in this matter, but will keep the Bureau advised of any pertinent developments.

ENCLOSURE

2. AAC-CO-ISS
5/17/73 (cl. D) REO-12
REC-12
22 MAY 14 1973

58 MAY 29 1974
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
The following newspaper article, which appeared on May 4, 1973 in the "Akron Beacon Journal," a daily newspaper of general distribution in the Akron, Ohio area, reported that United States Representative JOHN SEIBERLING of Akron intends to request that the United States Department of Justice re-examine the 1970 slaying of four students at Kent State University, Kent, Ohio by members of the Ohio National Guard.
KSU Shooting Quiz

By DAVID HESS
Boston Herald Washington Bureau

WASHINGTON — Complaining of a "double standard of justice," Rep. Seiberling (D) of Akron says he personally will ask newly-named Attorney General Elliot Richardson to re-examine the 1970 Kent State University shootings.

In a telegram to KSU President Glenn A. Olds, Seiberling said he and Sen. Edward Kennedy (D-Mass.) have been trying without success for months "to get the Justice Department to provide a full explanation for its refusal to conduct a Federal grand jury investigation."

THEIR efforts spring from the killing of four and wounding of nine students by Ohio National Guardsmen during a campus disturbance on May 4, 1970.

The President's Commission on Campus Unrest, headed by former Pennsylvania Gov. William Scranton, called the shootings "unnecessary, unwarranted and inexcusable."

Scranton himself urged the Justice Department to convene a grand jury.

But then-Att'y Gen. John Mitchell declined on the ground that his investigators could find no violation of Federal law.

MITCHELL's successor, Richard Kleindienst, later subscribed to the same position.

Since then, both have resigned and have been implicated in the Watergate scandal.

Seiberling, a former Harvard chancellor of Richardson, and Kennedy, who is a personal acquaintance of the new attorney general, conceivably could convince him to take a fresh look at the case.

"Whether we can get anywhere with Richardson or not remains to be seen," Seiberling says. "But Kennedy's chief counsel on the Judiciary subcommittee and I have agreed that we ought to try to approach him on the matter as soon as we can."

FOR a while early last year, Sen. Kennedy was considering holding subcommittee hearings on the Kent State and related cases.

Meanwhile, the parents of four students slain also called on Richardson to convene a jury. The parents sent the telegram to Richardson Thursday night.
Did he trigger May 4?

Jerry Norman: Insolved Mystery

By Bill Grisham

On May 4, 1970, Terrence Proctor Norman, then a 21-year-old KSU student, drove to a noon rally on the Commons, equipped with a camera, a gun and a .38 caliber pistol.

Minutes after the Ohio National Guard opened fire that day, Norman ran from the scene of the shootings, chased by two diversity staff members, toward a group of Guardsmen and campus policemen. He turned back on the site where the body of a fellow student was lying, and, shortly after, a police car was erected at the campus police station.

Immediate speculation began that Norman's actions had precipitated the shootings. Justifications were given to the public. Some claimed that the police fired only after a sniper had fired at them. Another claimed that a single shot at unknown origin was heard and tape recorded before the troops unleashed their barrage of gunfire. Finally, another claimed that Norman was the only person on campus that day to have been observed with a gun.

The campus police, however, later put an end to such speculation when they announced that Norman's weapon had not been fired. They also denied Norman's claim that he had been photographed student demonstration by the police. Statements by a former Ohio National Guardsman and a former NBC newswoman, who witnessed the incident, however, contradict the official explanation of the incident.

In separate interviews, ex-Guardsman Michael Delaney and ex-newsmen Fred Delbrinck, former members of WKY's News Bureau, gave similar versions of starting events they attributed to Norman and to a campus policeman after Norman stopped running on the Commons. Both maintained that they heard Norman say: "I had to shoot. They were going to kill me."

Furthermore, they both said that a campus policeman who handled Norman's gun in their presence, claimed that it had been fired. Delbrinck quoted the policeman as saying: "My God! The gun's been fired." Delbrinck, remembering the officer's words: "My God! He fired four shots. Who are we going to do now?"

Patrolman Harold Rice and Detective Tom Kelley were the two KSU officers who handled and examined the weapon at the scene. Both wrote in official KSU police reports about the Norman incident that they opened the cylinder of Norman's gun there and that in Rice's words: "all of the cartridges were fully loaded."

Norman, whose present whereabouts have eluded newsmen and researchers of the killings, could not be reached for comment. He had claimed to reporters that he had only used his camera that day.

The Justice Department's summary of the FBI's investigation of the killings states that Norman "was with the Guardsmen most of the time during the confrontation. A few students observed his weapon and claim that he fired it at students just prior to the time the Guardsmen fired. Norman claims that he did not pull his weapon until after the shooting was over and then only when he was attacked by four or five students."
The circumstances surrounding the Norman incident of 1970— have never been definitively explained by any investigative body. Although he has been described as a police photographer several students and newsmen who covered the event at the Ohio State University police office, he later took photographs that were submitted to the campus police and KATV in Little Rock, Arkansas, told at "Norman told me that he took pictures of demonstrators on the campus" and then turned his pictures to the police.

After the shootings, when Norman was asked by a Kent Record reporter "I don't know if he's working for them," he replied, "If you want to know." Former K.S.U. security chief Donald Schwartzmiller and others connected with the police department hailed Schwartzmiller that on May 4, 1970, police officers were on campus. Schwartzmiller was surprised to learn that individuals had been seen and talked to Norman on May 1, 2, and 3. The former police chief said, "I ordered the photographer to leave and not to return" in the spring of 1969 after receiving reports of a "new" which Norman brought to the police. Schwartzmiller said that if he were to return, he would be arrested for trespassing.

Schwartzmiller said, however, that Norman provided the campus police with photographs of outside radical speakers who address campus rallies. Schwartzmiller described the police help of Norman as a "mutual agreement" in which Norman offered to furnish the photographs for nothing. Schwartzmiller also said that he didn't see him from the time he was seen on campus until the day of the shootings, on May 4.

The National Guardmen immediately arrived on campus.

Delaney and Debose's reconstructions of the dialogue between Norman and campus policemen after the shootings will appear in conspiracy theories. Peter Davies's forthcoming book on the tragedy, apparently, has not been reported elsewhere.

Neither Delaney nor Debole was contacted by the President's Commission on Campus Unrest. The Commission, which held the only open hearings in the shootings, did not try to determine the responsibility for the killings for fear interfering with future judicial proceedings.
FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE
CINCINNATI

OFFICE OF ORIGIN
CLEVELAND

DATE
11/19/73

INVESTIGATIVE PERIOD
11/8 - 14/73

TITLE OF CASE
KILLING OF FOUR STUDENTS AT
KENT STATE UNIVERSITY,
KENT, OHIO, MAY 4, 1970;
ALLISON KRAUSE;
ET AL -
VICTIMS

REPORT MADE BY

CHARACTER OF CASE
CR

REFERENCE:
Cleveland airtel to Cincinnati 11/5/73.

RUC

ADMINISTRATIVE:
All persons interviewed during this investigation were
advised that this investigation is being conducted at the specific
request of the U. S. Department of Justice, and that any
information they furnished could be used in a court of law.

ACCOMPLISHMENTS CLAIMED

CONV. FUG. FINES SAVINGS RECOVERIES ACQUIT.

CASE HAS BEEN:
PENDING OVER ONE YEAR YES
PENDING PROSECUTION
OVER SIX MONTHS YES

APPROVED

SPECIAL AGENT
IN CHARGE

COPIES MADE:
(6) Bureau (44-45339)
3-Cleveland (44-703)
1-Cincinnati (44-1249)

Dissemination Record of Attached Report

Notations:

EXPP

DATA PROP
KILLING OF FOUR STUDENTS AT
KENT STATE UNIVERSITY,
KENT, OHIO, MAY 4, 1970;
ALLISON KRAUSE;
ET AL -
VICTIMS

Character: CIVIL RIGHTS

Synopsis: The Administrative Assistant, Ohio National Guard (ONG), advised that a roster of all ONG personnel has previously been furnished and that no photographs are available for ONG personnel. Adjutant General, ONG, advised that all "ball-type" ammunition supplied to the ONG was issued by the U. S. Government, and no records maintained as to brands of ammunition maintained. Mrs. Ohio, provided photographs of activities at Kent State University (KSU), in May, 1970 as taken by her son. Ohio, ONG, recalls observing an individual described as a white male, early 20's, blond hair, 5'8", 160 to 170 pounds, being allowed through the ONG lines and saying, "Some students grabbed my camera and began beating me, so I shot him", or words to this effect. This individual, presumed to be TERRY NORMAN by produced either a chrome plated or a nickel plated revolver and turned the same over to an individual appearing to be a KSU police officer. Official Sundry Claims Board, Columbus, Ohio, advised that no claims for property damage have been filed as a result of the shootings at KSU. Officers, ONG, advised that all M-1 rifles were shipped to the Letterkenny Army Depot, Chambersburg, Pennsylvania in October, 1971. Adjutant General, ONG, requests that all pending and subsequent requests for investigation be in writing.

- RUC -
CI 44-2149

DETAILS:

AT WORTHINGTON, OHIO
FEDERAL BUREAU OF INVESTIGATION

Date of transcription: 11/15/73

National Guard, (ONG), telephone number ____________ was contacted for the purpose of conducting additional investigation relating to the killing of four Kent State University, (KSU), students at Kent, Ohio, on May 4, 1970.

___________ was specifically requested to determine the present or last known whereabouts of ONG personnel who were on the campus of KSU during the period May 1 through 4, 1970, and they were identified as follows:

In response to the above request, ____________ stated that ONG personnel are represented by Attorney at Law CHARLES BROWN, who has offices at 42 East Gay Street, Columbus, Ohio. He suggested that BROWN be contacted in an attempt to secure the current whereabouts of the above individuals, inasmuch as BROWN would have the most recent address for ONG personnel.

___________ was also requested

Interviewed on: 11/8/73  Worthington, Ohio  File: 44-1249

by ________________ Date dictated: 11/13/73

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to furnish a roster of all ONG personnel who were either in the city of Kent, Ohio, or on the KSU campus from May 1 through 4, 1970, including the identification of these individuals and the identification of the weapons issued to them. He commented that it is his belief that this information had been previously furnished to the Federal Bureau of Investigation (FBI), during the investigation conducted at KSU in May, 1970. He further commented that within the last two months, the Adjutant General and Major General DANA L. STUART, had personally furnished this same information to Departmental Attorneys of the Civil Rights Division of the United States Department of Justice and this information was given to these Departmental Attorneys in the office of the Attorney General of Ohio, at Columbus, Ohio. He further advised that Major General STUART had been interviewed by these Departmental Attorneys.

He stated that for these reasons, he would decline to furnish additional rosters.

He was further questioned as to the existence of a handprinted entry appearing under Item Number 51 of the Duty Officers Log, Page 4, as compiled by the Headquarters Troop, Second Squadron, 107th Armored Cavalry, and dated May 4, 1970. He advised that inasmuch as this log was compiled and maintained by the aforementioned Unit of the ONG located at the Akron-Canton Airport, Akron, Ohio, this question could only be resolved by contacting appropriate military officers assigned to that Unit. He stated that it has been succeeded by

He was also requested to furnish a physical description of all Lieutenants present on Taylor Hall Hill at the time of the shootings on May 4, 1970, including all Lieutenants in Troop G, of the 107th ARC, Company A, of the 145th Infantry Regiment, and...
In addition he was requested to furnish a physical description of a man, 145th Infantry Regiment, and also to identify the particular ONG Unit that was in the vicinity of the Newman Center and Verder Hall, on the campus of KSU, at approximately 10:00 P.M. on May 3, 1970. [Redacted] again commented that this information could most readily be obtained from the particular ONG Unit who were assigned to the KSU Campus during the period May 1, through 4, 1970, as previously identified in investigation conducted by the FBI, and which Units are located in the Akron, Ohio, area. He commented that the personnel files including the physical examinations of these ONG personnel would be located within the particular ONG Unit.

In continuing, [Redacted] related that no photographs are available of any ONG personnel, as none are required.
CHARLES E. BROWN, Attorney at Law, a partner in the law firm of Crabbe, Brown, Jones, Potts, and Schmidt, which is located in Suite 1400, 42 East Gay Street, was contacted at his office in an effort to determine the current or last known whereabouts of various Ohio National Guard personnel, who were on the campus of Kent State University during the period May 1, through 4, 1970.

Mr. BROWN explained that he has been retained by the office of the Attorney General of the State of Ohio to represent Ohio National Guard personnel and in this way he has appeared for and corresponded with some of the Ohio National Guard personnel, but certainly not all of them. Mr. BROWN consented to make available his correspondence file showing the most recent address of personnel with whom he had corresponded.

An examination of this file identified the most recent address for [redacted] Florida, telephone number [redacted].
His previous address was identified as [redacted], Connecticut.
Major General DANA L. STUART, the Adjutant General, Ohio National Guard, returned a telephone call to the Columbus Resident Agency of the Federal Bureau of Investigation, (FBI), in response to a previous telephone call made to the Adjutant General Department for the purpose of contacting Major General STUART.

Major General STUART was advised that in the current investigation concerning the killing of four students at Kent State University, Kent, Ohio, on May 4, 1970, it has been determined that there is a locked metal cabinet maintained in a vault at the Akron, Ohio, Police Department, and is reported to be under the control of the Ohio National Guard. Major General STUART was advised that investigation was being conducted in an effort to identify the type, brand, and caliber of ammunition issued to Ohio National Guard personnel and furthermore that the locked metal cabinet maintained in the Akron, Ohio, Police Department may provide this information.

Major General STUART commented that all "ball-type" ammunition supplied to the Ohio National Guard is issued by Federal sources of the United States Government. He commented that those specific records are maintained as to the brand of ammunition issued to members of the Ohio National Guard.

Major General STUART also advised that prior to providing his authority to examine the locked metal cabinet maintained at the Akron, Ohio, Police Department, for the Ohio National Guard, he is desirous of conferring with the Commanding Officer of the 145th Infantry, responsible for the maintenance of this cabinet.
AT DAYTON, OHIO
FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/20/73

Daily News, made available two photographs taken by a former student at Kent State University (KSU), at Kent, Ohio, during May, 1970. was formerly a part-time reporter for the Dayton Daily News.

The above photographs appeared in the Dayton Daily News immediately following the killing of four students at KSU on May 4, 1970.

An examination at the Photo Laboratory and the Newspaper Morgue at the Dayton Daily News was unable to locate any additional photos taken by .

On November 10, 1973, the above two photographs were forwarded to the Cleveland Division of the Federal Bureau of Investigation by registered mail.

Interviewed on 11/10/73 at Dayton, Ohio File # 44-1249

by [Redacted] Date dictated 11/15/73

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-10-
AT COLUMBUS, OHIO
Department, Ohio National Guard, advised that the records of that organization revealed the following last known addresses of five Ohio National Guard personnel:

Interviewed on 11/12/73 at Columbus, Ohio

File # 44-1249

SA Date dictated 11/13/73

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Ohio State Highway Patrol Headquarters, was contacted in an effort to determine if his organization possessed any information relating to the extent of property damage to automobiles parked in the Prentice Hall parking lot during the shooting of four Kent State University students on May 4, 1970, at Kent, Ohio.

Commented that he does not specifically recall the extent of property damage to the vehicles that were parked in the Prentice Hall parking lot, but did say that such information would have been included in the investigative report of the Ohio State Highway Patrol (previously furnished to the Federal Bureau of Investigation).

Suggested that of the Ohio State Highway Patrol, who was responsible for the overall investigation of the Patrol Units at Kent State University be contacted for any information he might have in this regard.

Interviewed on 11/12/73 at Columbus, Ohio File #44-1249

by SA

Date dictated 11/13/73

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AT CLARINGTON, OHIO
Ohio, advised that her son, presently residing in Kent, Ohio, authorized her to furnish eleven colored photographs of various scenes and activities taken at Kent State in May, 1970. She furnished these eleven colored photographs but requested that they be returned.

She was advised that these photographs could be used as evidentiary material in a court of law.
AT MT. VERNON, OHIO
place of employment, was contacted at his telephone number. He was advised of the identity of the interviewing Agent and that information was desired of him regarding his recollections of any events which had occurred on or about May 4, 1970, at Kent State University (KSU), Kent, Ohio.

noted that he would be desirous of furnishing such information, however, he desired to do so in the presence of his attorney. He noted that in view of various lawsuits regarding this matter, he desired that his attorney be present during his furnishing such information.

The following information was thereafter volunteered by him in the presence of his attorney.

He is currently a member of the Ohio National Guard (ONG) and is assigned to Company H, ONG, Wooster, Ohio, and has been a member of that organization for about six (6) years. On May 2, 1970, his unit was called to active duty at KSU, Kent, Ohio, in regard to some disturbances at that place. His unit and he were at that place through May 5 or 6, 1970.

At about 11:00 A.M., Monday, May 4, 1970, he was placed in charge of a security element of some eleven to thirteen troops, guarding some ONG vehicles containing radio equipment, which were parked near the previously burned Reserve Officers Training Corps (ROTC) building on the KSU campus. His troops were in a semi-circular formation, about twenty yards from the ROTC building, facing the hill on which the college's Taylor Hall was located. At about 12:00 noon, or shortly thereafter, about sixty other ONG troops formed near his location and thereafter went up the hill, disappearing from his sight on the other side of the hill. They were out of his sight for about fifteen to thirty minutes. He then observed a few of these troops reappear on the crest of the

Interviewed on 11/12/73 at Mt. Vernon, Ohio  

SA 11/13/73  

CV 44-703  

CD 44-1249  

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hill. He then heard what sounded like gunfire, although he did not observe any shots being fired.

At about this time, the previously mentioned ONG troops came back over the crest of the hill and proceeded back down behind his security group. A few minutes thereafter, he observed some two to four individuals, who he believes were students, run down from the crest of the hill towards his position. He is unable to further describe these persons, but he could see that they were shouting something. As they reached a point about ten to twenty meters from his position, he was able to understand that they were shouting, "Stop him, he shot somebody"); or possibly, "he killed somebody", or words to that effect.

He was standing on the left end of his line of troops. He then looked to his right, where he saw an individual, whom he recalls as being a white male, early twenties, about 5'8" tall, 160 to 170 pounds, blond hair, not long, wearing slacks and a jacket, colors unrecalled, and a white shirt, talking to one of his troops. As he moved in that direction, he observed that this individual had displayed something to the trooper, which he was later told was a press credential. This individual was then allowed through the ONG lines.

continued that he had walked towards this individual who had been allowed through the line, however, before he reached him, he observed this individual being stopped by two persons who he assumed were KSU Security Police, as well as some two or three ONG officers. The individuals who he assumed to be Security Police were dressed in shirt sleeves, ties and trousers. He noted that he could not further describe these two persons and doubts if he would recognize them if he were to see them again.

As he neared this group, which was standing in a semi-circle about ten yards behind his security troops, he overheard the individual who had been allowed through his troops' lines say words to the effect that "Some students grabbed my camera and started beating me, and I shot him." He noted that he could not recall the exact words. He then saw this individual reach under his coat, and thinking he might be reaching for a weapon, he said "easy", and readied his rifle.
The individual slowly pulled a revolver from beneath his jacket, which was taken by one of the plainclothes individuals previously mentioned. He observed this person flip the cylinder open on the weapon, which he thinks opened to the right. As the cylinder was opened, the individual stepped to the side, and said, "There are two spent cartridges", or words to that effect. He noted that he did not see the cartridges himself, as he was not close enough to the individual to make out details regarding the weapon.

The two plainclothesmen then led the individual who had produced the gun away, and he has never seen any of these persons again.

He added that he recalls the gun as being a snub-nosed revolver, which was nickel or chrome plated. He noted that he owns a snub-nose .38 caliber Colt revolver, and this weapon appeared to be about the same size as his.

He noted that the next day, he saw an article which had appeared in the Akron, Ohio "Beacon-Journal" newspaper, which indicated that the person who had the revolver was named TERRY NORMAN. He noted that he does not know this individual personally, although he has seen several newspaper articles in which NORMAN was mentioned with regards to the events at KSU on May 4, 1970.

He continued that the ONG trooper who had allowed the individual through the line was named (phonetic), who was released from the ONG shortly after these events due to the expiration of his enlistment. He noted that lives somewhere near Wooster, Ohio.

He also noted that he does not desire to furnish the names of other members of the ONG who were present during the above events, as he has discussed this matter with them, and they have requested that he not do so in view of current lawsuits in which some of them have been named as principals. He noted that all officers of the ONG who were present at KSU in May, 1970, were named in various lawsuits which have been filed in regard to this matter. He noted that inasmuch as he has promised these persons that he would not involve them, he does not desire to do so at this time, noting that their names would be available from other sources, including the ONG Armory at
Wooster, Ohio. He noted, however, that he would furnish such names if called to testify before a grand jury or similar event. He also noted that the great majority of these persons were previously interviewed by the Federal Bureau of Investigation (FBI) in 1970 regarding this matter. However, these persons did not volunteer any information, as they had been instructed, apparently by the ONG, to only answer specific questions that were asked and not to volunteer any information.

He also noted that the Company Commander of his ONG company at the time of the above events was [redacted], who resides near Wooster, Ohio. He is now assigned to the headquarters of the ONG in Columbus, Ohio, although he still resides near Wooster. He noted that [redacted] could provide the names of persons present during the above events. He noted that he does not recall if [redacted] was present during these events or not. He noted that he does not know [redacted]'s home address, however, the ONG Armory at Wooster could provide it. He also noted that he had turned in a written statement regarding his seeing the gun recovered from the individual to [redacted] the same day (May 4, 1970) that these events occurred. This statement was made part of an ONG report regarding this matter. He furnished a xerox copy of this statement, which reads as follows:
May 4, 1970. The following: A number of people were running down the hill yelling "Stop, he shot someone." I glanced to my right and saw a young man showing a press pass to a guard. He passed him and another number of other people. He was stopped 10 feet behind our line by 5 people. A plain clothes official asked him and was asking him questions. He told him, "A student grabbed a gun and said, 'Get me up — shot him' — He then reached inside his jacket and removed a silver colt pistol which was taken from him and was led away. He was a short, black-haired, wearing slacks, white shirt. He had a camera around his neck.
He also noted that during the past summer of 1973, he also furnished a more detailed statement regarding his recollections of these events to the ONG Judge Advocate General’s Office. He noted that the office is located in Columbus, Ohio.

Also noted that in the summer of 1970, investigators from the Ohio State Highway Patrol (OSHP) were at Camp Perry, Ohio, while his ONG unit was at firearms training. These investigators were conducting the investigation regarding the KSU matter for the state. He asked one of these persons, name unknown, regarding TERRY NORMAN. This person told him that NORMAN had been working for another law enforcement agency, and would not be prosecuted.

He also advised that an ONG Sergeant, name unknown, had been in charge of giving out press credentials at KSU in May, 1970. He noted that this person, name not known to him, is assigned to Headquarters Company, First Battalion, 145th Infantry, ONG, Akron, Ohio. He noted that this Sergeant should be able to furnish information regarding press credentials issued. Also noted that he heard from an unrecalled source that TERRY NORMAN had been granted press credentials because he claimed to be working for the FBI. He noted that he has no personal knowledge of this information.

Noted that he has directed correspondence to various persons inquiring regarding what action is to be taken, if any, regarding TERRY NORMAN. He noted that such correspondence was directed to the United States Department of Justice, the Ohio Attorney General, and several United States Senators. He noted that one of the replies received by him in response to these communications was a letter dated September 21, 1970, from PAUL W. BROWN, Attorney General, State of Ohio, which advised as follows:

-22-
September 21, 197_

Dear Mr._

I have checked out your information and it appears to be correct except for the fact that men from my Bureau of Criminal Identification and Investigation who are ballistics experts examined Mr. Norman's gun after it was taken away from him and found that it had not been fired. No witnesses other than yourself claims to have heard Mr. Norman say that he had fired his weapon. All of the details except for your testimony will be heard by the current Grand Jury in Kent. I have sent your letter to Mr. Balyeat in the event he wishes to call you. Thank you for writing to me.

Yours very truly,

PWB:hg
CC: Robert L. Balyeat

PAUL W. BROWN,
Attorney General
also noted that he now resides at [redacted], Ohio, home telephone number [redacted]. He also indicated that he did not desire to furnish a signed statement regarding the above at this time. He noted that as previously stated, he has furnished signed statements to the ONG regarding this information.

is a white male, born [redacted] at Ohio, 5' 10" in height, weighing 160 pounds, and weighing 170 pounds. He has no obvious physical handicaps which would impair his ability to recall events or to be a witness. [redacted] was advised that information furnished by him in this matter might be used in court, or become subject to testimony in judicial proceedings.
was contacted in an effort to determine whether or not he was in the possession of the exact extent of property damage to automobiles that were parked in the Prentice Hall parking lot during the shootings of four Kent State University students at Kent, Ohio, on May 4, 1970.

recalled that there were probably four vehicles which had property damage as a result of the shootings. He stated that the investigation concerning the damage to these vehicles would have been included in the investigative report of the Ohio State Highway Patrol which has previously been furnished in this investigation.

remarked that if any claims for property damage had been filed such claims would have been filed with the Kent State University Police at Kent, Ohio.
AT NEWARK, OHIO
Ohio National Guard, Newark, Ohio, furnished the following information:

He stated that to his knowledge, there are no M-1 Rifles stored at the Ohio National Guard in Newark, Ohio.

He telephonically contacted [redacted], Worthington, Ohio, telephone number [redacted], and the interviewing Agent spoke with [redacted] on the telephone.

He advised that during the period from March, 1971 until September, 1971, there were 12,096 weapons which included M-1 Rifles, declared as excess, and were shipped during this period to the arsenals at Rock Island, Illinois, or Letterkenny, Pennsylvania.

He stated that after these weapons were shipped, received by the arsenals that they were either destroyed or sold as surplus. He stated that he would have to conduct a search by Serial Number of the weapons to determine to which arsenal they were sent.
Mr. JOEL TAYLOR, President, Sundry Claims
Board, State of Ohio, 62 East Broad Street, telephone
number 466-3848, advised that any claims filed against
the State of Ohio as a result of property damage inflicted
on automobiles at Kent State University during the
shootings on May 4, 1970, would have been filed through
his office. He stated that he had no knowledge of any
claims being filed against the State of Ohio and the
only claims filed have been claims for the recovery
of Attorneys fees for defending Ohio National Guardsmen
who participated in crowd control during the hearings
of the President’s Commission at the Portage County,
Ohio, Grand Jury.
AT WORTHINGTON, OHIO

Major General DANA L. STUART, the Adjutant General of Ohio, Ohio National Guard, telephonically advised that all pending and subsequent requests for investigation concerning the killing of four Kent State University students at Kent, Ohio, on May 4, 1970, as it relates to the Ohio National Guard and its personnel will have to be in writing. General STUART stated that upon receipt of the specific written request he will make the request available to Attorney CHARLES BROWN, Special Counsel, retained by the Attorney General for the State of Ohio to represent Ohio National Guard personnel. Upon examination of the written request by Attorney BROWN, a determination will be made as to compliance with the request for investigation.

Interviewed on 11/14/73 at Columbus, Ohio

SA

Date dictated 11/14/73

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FBI

Date: 10/18/74

TO: DIRECTOR, FBI (44-45339)
FROM: SAC, CLEVELAND (44-703) (P)
RE: KENFOUR

Enclosed for the Bureau are two copies each and for PG one copy each of two articles appearing in the 10/17/74 editions of "The Cleveland Press" and "The Plain Dealer" respectively, both of which are daily newspapers of general circulation in Northern Ohio. "The Plain Dealer" article is entitled "Agent denies calling guard FBI's target", and "The Cleveland Press" article is entitled "Battisti's ruling vital in Kent State case".

Also enclosed for the Bureau are two copies and for PG one copy of an article appearing in the 10/16/74 edition of the "Akron Beacon Journal", an Akron, Ohio, daily newspaper, entitled "FBI: Didn't Tell Guardsmen They Didn't Need Attorneys", wherein mention is made of questioning by defense counsel of Cleveland SA's DAVE J. COOK and THOMAS J. MURPHY, wherein each denied that he placed his service weapon on a table during the questioning of defendant MATHEW J. MC MANUS.

In the enclosed Cleveland newspaper articles, several allegations are attributed to SA ROBERT L. BURTON of the PG Office relating to alleged conversations that BURTON had with a National Guard officer. These allegations emanated from cross examination questioning by defense counsel C. D. LAMBROS who is representing several of the National Guard defendants.

2-Bureau (Enc. 6) (RM)
1-Pittsburgh (Enc. 3) (RM)
2-Cleveland

MVI: jac (5)
Inasmuch as SA's COOK, MURPHY, and BURTON have each emphatically denied under oath the allegations attributed to them in the hearing in U.S. District Court, CV, Ohio, and inasmuch as the court record confirms the respective denials, no further action is being taken.
FBI: Didn't Tell Guardsmen They Didn't Need Attorneys

By JOHN M. DUNPHY
Beacon Journal Staff Writer

CLEVELAND — Two FBI agents involved in the questioning of Ohio National Guardsmen in 1970 denied Tuesday they told one of the Guardsmen he didn't need an attorney after he reportedly requested one.

Special agents John J. Brennan and Gary Harmon both denied they told former Guardsman Lawrence Shafer of Ravenna he didn't need an attorney present to witness the questioning.

Shafer, a former attorney, Bernard Stupinski, said he is prepared to put Shafer on the witness stand to testify that he requested an attorney and was told he didn't need one.

BRENNAN and Harmon were among nine FBI agents called to testify in Federal Court Tuesday in pre-trial hearings to determine whether the FBI statements will be admitted into evidence at the trial scheduled to start Monday.

Shafer and seven other former Guardsmen were indicted on Federal civil rights charges in connection with the May 4, 1970, shootings on the Kent State campus.

Brennan, a 20-year veteran FBI agent, and Harmon, employed by the bureau since 1963, questioned Shafer for three hours on May 7, 1970, three days after four students were killed and nine wounded by Guard gunfire.

Both agents testified they supplied Shafer with a waiver form outlining his constitutional rights to silence and having a lawyer present during questioning.

The agents testified Shafer read the form and signed it.

Here is the FBI report:

Shafer reacted during the shooting. Sergeant Lawrence Shafer heard three or four shots come from his "right" side. He then saw a man on his right fire one shot. He then dropped to one knee and fired once in the air. His weapon failed to eject and he had to eject the casing manually. He then saw a male with bushy, sandy hair. In a blue shirt advancing on him and making an obscene gesture, then fired three more times in the air.

BRENNAN said he told Shafer the purpose of the FBI investigation was to determine if possible civil rights violations were committed and that Shafer might become a possible defendant in future prosecutions.

He also testified Shafer commented he wanted to cooperate with us.

Stupinski then asked Brennan the following questions:

Q. — Do you deny Shafer asked for an attorney?

A. — I deny that.

B. — I deny that.

Q. — Did Harmon deny the same set of questions and also denied the agents took Shafer from the interrogation room to view the shooting scene before returning to the room to answer further questions.

Harmon is the only Guardsman identified so far who allowed agent Harmon to prepare a written statement outlining his activities at the time of the shooting.

B. — In other questioning from a counsel lawyer, special agents Dave Cook, of Youngstown, and Thomas J. Murphy, of Canton, both denied they laid their service weapons on the table during the questioning of former Guardsman Mathew J. McManus.

Stupinski, who also represents McManus, said his client is prepared to testify the agents laid their weapons on the table during his questioning on May 6, 1970.

Both Cook and Murphy testified that McManus was presented a waiver form and signed it before questioning began.

Date: 10-16-74
Edition: A
Author: JOHN M. DUNPHY
Editor: MARK ETHERIDGE JR
Title: KENFOUR

Character: CIVIL RIGHTS

Classification: 44

Being investigated

44-703
Agent denies calling guard FBI's target

By Christine J. Jindra
FBI agent Robert L. Burton testified yesterday in U.S. District Court that he did not recall telling an Ohio National Guard officer shortly after the May 1970 shootings at Kent State University that the FBI was out to get the guardsmen.

Burton made the denial yesterday during a hearing on a motion to suppress statements the eight former guardsmen indicted in the shootings made to the FBI, the State Highway Patrol and the Portage County Grand Jury.

In mid-May of 1970 Burton asked guardsmen to try to identify themselves and other guardsmen in a photograph printed in Life magazine.

He said none of the guardsmen he questioned ever asked if they should have a lawyer present and that those questioned, including five of those indicted, had signed forms waiving their right to counsel and protection from self-incrimination.

Burton was among six FBI agents who testified yesterday that they advised guardsmen of their rights before questioning them. The ex-guardsmen are expected to contradict the FBI agents when they take the stand today.

Defense lawyers are trying to show that the only way FBI agents knew whom to question is because they had access to guard records.

These records, which contain statements the guardsmen made shortly after the shooting, have been ruled inadmissible at the trial because the guardsmen were not advised of their legal rights before they gave the statements.

Defense lawyers contend the ex-guardsmen talked to the FBI and highway patrol only because they were under orders to cooperate with law enforcement agencies investigating the incident.

None of the 15 FBI agents who have testified during the hearing said which guardsmen had acknowledged firing into the crowd of students.

Nor would the agents say that guard officials had furnished the names of those who shot. Under oath, the agents said they did not know or could not recall who told them to interview the eight defendants.

The eight are scheduled to go on trial Monday in the courtroom of Chief Judge Frank J. Battisti on charges that they violated the civil rights of students, including the six killed and nine injured May 4, 1970.
Battisti's ruling vital in Kent State case

By JIM DUDAS

The most crucial decision in the case against eight men accused of the 1970 Kent State University shootings may be made before their trial even begins on Monday.

Chief Judge Frank J. Battisti must decide whether statements made by the defendants after the shooting should be allowed as evidence.

He has already ruled that written statements they made immediately after the shootings were inadmissible because the men were not advised of their constitutional rights. They were ordered to make those statements by their superior officers.

The statements now in question are those the national guardsmen made to FBI agents and members of the Ohio Highway patrol days after the incident that left four dead and 9 wounded.

Justice Department lawyers, through a parade of FBI agents and highway patrolmen to the witness stand, are attempting to show Battisti that the men were advised of their rights and understood the consequences of their statements.

It is generally believed that if Battisti does not allow the statements as evidence the case against the men will be drastically diluted.

Yesterday Robert Murphy, Justice Department lawyer, brought five members of the FBI and four members of the highway patrol to the stand. Each of them testified that they assured the guardsmen of their rights before questioning them.

However, not all the guardsmen signed cards stating that they understood their rights.

Those rights include having a lawyer present during questioning and refusing to answer questions.

There have been charges by defense lawyers that FBI agents told guardsmen their statements "would not leave the room."

Lawyer C. D. Lambros charged indirectly that FBI Agent Robert L. Burton told a national guard general that he (Burton) was ashamed of what the FBI was doing and that it was cut to get the guardsmen and not the rioters."
Lambros also asked if Burton, in referring to his statements to the general and ever said that if his statements got back to the FBI he (Burton) would be fired.

Burton emphatically denied the allegations.

During the proceedings the eight defendants sat in the jury box intently listening to the proceedings.

Next week jurors will sit in those same seats and decide whether the guardsmen violated the rights of students on May 4, 1970.
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Those rights include having a lawyer present during questioning and refusing to answer questions.

There have been charges by defense lawyers that FBI agents told guardsmen their statements "would not leave the room."

Lawyer C.D. Lambros charged indirectly that FBI Agent Robert L. Burton told a national guard general that he (Burton) was ashamed of what the FBI was doing and that it was out to get the guardsmen and not the rioters."
7:53 PM NITEL 10/23/74 RJB

TO: DIRECTOR (44-45339)

FROM: CLEVELAND (44-703) (P)

KENFORD

RE CLEVELAND NITEL TO BUREAU, OCT. 18, 1974.

FOR INFORMATION OF BUREAU, PROCEEDINGS IN UNITED STATES DISTRICT COURT, CLEVELAND, OHIO, ARE STILL CONCERNED WITH JURY SELECTION AND IT IS NOT EXPECTED THAT WITNESS TESTIMONY WILL BE ENTERED THIS WEEK.


ACCORDINGLY, HORACE HEAFNER WILL RETURN TO BUREAU HEADQUARTERS AFTERNOON OF OCT. 23, 1974 AND SHOULD EXPECT...
TO RETURN TO CLEVELAND ON LATE AFTERNOON OF OCT. 28, 1974.

BUREAU WILL BE ADVISED OF ANY SUBSEQUENT PERTINENT DEVELOPMENTS.

END

HOLD
Memorandum

TO: Assistant Attorney General

CIVIL RIGHTS DIVISION

FROM: Director, FBI

DATE: 10/29/74

SUBJECT: KILLING OF FOUR STUDENTS AT KENT UNIVERSITY,
MAY 4, 1970;
ALLISON KRAUSE, ET AL - VICTIMS

Reference is made to ______________ memorandum dated ______________
(your file ______________).

There is enclosed one copy of the report of Special Agent ______________
dated ______________ at ______________.

A. ☐ This covers the preliminary investigation and no further action concerning
a full investigation will be taken by this Bureau unless the Department so directs.

B. ☐ The investigation is continuing and you will be furnished copies of
reports as they are received.

C. ☐ The investigation requested by you has now been completed. Unless
advised to the contrary no further inquiries will be made by the Bureau.

D. ☐ Pursuant to instructions issued by the Department, no investigation will
be conducted in this matter unless specifically directed by the Department.

E. ☐ Please advise whether you desire any further investigation.

F. ☐ This is submitted for your information and you will be advised of further
developments.

G. ☐ This is submitted for your information and no further investigation will
be conducted unless specifically requested by the Department.

H. ☐ This covers the receipt of a complaint and no further action will be
taken by this Bureau unless the Department so directs.

Note: Also enclosed are 1 copy each of 2 LNF's dated 10/21/74
entitled "KILLING OF FOUR STUDENTS AT KENT STATE UNIVERSITY,
KENT, OHIO, MAY 4, 1970, ALLISON KRAUSE; ET AL - VICTIMS ";
at Cleveland, Ohio.
NR 001 CV CODE
2115 PM URGENT 11/5/74 RJB JPS

TO: DIRECTOR (44-45339)
ALBANY
ATLANTA
CHICAGO

FROM: CLEVELAND (44-703)
KENFORD

RE CLEVELAND NITEL, NOVEMBER 4, 1974.

ROBERT A. MURPHY, DEPARTMENTAL ATTORNEY IN CHARGE OF
PROSECUTION OF TRIAL IN CAPTIONED MATTER, REQUESTED SPECIAL
AGENTS [REDACTED] ALBANY, [REDACTED] ATLANTA, AND [REDACTED] CHICAGO BE AVAILABLE TO TESTIFY IN USDC,
CLEVELAND, OHIO, ON WEDNESDAY, NOVEMBER 6, 1974. RESPECTIVE
AGENTS SHOULD EXPEDITIOUSLY PROCEED TO CLEVELAND.

FOR INFO OF BUREAU, MURPHY OR HIS ASSISTANTS HAVE BEEN
IN TELEPHONIC CONTACTS WHITH FBI LAB SPECIAL AGENTS
AND [REDACTED] ARE THEIR TESTIFYING IN THIS MATTER.

END

REC-72 174-415 3-17 746

21 NOV 74 1974

CC: laboratory
645 PM NITEL NOV. 1, 1974 DCC

TO DIRECTOR (44-45339)

CLEVELAND (44-703)

FROM PHILADELPHIA (44-1790)

KENFORD

PE PH LFT TO BUREAU, AUG. 8, 1974, WITH ENCLOSED MEMOS.

ON NOV. 1, 1974, ANN ROWLAND, LAW CLERK, KAHN-KLEINMAN LAW FIRM,
CLEVELAND, OHIO, TELEPHONICALLY CONTACTED SA ROBERT T. DAULL AND
ADVISED THAT HE WILL BE SUBPOENNAED AS A WITNESS FOR THE DEFENSE IN
THE KENT STATE TRIAL.

ROWLAND ADVISED THAT SA DAULL WOULD APPEAR ON OR ABOUT
NOV. 25, 1974, HOWEVER, A DEFINITE DATE WILL BE ESTABLISHED WITHIN
THE NEXT TWO WEEKS. ROWLAND FURTHER STATED SA DAULL'S TRANSPORTATION
EXPENSES WILL BE BORNE BY KAHN-KLEINMAN AND IN ADDITION, HE WILL
RECEIVE $25 DOLLARS PER DAY.

IT IS ASSUMED SA DAULL WILL TESTIFY AFTER SUBPOENA HAS BEEN
SERVED.

END
AIRTEL

11/5/74

To: SACs, Cleveland (44-703)
    Philadelphia (44-1790)

From: Director, FBI (44-45339)

Kenfour

1 - Mr. Boyd

Re: Phone call 11/1/74.

CV, at earliest opportunity, discuss with Departmental
Attorney Robert Murphy or one of his staff, the possibility
of SACs being subpoenaed as a witness for the
defense as set out in retel. Obtain Murphy's views and advise
the Bureau.

The Bureau should be immediately notified
when Daull is actually subpoenaed, along with any other
specifics known concerning desired testimony.
Robert A. Murphy, Civil Rights Division, U.S. Department of Justice, currently in Cleveland, Ohio, advised that he desired to trace the chain of custody of the original tape recordings made at Kent State University (KSU) on May 4, 1970 by [redacted] which has been identified as Q-153, including the period that the original recording was obtained from the office of the Attorney General, Columbus, Ohio, and thereafter forwarded to the Bureau.

Murphy noted that sometime around Aug., 1973, at the instruction of John Hoyle and Paul Lawrence of his division, while in Columbus, Ohio, one or two boxes of evidence were forwarded to the Bureau along with an inventory of the contents of the boxes. Murphy believes that after the original recording was forwarded to the Bureau, it was obtained at Bureau headquarters by either Hoyle, Lawrence,
OR HIMSELF AND THEREAFTER HAND CARRIED BY ONE OF THEM TO
CLEVELAND FOR USE DURING FEDERAL GRAND JURY, DECEMBER, 1973
TO JANUARY, 1974.

ACCORDINGLY, THE BUREAU IS REQUESTED TO ADVISE RE THE
CONTENTS OF ANY INVENTORY PARTICULARLY AND NOTATIONS AS TO THE
RECEIPT AND/OR DISPOSITION OF THE ORIGINAL TAPE
RECORDING. IT IS NOTED THE DISPOSITION OF THE ORIGINAL
RECORDINGS IS GENERALLY ACCOUNTED FOR AFTER ITS USE DURING THE
GRAND JURY.

ALSO, FOR INFO OF BUREAU, TRIAL IN THIS MATTER WILL
COMMENCE OCTOBER 29, 1974, WITH TESTIMONY OF HORACE HEAFNER
OF THE EXHIBITS SECTION, ADMINISTRATIVE DIVISION, SCHEDULED
FOR OCTOBER 31, 1974. IT WILL BE NECESSARY FOR HEAFNER TO
TRAVEL TO CLEVELAND FOR CONFERENCE WITH MURPHY DURING LATE
AFTERNOON OF WEDNESDAY, OCTOBER 30, 1974.

END
AIRTEL

11/4/74

To: SAC, Cleveland (44-703)
From: Director, FBI (44-45339) 1 - Mr. Boyd

KNSFOUR

Re: CVtelcall 11/4/74.

Enclosed herewith is 1 copy for completion of your file of a Bureau O-70 (F) memorandum dated 10/23/73, a copy of a Civil Rights Division memorandum dated 9/20/73, and a receipt dated 7/12/74, signed by Departmental Attorney Paul Lawrence.

Enclosures (3)
UNITED STATES GOVERNMENT

Memorandum

TO: Assistant Attorney General
Civil Rights Division

FROM: Director, FBI

DATE: 10/23/73
ATTENTION: MR. JOHN HOYLE

SUBJECT: KILLING OF FOUR STUDENTS,
KENT STATE UNIVERSITY, KENT, OHIO, 5/4/70:
ALLISON KRAUSE, ET AL. - VICTIMS:
SUMMARY PUNISHMENT
CIVIL RIGHTS

Reference is made to [url] memorandum dated 01/27/73
(your file RA-1-DJ 144-57-339).

There is enclosed one copy of the report of Special Agent [deleted] dated [deleted] at [deleted].

A. [ ] This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. [ ] The investigation is continuing and you will be furnished copies of reports as they are received.

C. [ ] The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. [ ] Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. [ ] Please advise whether you desire any further investigation.

F. [ ] This is submitted for your information and you will be advised of further developments.

G. [ ] This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

II. [ ] This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc. SEE NOTE PAGE 2.

[Handwritten notes and signatures]
This will confirm receipt of your letter dated 9/20/73 setting forth an inventory of some of the materials collected by your office in the course of captioned investigation. It will serve to acknowledge receipt by this office of the items set forth therein except for Item 17 (State Highway Patrol Photo Album A) which you indicate you have retained, and Items 16 and 17, which were delivered to Mr. Hoyle on 10/19/73 as per his request. All other items listed therein received by this Bureau will be sealed in the original box that they were received in and held for your disposition.

-2-
Memorandum

To

MR. WALSH

FROM

J. P. DUNPHY

DATE: 11/1/74

SUBJECT: KENFOUR

This case involves the trial in United States District Court, Cleveland, Ohio, of eight Ohio National Guardsmen who have been indicted in connection with the shooting incident on the Kent State University Campus on May 4, 1970.

On October 21, 1974, Visual Information Specialist Horace J. Heafner proceeded to Cleveland, Ohio. Mr. Heafner was to testify concerning exhibits previously prepared by him. Heafner conferred with Departmental Attorney Robert Murphy re testimony in captioned case. Mr. Murphy requested that additional measurements be made on the campus of Kent State University and that these measurements locate distance shown in photograph taken by students on May 4, 1970. In addition, he requested that measurements be made of trees located in the vicinity of Taylor Hall and that these locations be plotted on diagrams for use in trial of captioned case concerning which Mr. Heafner would testify.

Since jury selection had not been made, Mr. Murphy requested that Heafner return to Washington, D. C., on 10/23/74 and return to Cleveland on 10/30/74 for testimony.

Heafner returned to Cleveland, Ohio, 10/30/74 and testified in U. S. District Court on 10/31/74. The 5-man defense counsel attempted to prevent admission of the exhibits into evidence by attacking Mr. Heafner’s qualifications. However, 23 years of experience in addition to his art training was sufficient for the Judge, and the exhibits were admitted.

After testimony, Mr. Murphy advised Heafner that he is subject to recall for additional testimony regarding measurements made in connection with photographs taken by students on May 4, 1970. He will advise the Bureau if such testimony is needed. Heafner returned to WDC on 10/31/74.

RECOMMENDATION:

For information only.

1 - Mr. McDonough (General Investigative Division)
The trial of the eight Ohio National Guardsmen who were on duty at Kent State University (KSU), on 5/4/70, is currently underway at Cleveland, Ohio, in U. S. District Court. Defendants have been charged with violating the civil rights of four students who were killed and others who were wounded.

The attached advises that Civil Rights Division (CRD) Attorney Robert A. Murphy has requested our Cleveland Office furnish a 12 gauge shotgun from the Cleveland Office inventory for the purpose of displaying same in Federal Court. Two subjects are charged with firing 12 gauge shotguns at the time of the confrontation and two of the wounded students were hit with shotgun fire.

SAC Cleveland has observed that introduction of a Bureau shotgun could carry a stigma or adverse inference with those in attendance at the trial and recommends against it. The General Investigative Division concurs with the SAC, Cleveland, and Cleveland is being instructed to suggest to Departmental Attorney Murphy that he use a suitable photograph or obtain a shotgun on loan or rental from a local gun dealer for his purpose.
ON THIS DATE, ROBERT A. MURPHY, JR. USDJ, REQUESTED THE LOAN OF A TWELVE GAUGE SHOTGUN FROM CLEVELAND'S INVENTORY FOR THE PURPOSE OF DISPLAYING SAME IN FEDERAL COURT IN TRIAL OF CAPTIONED MATTER INASMUCH AS TWO OF THE SUBJECTS ARE CHARGED WITH THE DISCHARGING OF TWELVE GAUGE SHOTGUNS DURING THE CONFRONTATION ON THE KENT CAMPUS ON MAY FOUR NINETEEN SEVENTY AND TWO OF THE WOUNDED VICTIMS ARE KNOWN TO HAVE BEEN HIT WITH SHOTGUN FIRE.

MURPHY EXPECTED THAT THE SHOTGUN, IF MADE AVAILABLE, WOULD BE RETURNED ON THE SAME DATE TO THE CLEVELAND OFFICE. HE NOTED, HOWEVER, THAT IF THE WEAPON SHOULD HAVE TO BE KEPT THROUGH THE DURATION OF THE TRIAL, IT WOULD BE IN THE SECURE POSSESSION OF THE CLERK OF THE CHIEF JUDGE TRYING THE CASE. IT IS NOTED ALSO THAT MURPHY IS UNABLE TO SECURE AN EXEMPLAR OF THIS TYPE OF SHOTGUN FROM THE OHIO NATIONAL GUARD AS THE GUARD NO LONGER USES OR MAINTAINS SHOTGUNS IN THEIR INVENTORY.
To: SAC, Cleveland (44-703)
From: Director, FBI (44-45339) [RE:]

11/8/74

KENFOUR

ReCVtel 11/6/74 and Butelcall to CV, 11/7/74.

This will confirm reButelcall advising that the Bureau concurs with the recommendation of SAC, Cleveland, as set out in retel and instructing that you suggest to Departmental Attorney Murphy that he use a suitable photograph or obtain a shotgun on loan or rental from a local gun dealer for his purpose.

JJB; bap (4) [signature]

NOTE: This refers to Departmental Attorney Murphy's request of the CVO that it furnish a 12-gauge shotgun from the office inventory to display in Federal Court during the current trial of subjects. SAC, Cleveland, observed that introduction of the Bureau shotgun could carry a stigma or adverse inference with those in attendance at the trial and recommended against it. Informative note of 11/6/74 attached to retel set out instructions for CV as contained in this airtel.
TO: DIRECTOR (44-45339)
    PHILADELPHIA (44-1790)
    PITTSBURGH
FROM: CLEVELAND (44-703)

RE CLEVELAND TELCALL TO PITTSBURGH, NOV. 7, 1974.

ON NOV. 7, 1974, ROBERT A. MURPHY, DEPARTMENTAL ATTORNEY, ADVISED SA [REDACTED] PITTSBURGH OFFICE, IS NECESSARY WITNESS IN TRIAL IN THIS MATTER CURRENTLY IN SESSION IN USDC, CLEVELAND, OHIO. SA [REDACTED] IS EXPECTED TO TESTIFY CONCERNING PHOTOGRAPHIC IDENTIFICATION OF SUBJECT GUARDSMEN.


IN VIEW OF THE APPARENT ACCELERATED PACE OF THE TRIAL IN

5 NOV 15 1974
THIS MATTER, POSSIBILITY EXISTS DAVULL MAY BE CALLED AT AN EARLIER DATE. MURPHY ANTICIPATES CONCLUDING PROSECUTIVE ACTION THIS WEEK.

IN DISCUSSING THIS MATTER WITH MURPHY, HE EXPRESSED THE DESIRE TO SPEAK WITH SA____ WHEN HE ARRIVES IN CLEVELAND. CLEVELAND OFFICE AND MURPHY UNABLE TO SPECULATE AS TO SIGNIFICANCE OF SA____ TESTIMONY IN VIEW OF THE CONTENTS OF HIS INTERVIEW OF MAY 15, 1978 OTHER THAN THE FAVORABLE IMPRESSION AN FBI AGENT WOULD HAVE ON THE COURT AND JURY IN BEHALF OF THE DEFENSE, MERELY BECAUSE OF HIS PROFESSION.

IT IS NOTED THAT ___________ WAS A STUDENT AT KENT STATE UNIVERSITY, KENT, OHIO, DURING 1978 PRIOR TO HIS BUREAU EMPLOYMENT.

BUREAU WILL BE ADVISED EXPEDITIOUSLY RE ANY OTHER SPECIFICS CONCERNING POSSIBLE TESTIMONY AS THEY BECOME KNOWN TO CLEVELAND.

UACB, SA____ SHOULD IMMEDIATELY PROCEED TO CLEVELAND FOR TESTIMONY.

END

JAC FBIHQ CLR
11/3/74

GENERAL INVESTIGATIVE DIVISION

This is the case in which 8 former Ohio National Guardsmen (ONG) were being tried in U.S. District Court, Cleveland, Ohio, for violating the Civil Rights of 4 students who were killed and other students who were wounded at Kent State University on 5/4/70.

The attached from Cleveland Office advises that at approximately 11 a.m., today, Chief Judge Frank J. Battisti returned a directed verdict of acquittal on all 3 subjects. Judge Battisti contended that the Government's testimony had not shown sufficient willful intent by any of the 3 subjects to specifically deprive any of the victims of their Civil Rights.

JJS:lap
ON THIS DATE, ROBERT A. MURPHY, DEPARTMENTAL ATTORNEY IN CHARGE OF THE PROSECUTION OF THIS CASE AT CLEVELAND, OHIO, ADVISED AT APPROXIMATELY 11:00 AM THAT CHIEF JUDGE FRANK J. BATTISTI, USDC, CLEVELAND, OHIO, RETURNED A DIRECT VERDICT OF ACQUITTAL OF THE CHARGES AGAINST ALL EIGHT SUBJECTS IN THIS MATTER. MURPHY STATED THAT IT WAS CHIEF JUDGE BATTISTI'S CONTENTION THAT THE TESTIMONY OFFERED BY THE GOVERNMENT HAD NOT SUFFICIENTLY SHOWN THE WILLFUL INTENT ON THE PART OF ANY OF THE EIGHT SUBJECTS TO SPECIFICALLY DEPRIVE ANY OF THE VICTIMS OF ANY CIVIL RIGHTS AS WAS CHARGED IN THE INDICTMENT.

REPORT WILL FOLLOW.

END.

[Signature]

[Date: Nov 15, 1974]
David J. Floydahl, Esq.
Steven A. Sindell, Esq.
Sindell, Sindell, Bourne, Stumo
Goldbald
1600 Leader Building
Cleveland, Ohio 44114

Dear Herrs, Floydahl and Sindell:

This is in reply to your letter of October 3, 1974. In that letter you appealed from a denial by the Assistant Attorney General for the Civil Rights Division of your request for the data collected by the FBI in the course of its investigation of the shooting incident that took place at Kent State University on May 4, 1970.

Having given your appeal careful consideration, I am affirming the denial. As you have acknowledged, the requested records are 'Investigatory files compiled for law enforcement purposes' and therefore are exempt under exemption seven of the Freedom of Information Act (5 U.S.C. 552 (a) (7)) from compulsory disclosure. Furthermore, I have concluded that it would be inappropriate for me to direct a discretionary release at this time. There is pending in a federal court a criminal case involving much of the material in the requested files. As the Assistant Attorney General pointed out to you, it would be inconsistent with the government's obligation to present an effective case for prosecution and to insure a fair trial for defendants to release these records at the present time.

You have also suggested a stipulation for a delay in the disposition of the matter until after the conclusion of the criminal trial, with the entire matter to be finally decided by me at that time. I am unable to agree to your suggestion for two reasons. First, by the time the trial is over much of the requested material may well be a part of the public record and therefore become available to you. This obviates or substantially modifies any basis for supplemental release. Second, subsequent to the criminal...
proceedings it would be more appropriate to direct any request to the Civil Rights Division for consideration in accordance with the normal administrative procedure.

I agree with the suggestion of the Assistant Attorney General that you consider resubmitting your request after the criminal proceedings are completed, in light of the situation as it then exists.

Sincerely,

William B. Saxbe
Memorandum

TO: Mr. Gebhardt

FROM: C. L. McGowan

DATE: November 13, 1974

SUBJECT: KENFOUR

This is the case involving the shooting deaths of 4 students and wounding of others at Kent State University, Ohio, on 5/4/70.

Reference is made to my memorandum dated 10/17/74 and addendum of Legal Counsel Division, 10/21/74.

The purpose of this memorandum is to recommend that no additional affidavits be obtained from Bureau Agents concerning certain allegations made by 2 defendants in this case regarding the manner in which they were advised of their rights by these Agents.

Affidavits were previously requested and received from these Bureau Agents and the Legal Counsel Division reviewed these affidavits and advised that while the affidavits suffice for administrative, intra-Bureau purposes, they are not in form usable by the U. S. Attorney. The Legal Counsel Division also advised that at present, there does not appear to be any necessity for further action beyond the refinement and possible changes in emphasis of the actual affidavits to be submitted for the use of the U. S. Attorney.

Since this review by the Legal Counsel Division, the Bureau Agents had the opportunity to refute under oath these allegations in judicial proceedings before Chief U. S. District Judge Frank J. Battisti, Cleveland, and the Judge subsequently held these statements from the defendants furnished to the Bureau Agents, admissible. Subsequently, on 11/8/74, Chief Judge Battisti returned a direct verdict of acquittal on the charges against all 8 defendants in this matter. This acquittal was not based upon any allegations made by the two defendants at issue in this matter.

ACTION: Neither the U. S. Attorney nor the Department has requested any affidavits from Bureau Agents in this matter and since the Agents subsequently refuted these allegations under oath, no additional affidavits are being requested at this time.
Memorandum

TO: Mr. Gebhardt

FROM: C. L. McGowan

DATE: 10/17/74

SUBJECT: KENFOUR

This is the matter in which we conducted extensive investigation resulting in 8 members of the Ohio National Guard (ONG) being indicted by a Federal Grand Jury for violating the Civil Rights of 4 Kent State University students who were shot and killed by the ONG on 5/4/70. Trial is scheduled for 10/21/74 in U. S. District Court, Cleveland, Ohio, and a hearing on defendants' motions to suppress their statements began on 10/15/74.

In connection with the suppression hearing, SAC Fehl of our Cleveland Office received a subpoena on 10/11/74 to produce the FBI Agent's Handbook and any other manuals or instructions setting forth the procedure by which the Bureau takes statements from witnesses or potential accusers. Assistant Director John Mintz, Legal Counsel, has been in contact with Attorney John Hoyle of the Civil Rights Division and Hoyle concurred with Mr. Mintz's suggestion that a motion to quash be prepared on the grounds that the documents requested were not material to the defense. Our Cleveland Office has advised that as of close of business 10/16/74, the court had not heard the matter concerning the subpoena of SAC Fehl but instead had gone directly into testimony of the Special Agents who had previously interviewed the various defendants.

Three of the defendants (McManus, Perkins and Shafer) have filed motions to suppress their signed statements furnished to our Agents. Perkins and Shafer do not deny they were advised of their constitutional rights, but both claim when they asked the Agents if they needed an attorney, they were allegedly told that there was no need for an attorney, and that "whatever was said would go no further" and that the Agents "were just trying to please some people with the investigation and get it over with." The Agents who interviewed Perkins and Shafer have submitted affidavits denying the allegations; McManus made no allegations against the FBI.

44-45339
JJB:bap (6)
Encs.

PLRS. REC. UNIT. CONTINUED - OVER

44-45339
JJB:bap (6)
Encs.

ADDENDUM: LEGAL COUNSEL DIVISION
Memorandum to Mr. Gebhardt
RE: KENFOUR

Enclosed with this memorandum is a copy of each of the following documents:

(1) Motion to Suppress by defendant McManus and reply brief to the Government's brief in opposition to McManus' motions.

(2) Motion to Suppress of defendant Perkins with sworn affidavit and Perkins' reply brief to the Government's opposition to his motion to suppress.

(3) Motion of defendant Shafer and affidavit to suppress, along with Shafer's reply brief to the Government's brief in opposition to his motion.

(4) The Government's answer to defendants' motions to suppress.

(5) Sworn affidavits from SAS, all of whom interviewed defendants Perkins and Shafer, which affidavits deny the defendants' allegations.

ACTION: That the above documents and affidavits be forwarded to the Office of Legal Counsel for review.

You will be promptly advised of any subsequent pertinent developments.
Legal Counsel Division has reviewed the allegations made and the affidavits submitted in this matter. While the affidavits suffice for administrative, intra-Bureau purposes, they are not in form usable by the United States Attorney. It is noted that the language of Special Agent [redacted] affidavit is much more tentative than that of Special Agent [redacted], but that both use the form of stating that they do not recall certain rather important things they are alleged to have said or Perkins said. If they actually do not recall these things, that is proper; however, if the usage of the term is stylistic and the Special Agents actually knew that something was said or not said, the statements should be declarative of those facts. It is noted that Special Agent [redacted] affidavit is much better in terms of form, language and substance than the other three and that he is able to make positive statements on the points raised even though over four years have elapsed. The resolution of this matter is an issue of fact to be decided in the criminal case and hopefully will absolve the Special Agents concerned. At present, there does not appear to be any necessity for further action beyond the refinement and possible changes in emphasis of the actual affidavits to be submitted for the use of the United States Attorney.
ON NOV. 4, 1974, ROBERT A. MURPHY, DEPARTMENTAL ATTORNEY IN CHARGE OF PROSECUTION OF TRIAL OF SUBJECT IN THIS MATTER, ADVISED AGENT TESTIMONY MAY BE NECESSARY BY FOLLOWING SPECIAL AGENTS FOR WEDNESDAY, NOV. 6, 1974:

SA [REDACTED], ALBANY; SA [REDACTED], ATLANTA;
SA [REDACTED], CHICAGO; AND FBI LAB EXAMINERS [REDACTED].

MURPHY NOTED THAT TESTIMONY BY
WOULD LIKELY BE WEDNESDAY AFTERNOON.

THE ABOVE SPECIAL AGENTS OF RESPECTIVE DIVISIONS AND BUREAU HEADQUARTERS SHOULD MAKE NECESSARY RESERVATIONS FOR TRAVEL TO CLEVELAND FOR TESTIMONY BY NOV. 6, 1974.

CLEVELAND WILL CONFIRM SPECIFIC TIME AND DATE AND ADVISE.

END

14 NOV 20 1974

[Signature]
November 25, 1974

Forable C. Stanley Pettisger
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington, D.C.

Dear Mr. Pettitiger:

As Special Agent in Charge Frederick C. Rehl of our Cleveland office has brought to my attention the outstanding performance of Robert E. Hazley, Paul G. Lawrence, John C. Boyle, and Miss Marjorie L. Jones of your staff in connection with the prosecution of eight individuals growing out of an incident which took place in May, 1973, at Kent State University, Kent, Ohio.

This case was unusually complicated and the preparation for trial required an assessment of the significance and relevance of a great number of witnesses, documents, and other physical evidence. The very difficult task was handled with efficiency and dispatch by the members of your staff and their performance was in keeping with the highest traditions of their profession. My appreciation for their dedicated efforts.

Sincerely yours,

Q. M. Kelley
Clarence H. Kelly
Director

- Cleveland (44-703)
Reurairte 11-11-74 and Bucal 11-21-74

NOTE: SAC Cleveland recommended letter of appreciation and the GIN concurred. Rehfiles and Cleveland files contain no information to preclude such a letter. Full name of Department of Justice employees, including correct name of Miss Marjorie L. Jones, obtained by phone call to Cleveland office.
**FEDERAL BUREAU OF INVESTIGATION**

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<th>TITLE OF CASE</th>
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<td>9/19/74 - 9/11/74</td>
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<td>KENFORD</td>
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<td>CHARACTER OF CASE</td>
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**REFERENCE**


**ACCOMPLISHMENTS CLAIMED**

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<th>SAVINGS</th>
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4. Bureau (44-45339)
1. USA, Cleveland
2. Cleveland (44-703)

**Dissemination Record of Attached Report**

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**NOTATIONS**

**DATA**

58 DEC 1874

**COVER PAGE**
Copy to: 1 - USA, Cleveland

Report of: SA MARTIN V. HALE
Date: 9/19/74
Office: Cleveland, Ohio

Field Office File #: (44-703)
Bureau File #: (44-45339)

Title:
KILLING OF FOUR STUDENTS AT
KENT STATE UNIVERSITY
KENT, OHIO
5/4/70;
ALLISON KRAUSE, et al -
VICTIMS

Character: CIVIL RIGHTS

Synopsis:
[Text redacted]

DETAILS:
was interviewed at his place of employment, was advised of the identities of the interviewing Agents and of the fact that he was being interviewed in connection with his activities as an Ohio National Guardsman present at Kent State University on May 4, 1970. He was advised of certain rights to which he was entitled as contained in an "Interrogation; Advice of Rights" form and waived these rights by executing the form.

stated that he was a with the Ohio National Guard, and that when his unit was called up in connection with the Kent State University disturbance of May, 1970, he was issued the grenade launcher regularly assigned to him along with several rounds of projectile, canister-type tear gas. He advised that he was also issued his regularly assigned .45 caliber pistol and about four rounds of ammunition advised that his unit maintains weapon cards for each weapon in its inventory; however, he does not recall who issued him his weapons and ammunition or what procedures were used to reflect his personal accountability for the weapons.

advised that during the period his unit was on the Kent State University campus, he had possession and control of his weapon and ammunition. He stated that an inventory of the ammunition was taken by an officer, possibly on a daily basis; however, he does not recall if an inventory of ammunition was taken following the shootings which occurred on the Kent State University campus. stated that he did not draw or fire his .45 caliber pistol at any time during this period.

He said the .45 caliber ammunition was turned in to his unit at the time he checked in his grenade launcher and .45 caliber pistol.

Interviewed on 9/11/74
by
SA

[Redacted]

DPKidds Date stamped 9/12/74

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is issued to you for your convenience in the conduct of your work and its contents are not to be distributed outside your agency.
denied previously telling Special Agent of the Federal Bureau of Investigation that he was not carrying a pistol, or telling them that if he had been carrying a pistol he would have used it. He said he recalls making a statement about a rifle to the effect that if he had had a rifle, he might have used it.

advised that he has not seen his grenade launcher or .45 caliber pistol since surrendering it to his National Guard Unit following the Kent State shootings, and does not know that this pistol was ever submitted to the Federal Bureau of Investigation for testing purposes.

advised he did not give a statement to the Inspector General or to the Ohio State Highway Patrol in 1970 as some members of his unit did, because he was never asked to do so.
In addition to the above, when interviewed on September 11, 1974, [redacted] indicated he would be leaving to return to Ohio. Exact address unknown, but will be employed by the [redacted], Cleveland, Ohio.
TO: DIRECTOR, FBI (44-45339)
(ATTENTION: ADMINISTRATIVE DIVISION,
MECHANICAL SECTION—PHOTOGRAPHIC UNIT)

FROM: SAC, CLEVELAND (44-703) (P)

Enclosed herewith for the Bureau is one copy each of nineteen 5 X 7 color photos taken at the Kent State University Campus on 5/11/70 by SA

Also enclosed are three rolls of 35 mm Kodacolor negatives taken by SA which contain the negatives for the above-described prints.

ROBERT A. MURPHY, Chief Departmental Attorney for the prosecution of this matter in USDC, has requested four copies each of the 19 prints in 8 X 10 size for utilization in trial purposes.

The Photographic Unit is requested to identify the respective negatives for the 19 prints.

It is anticipated that MURPHY will have one of his representatives pick up the developed prints some time during the weekend of 10/26-28/74 for their available use when trial reconvenes on the morning of 10/29/74 at CV, Ohio.

The Bureau will be expeditiously advised when more specific arrangements are made for the pick up of the requested prints.
Memorandum

TO: Mr. Gebhardt

FROM: C. L. McGowan

SUBJECT: KENFOUR

DATE: 11/19/74

1 - Mr. Gebhardt
1 - Mr. McGowan
1 - Mr. McDonough
1 - Mr. Walsh

SAC, Cleveland, recommends a letter be addressed over the Director's signature to J. Stanley Pottinger, Assistant Attorney General (AAG), Civil Rights Division (CRD), U.S. Department of Justice (USDJ), bringing to his attention the individual efforts of 4 Departmental employees in connection with their participation in the prosecutive proceedings in this case. SAC also recommends individual letters of commendation for the case agent and field supervisor for the commendable manner in which they handled the investigation in this case.

BACKGROUND: This case involves an extensive Civil Rights investigation conducted by the Bureau in connection with the killing of 4 students and wounding of several others by the Ohio National Guard (ONG) in May, 1970, at Kent State University, Kent, Ohio.

Upon request of the Department of Justice, the Bureau instituted an extensive investigation into the above incident shortly after it occurred in May, 1970. After an extensive, thorough investigation, the results of which were disseminated to the USDJ, the Department decided at that time not to press the case to a Federal Grand Jury (FGJ).

Subsequently, in August, 1973, the Department decided to reopen the investigation. The Department then asked for certain additional investigation which was promptly and thoroughly handled by the Cleveland Division.

The Department thereafter presented this matter to a FGJ in Cleveland. Eight former guardsmen were indicted and the matter was brought to trial in Cleveland beginning in October, 1974. On 11/8/74, at the conclusion of the presentation of the Government's case, Chief U.S. District Court Judge Frank J. Battisti directed a verdict of acquittal on all charges against all 8 defendants stating the Government had not sufficiently proved willful intent on the part of subjects to deprive the victims of their Civil Rights.
Memorandum to Mr. Gebhardt  
RE: KENFOUR  

RECOMMENDATIONS OF SAC, CLEVELAND:

(1) SAC, Cleveland, recommends that a letter be addressed over the Director's signature to J. Stanley Pottinger, AAG, CRD, USDJ, bringing to his attention the individual efforts of 4 Departmental employees under his direction in connection with their participation in the prosecutive proceedings of this case.

Throughout the re-opening of the investigation, the presentation to the FGJ and those phases preparatory and during the proceedings in USDC, CV, the bulk of the gathering of all of the evidence was under the direction of Robert A. Murphy, Chief, Criminal Section, Civil Rights Division, and his assistants, Paul Lawrence, John Hoyle, and Marjorie Jones.

SAC, Cleveland, pointed out that this matter possessed an almost limitless number of witnesses, photographs, and other physical evidence. The responsibility of attempting to assess the significance and relevance of each witness, each photograph, and any and all physical evidence required degrees of competence, diligence, and dedication not always evident in attorneys in our criminal justice system. However, it is the measured opinion of the CV Office, based upon the almost daily contact with Robert Murphy and his colleagues since the Fall of 1973, that Murphy and each of his above-named colleagues brought to the prosecution of this case the kind of professionalism which would warrant their efforts be brought to the attention of the Director.

SAC, Cleveland, feels that such a commendation letter from the Director would not suggest any implication or inference one way or another in regard to the Bureau's opinion on the decision to re-open and prosecute this matter or the outcome which has brought this matter to a close.

In their continuous contact with the case Agent in this matter, each of the above Departmental officials has expressed high regard for the Bureau's work product and Bureau personnel, it is felt each would value such a letter concerning his association with one of the most important, if not the most important, cases each has been associated with.
Memorandum to Mr. Gebhardt
RE: KENFOUR

(2) SAC, Cleveland, also recommends that SA [redacted] the Cleveland case Agent since the inception of this case, receive a letter of commendation from the Director for his efforts throughout the entire handling of this matter. Since the re-opening of this investigation, this matter has required continuous contact with the above-named Departmental officials with resulting requests for investigation, many with short deadlines. In addition, SA [redacted] had to assist in the coordination of Bureau evidence and statements made to BuAgents with the prosecutive goals of the Department.

The Civil Rights Section of the GID further points out that SA [redacted] has handled this case in a most thorough, outstanding manner. He handled the submission of voluminous reports in this matter and obviously reviewed them thoroughly and with his knowledge and initiative, was most influential in making sure they were of the highest quality. He also coordinated the multitude of exhibits, including hundreds of photographs. Through his outstanding coordination, organization, and know-how, not an item requested by the Department was out of place at the time of the judicial proceedings even though some of this material was collected or obtained nearly 4 years previously. He displayed the highest caliber of performance in handling this case. SA Hale has not previously been commended in this case.

(3) SAC, Cleveland, also recommends that SA [redacted], who was recently transferred from CV to Bureau Headquarters, receive a letter of commendation from the Director for his excellent supervision of this case. SA [redacted] who was connected with this case since its inception, exhibited an informed understanding of the Kent State case and also assisted SA [redacted] in liaison with the Departmental attorneys while still having supervision over a desk with a volume case load.

- 3 - CONTINUED - OVER
Memorandum to Mr. Gebhardt
RE: KENFOUR

RECOMMENDATIONS OF THE GENERAL INVESTIGATIVE DIVISION (GID):

(1) The GID concurs with SAC's recommendation that a letter be addressed over the Director's signature to J. Stanley Pottinger, AAG, CRD, USDJ, bringing to his attention the individual efforts of 4 Departmental employees under his direction in connection with their participation in the prosecutive proceedings of this case.

(2) The GID concurs with SAC that SA should be commended; however, recommends that since he handled this matter in such an outstanding professional manner, that he receive an incentive award (rather than SAC's recommendation for a letter of commendation), the amount to be determined by the Administrative Division.

(3) GID concurs with SAC's recommendation that SA Helterhoff receive a letter of commendation in this matter.

(4) In addition, GID recommends that a general letter be directed to the SAC, Cleveland, commending through him all other CV Agents who participated in the investigation.

- 4 -
SAC, Cleveland, recommended a letter of commendation for SA [redacted] for his performance in handling of evidence in the liaison with U.S. Attorneys during the trial in U.S. District Court, Cleveland, during October, 1974, regarding the shooting at Kent State University. GID recommends that the performance of SA [redacted] deserving of an incentive award and Administrative Division concurs with GID. File reviewed and nothing noted therein to preclude recommended recognition.

SAC also recommended SA [redacted], recently transferred from Cleveland Division to FBIHQ, for an individual letter of commendation for his efforts in this matter. GID and Administrative Division concurs. SAC, Cleveland, with the concurrence of GID had also recommended a letter of appreciation to the Attorney General’s Office recommending the individual efforts of 4 Departmental employees. External Affairs handling. It is also agreed that a general letter of commendation should be directed to SAC, Cleveland, to commend through him other participating personnel.

RECOMMENDATIONS:

1. That an incentive award in the amount of $150 be afforded SA [redacted]

2. That an individual letter of commendation be afforded SA [redacted] who is on transfer to FBIHQ.

3. That a general letter of commendation be directed to SAC, Cleveland, to commend through him other participating personnel.

Appropriate letters attached.

[Signature]

12-13-74
FBI
Date: 11/11/74

Transmit the following in
(Type in plaintext or code)

Via AIRTÉL
(Priority)

TO: DIRECTOR, FBI (44-45339)
FROM: SAC, CLEVELAND (44-703) (P)
RE: KENFOUR

In 8/73, the Civil Rights Division of the U.S. Department of Justice re-opened the investigation concerning the circumstances relating to the shooting at Kent State University (KSU) on 5/4/70. Thereafter, indictments were sought and obtained via a FGJ, and eight subjects were thereafter brought to trial in USDC, CV, Ohio, 10/74.

On 11/3/74, at the conclusion of the presentation of the Government's case, the defense counsel sought and obtained from Chief Judge FRANK J. BATTISTI a directed verdict of acquittal of all charges against all eight subjects based upon the Chief Judge's contention that the Government had not sufficiently exhibited willful intent on the part of subjects to deprive the victims of their civil rights.

Throughout the re-opening of the investigation, the presentation to the FGJ and those phases preparatory and during the proceedings in USDC, CV, the bulk of the gathering of all of the evidence was under the direction of ROBERT A. MURPHY, Chief, Criminal Section, Civil Rights Division, and his assistants, PAUL LAWRENCE, JOHN HOYLE, and MARGARET JONES.

As the Bureau is already aware as indicated by the voluminous reports prepared in the investigation of this case since 5/70, this matter possesses an almost limitless number of witnesses, photographs, and other physical evidence. The responsibility of attempting to assess the significance

(2-Bureau
2-Cleveland
FCF:jac
(4)
and relevance of each witness, each photograph, and any and all physical evidence required degrees of competence, diligence and dedication not always evident in attorneys in our criminal justice system. However, it is the measured opinion of the CV Office, based upon the almost daily contact with ROBERT HURPHY and his colleagues since the Fall of 1973, that HURPHY and each of his aboved-named colleagues brought to the prosecution of this case the kind of professionalism which would warrant their efforts being brought to the attention of the Director. Accordingly, I recommend that a letter be addressed over the Director's signature to J. STANLEY FOSTINGER, Assistant Attorney General, Civil Rights Division, U.S. Department of Justice, bringing to his attention the individual efforts of his four employees in connection with their participation in the prosecutive proceedings of this case.

I feel that such a commendation letter from the Director would not suggest any implication or inference one way or another in regard to the Bureau's opinion on the decision to re-open and prosecute this matter or the outcome which has brought this matter to a close.

It may be noted that the re-opening of the investigation of this matter and the subsequent decision to seek prosecution were accompanied by national notoriety. Also, the controversy attached to this case was not unlike past such cases some of which have been characterized as being "political" in nature. In this instance although the Bureau was the prime investigating agency, the Bureau has not been subject to any adverse criticism or publicity.

In their continuous contact with the case agent in this matter, each of the above Departmental officials has expressed his high regard for the Bureau's work product and Bureau personnel, and it is felt each would value such a letter concerning his association with one of the most important, if not the most important, cases each has been associated with.

CV possesses no information which would preclude the preparation of such a letter.
I am also recommending that SA [redacted], the Cleveland case agent since the inception of this case, receive a letter of commendation from the Director for his efforts throughout the entire handling of this matter. Since the re-opening of this investigation, this matter has required continuous contact with the above-named Departmental officials with resulting requests for investigation, many with short deadlines. In addition, SA [redacted] had to assist in the coordination of Bureau evidence and statements made to BuAgents with the prosecutive goals of the Department.

I am also recommending that SA [redacted], who was recently transferred from CV to Bureau Headquarters, receive a letter of commendation from the Director for his excellent supervision of this case. SA [redacted] exhibited an informed understanding of the Kent State case and also assisted SA [redacted] in liaison with the Departmental attorneys while still having supervision over a desk with a volume case load.
REFERENCE

Cleveland teletype to Bureau, 11/8/74.

- P -

ENCLOSURES

Enclosed herewith for the Bureau are one copy each of eight disposition sheets re subjects MC GEE, MC MANUS, MORRIS, PERKINS, PIERCE, SHAFER, SMITH and ZOLLER.
LEADS

CLEVELAND:

AT CLEVELAND, OHIO

Will follow and report any status or disposition of any evidentiary items.
ADMINISTRATIVE

The primary purpose of this report is to record the acquittal of all eight subjects in this matter.

This case is being maintained in a pending status in view of the voluminous amount of evidence still retained by the Cleveland Office.

It is noted that a civil action in this matter is still pending in U.S. District Court, Toledo, Ohio.

Cleveland is withholding the return or other disposition of any evidence pending specific instructions and approval from the CRD, USDJ.
KILLING OF FOUR STUDENTS AT KENT STATE UNIVERSITY, KENT, OHIO - May 4, 1970; ALLISON KRAUSE, ET AL. - VICTIMS

CIVIL RIGHTS

On 11/8/74, in USDC, Cleveland, Ohio, Judge FRANK J. BATTISTI returned a directed verdict of acquittal of charges against all eight subjects - JAMES DANIEL MC GEE, MATHEW JUNIOR MC MANUS, BARRY WILLIAM MORRIS, WILLIAM EARL PERKINS, JAMES EDWARD PIERCE, LAWRENCE ANTHONY SHAFER, LEON HERBERT SMITH, and RALPH WILLIAM ZOLLER. The subjects had been charged with violations of Title 18, Sections 2 and 242, U.S. Code.

- P -

DETAILS: AT CLEVELAND, OHIO:

On November 8, 1974, ROBERT A. MURPHY, Criminal Section, Civil Rights Division, U.S. Department of Justice (CRD, USDJ) who was in charge of the prosecution of this case in U.S. District Court, Cleveland, Ohio, advised that on that date Chief Judge FRANK J. BATTISTI, at the conclusion of the presentation of the Government's case, returned a directed verdict of acquittal of all charges against all eight subjects in this case. The subjects included JAMES DANIEL MC GEE, MATHEW JUNIOR MC MANUS, BARRY WILLIAM MORRIS, WILLIAM EARL PERKINS, JAMES EDWARD PIERCE, LAWRENCE ANTHONY SHAFER, LEON HERBERT SMITH, and RALPH WILLIAM ZOLLER.

- 1* -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
Memorandum

TO : Assistant Attorney General
CIVIL RIGHTS DIVISION

FROM : Director, FBI

DATE: 12/20/74

SUBJECT: KILLING OF FOUR STUDENTS AT KENT STATE UNIVERSITY, KENT, OHIO - MAY 4, 1970; ALLISON KRAUSE, ET AL-VICTIMS CIVIL RIGHTS

Reference is made to __________ memorandum dated ________________ (your file ________________).

There is enclosed one copy of the report of Special Agent dated 12/16/74 at CLEVELAND.

A. □ This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. □ The investigation is continuing and you will be furnished copies of reports as they are received.

C. □ The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. □ Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. □ Please advise whether you desire any further investigation.

F. XXXT___(P)___isNAMMfpd for your information and you will be advised of further developments.

G. □ This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. □ This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc. 1

NOTE: Our Cleveland Office is withholding the return and/or other disposition of evidence in this case pending specific instructions from the Civil Rights Division, United States Department of Justice.
TO: DIRECTOR, FBI (44-45339)

FROM: GAC, CLEVELAND (44-703) (P)

SUBJECT: KENFOUR

Re Cleveland airtels to the Bureau, 10-30-73, and 12-4-73, with accompanying LHM.

Enclosed for the Bureau are four copies of a self-explanatory LHM regarding a contact at the Cleveland Office by [redacted], Ohio.

One copy also being furnished for the Office of the United States Attorney, Cleveland, Ohio.

The contact by [redacted] is set forth in LHM form for dissemination in view of her apparent propensity for contacting several government agencies, including the FBI, CIA, and the CRD, USDOJ. [redacted] is well known by name to officials of the Criminal Section of the CRD, USDOJ, particularly those having a working knowledge of the Kent State investigation and prosecution.

[redacted] was advised that the only action that the Cleveland Office could take concerning her information would be to forward same to the USDOJ.

Bureau (Enc. 4)
CLEVELAND (Enc. 4)

MVH: rep (4)

Approved: ____________________ Sent: __________ M Per: __________

Special Agent in Charge
KILLING OF FOUR STUDENTS
AT KENT STATE UNIVERSITY
KENT, OHIO
MAY 4, 1970;
ALLISON KRAUSE;
ET AL -
VICTIMS

Reference is made to memoranda at Cleveland, Ohio, of October 30, 1973, and December 4, 1973, both of which were comprised of the results of interviews of [redacted] at 23371 Farringdon, Euclid, Ohio 44123.

On December 30, 1974, [redacted] appeared at the Cleveland Office of the Federal Bureau of Investigation (FBI) and exhibited a clipping which she stated she had observed on Page 9-A of the December 29, 1974, edition of "The Plain Dealer," a Cleveland, Ohio, daily newspaper of general circulation in Northern Ohio. It is noted that this article is headlined "Ex-CIA agent details his activities in U.S." [redacted] made repeated references to the contents of the above mentioned article and in response to a specific question as to how her situation relates to the article, she replied that it is her belief that during the years 1968 and 1969 she may have been the type of individual that the Central Intelligence Agency (CIA) is alleged to have placed under surveillance. She recalled her trip to Europe during those years for approximately a six month period, which included travel and temporary residence on the island of Crete and travel through Belgium and England while en route back to the United States.

[redacted] by her own admission, noted that she had been a "pest" with regard to her repeated efforts to speak with J. STANLEY POTTINGER, ROBERT A. MURPHY, PAUL LAWRENCE, JOHN HOYLE, and other officials of the Civil Rights Division, U. S. Department of Justice, both during the seating of the Federal Grand Jury at Cleveland, Ohio, and during several trips to Washington, D.C.
RE: KILLING OF FOUR STUDENTS
AT KENT STATE UNIVERSITY
KENT, OHIO
MAY 4, 1970;
ALLISON KRAUSE;
ET AL -
VICTIMS

Also stated that she had personally gone to the headquarters of the CIA in Virginia in an effort to ascertain the extent to which that agency may have maintained a file on her activities during 1968 through May, 1970. She also advised that she had personally visited the headquarters of the FBI, Washington, D.C., in connection with her rights under the Freedom of Information Act and was advised by a representative of the FBI that no file was maintained on her or her activities and no record existed concerning her other than the information which she had freely and voluntarily provided at Cleveland, Ohio, on October 30, and December 4, 1973, respectively.

Was questioned as to what specifically she desired of the FBI or the U. S. Department of Justice based upon her impressions of the contents of "The Plain Dealer" article relating to alleged CIA activities. She responded that it is her belief that the individuals she previously referred to as "they" may, in fact, have been agents of the CIA and that she can perceive the possibility that the shooting incident at Kent State University on May 4, 1970, may have been provoked directly or indirectly by agents or activities of the CIA inasmuch as her harassment terminated the day of the shooting.

Set forth below is a photostatic copy of an article entitled, "Ex-CIA agent details his activities in U.S." which appeared on Page 9-A of the Sunday edition of "The Plain Dealer," Cleveland, Ohio, dated December 29, 1974.
Ex-CIA agent details his activities in U.S.

NEW YORK — A former CIA agent has told the New York Times how his work in domestic spying grew from relatively minor liaison duties into complex intelligence gathering.

By the time the agent, who insisted on the right to remain anonymous, left the CIA in 1972, he said his unit in New York was maintaining huge files on American radicals, antiwar professors and attorneys and others, he told the Times.

He was involved in infiltration of radical groups, attempts to convert radicals into CIA informers and collection of psychological profiles on more than 40 top radicals, he said.

The former agent said New York City became a prime CIA domestic spying target during the Nixon administration because it was considered a big training ground for radical activities in the United States.

The agent, who spent more than four years in the late 1960s and early 1970s spying on radical groups in New York, said more than 25 CIA agents were assigned to the city at the height of antiradar protest activity at Columbia University and elsewhere.

The agents were tightly controlled by senior officials in the New York office of the domestic operations division, a little-known domestic unit set up in 1964 by the CIA in more than a dozen cities across the nation, the former intelligence official said.

The division’s ostensible function then was legal: To coordinate with the American corporations supplying “cover” for CIA agents abroad and to aid in the interrogation of American travelers after their return from foreign countries.

The former agent’s description of life as a domestic CIA spy was provided during a series of interviews last week. The contact with the Times came after publication last Sunday of the first account of the massive spying.

The former agent said that his involvement began with the advent of the Black Panther movement in 1967 and the increase of antiwar dissent during the last months of the Johnson administration. “And then it started to snowball from there,” he said.

The Times, working with details supplied by the former agent, was able to verify that he served as an undercover intelligence spy, although it was impossible to check all of his information.

The former agent said that if he was exposed he would be forced to publicly deny any link to the agency.

A high-ranking government intelligence official, informed of the story, said his description of day-to-day life as a domestic spy “seemed a little bit far out.” But the official added that he was unable to deny any specific allegations pending a check of files.

The Times, quoting well-placed sources, reported last Sunday that the CIA had violated its charter by conducting massive and illegal intelligence operations inside the United States.

The former intelligence agent said the CIA had supplied him with “more than 40” psychological assessments of radical leaders during his spy career.

High-ranking CIA officials, including Richard Helms, the former director of the agency and now ambassador to Iran, told Congress in the wake of the Watergate scandal that only such assessments — done by psychiatrists working for the agency — have ever been prepared on Americans citizens.

“What we were trying to do,” the former CIA agent said in an interview, “was to find out what the radicals were marketing and to learn if they had any new products.

“They were a target company and we were like another company in competition. We were interested in their executives and that’s why we did the profiles, so we could learn what we’d have to offer in order to buy them over to us.”

The 1947 legislation setting up the CIA bars the agency from any internal security or police function inside the United States.

A number of well-informed sources confirmed that the bulk of the actual domestic spying throughout the United States was conducted by various offices of the domestic operations division, initially assigned in the mid 1960s to such tasks as infiltrating agents into various ethnic and emigrant groups in large cities.
"When I first came to the FBI," the former agent said, "it was a low-key operation. Mostly we did liaison with other intelligence agencies.

"And then someone started noticing those kids," the former agent said, referring to the antiwar activists.

"The first actual (physical) surveillance came when people like Mark Rudd started moving around," he said. Rudd was a leader in the student demonstrations that disrupted Columbia University for two weeks in the spring of 1968.

"We'd go out, take some photographs and follow them," he said. "We had different ID's for different jobs. We'd use newspaper ID's, or flash a badge and say we were a reporter for a magazine — it made things a lot easier."

One of the domestic operations division's first functions was to attempt to infiltrate its agents into a radical unit targeted for domestic spying, the former CIA said. A second major goal was to "turn somebody around" — that is, persuade a member of a group to become an informer.

By the time he left the agency in early 1972, the former agent continued, his unit's domestic files were huge. "At the end," he said, "we were working on antiwar professors and attorneys. We'd figured out a way to log and map the whole world."

"The goal of our operation," he said, "was to find out beforehand what the radicals were going to do — it was preventative. We just wanted to find out what they were up to and pass it on."

In that regard, the former agent said, "the professors were great. They wanted to work with you."

"A professor — no matter how liberal he was — he was mad. He didn't want those kids to tell them how to run his university."

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is issued to your agency; it and its contents are not to be distributed outside your agency.
1/20/75

To: SAC, Cleveland (44-763)

From: Director, FBI (44-45239) - Mr. Helterhoff

KLINFUR
CIVIL RIGHTS

EX-101

Enclosed are two copies of a self-explanatory Departmental letter dated 1/16/75 along with its enclosure.

SUBJ: when requested items are returned.

Enclosures – 4

NOTE: Department requests Cleveland Division to return certain items to Ohio State Highway Patrol and this orders Cleveland to return these items.
TO: DIRECTOR, FBI (44-45339)
FROM: SAC, CLEVELAND (44-703)(P)
KENFOUR
CIVIL RIGHTS

Re Bureau airtel to Cleveland, 1/20/75.

Enclosed herewith for the Bureau are four (4) copies of a self-explanatory LHM concerning the return of the indicated documents to a representative of the Ohio State Highway Patrol as authorized and requested by the Civil Rights Division of the U.S. Department of Justice.

A copy of instant LHM also designated for the USA, Cleveland.

1/27/75
0° F.
1/27/75

(2) Bureau (Enc. 4)
2 - Cleveland
MVH/bms
(4)

REG 17 J4-45 3-39 807

JAN 24 1975

Approved: Special Agent in Charge
Sent 
M Per
Cleveland, Ohio
January 22, 1975

KENFORD

Ohio State Highway Patrol, Cleveland, Ohio, appeared at the Cleveland office of the Federal Bureau of Investigation (FBI) concerning the following matter:
Subsequent to a telephonic conversation on January 21, 1975 with [redacted] of the Ohio State Highway Patrol, 14000 Broadway, Cleveland, Ohio, it appeared at the Cleveland office of the Federal Bureau of Investigation that he had been instructed by [redacted] of the Ohio State Highway Patrol to contact Special Agent [redacted] relative to the return of various documents previously obtained from the Ohio State Highway Patrol.

The pertinent documents were made available to [redacted] for his review after which [redacted] executed a receipt for the return of the documents to him, a copy of which is attached hereto.

Interviewed on: 1/22/75 at Cleveland, Ohio  
by: [redacted]  

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
To: SAC, Cleveland (44-703)  
From: Director, FBI (44-45339)  

Enclosed are two copies of a memorandum from the Director to the Assistant Attorney General, Civil Rights Division.

Enclosed memorandum sets forth the Bureau's position relative to any subpoenas issued in the civil suit regarding captioned matter and is being forwarded to your office for information purposes.

Enclosures - 2

NOTE: Enclosed memorandum sets forth Bureau policy relative to subpoenas in civil case regarding captioned matter.
UNITED STATES GOVERNMENT

Memorandum

TO: Assistant Attorney General
Civil Rights Division

FROM: Director, FBI

DATE: February 14, 1975
ATTN: MR. ROBERT MURPHY

FILE COPY

SUBJECT: MURDER OF FOUR STUDENTS
AT KENT STATE UNIVERSITY,
KENT, OHIO,
MAY 4, 1970,
ALLISON KRAUSE, ET AL - VICTIMS

Reference is made to your memorandum dated 1/27/75
(your file ).

There is enclosed one copy of the report of Special Agent
at 2/17/75
dated 2/17/75 at Cleveland

A.☐ This covers the preliminary investigation and no further action concerning
a full investigation will be taken by this Bureau unless the Department so directs.

B.☐ The investigation is continuing and you will be furnished copies of
reports as they are received.

C.☐ The investigation requested by you has now been completed. Unless
advised to the contrary no further inquiries will be made by this Bureau.

D.☐ Pursuant to instructions issued by the Department, no investigation will
be conducted in this matter unless specifically directed by the Department.

Evidence can be returned.

E.☐ Please advise whether you desire any further investigation.

F.☐ This is submitted for your information and you will be advised of further
developments.

G.☐ This is submitted for your information and no further investigation will
be conducted unless specifically requested by the Department.

II.☐ This covers the receipt of a complaint and no further action will be
taken by this Bureau unless the Department so directs.

Enc. 1
NOTE: Our Cleveland Division also advised that on 2/13/75
Revell again made inquiry concerning the evidence. Please
advise whether this evidence can be returned.
FBI
Date: 2/11/75

Transmit the following in

(Type in plaintext or code)

AIRTEL
Via

(Priority)

TO: DIRECTOR, FBI (44-45449)
FROM: SAC, CLEVELAND (44-703) (P)
SUBJECT: KENFOUR

Enclosed for the Bureau are (4) copies of an LHM setting forth two requests for the return of various items of evidence previously made available to the FBI in this matter.

One copy of instant LHM being designated to the USA, Cleveland, Ohio.

It is requested that the Bureau obtain a response from the CRD, U.S. Department of Justice relative to whether or not Cleveland may return the items to the respective contributors.

2 Bureau (Enc. 4) EHLLE
1 Cleveland

MVH/Imp
(3)
Killing of Four Students
At Kent State University,
Kent, Ohio,
May 4, 1970,
Allison Krause, et al. - victims;

In addition, [redacted] of Kent, Ohio, in November, 1973, furnished to Special Agents of the FBI negatives of photographs which he described as having been taken by him on the Kent State University Campus, Kent, Ohio, on May 4, 1970.

Recently both [redacted] and [redacted] have each requested the return of those items furnished to the FBI.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
Airtel

2/28/75

To: SAC, Cleveland (44-703)

From: Director, FNL (44-45339) - C/3

Mr. Helterhoff

Enclosed are two copies of a self-explanatory Departmental letter dated 2/25/75.

Sufficient when negatives are returned.

Enclosures - 2

NOTE: The Department has requested the return to contributors of certain negatives in this matter.
To: SAC, Cleveland (44-703)  
From: Director, FBI (44-45339)  
KENFOUR

Enclosed are two copies of a Departmental letter dated 2/6/75.

The enclosed Departmental letter sets forth the position of the CRD, USDJ, relative to producing certain documents in the civil suits in this matter, and this letter is being furnished to your office for information.

Enclosures - 2

NOTE: Enclosed letter sets forth position of CRD re producing documents in civil suits.
TO: DIRECTOR, FBI (44-45339)
FROM: SAC, CLEVELAND (44-703) (P)
SUBJ: KENFOUR

Re bureau airtel to Cleveland, 2/28/75.

Enclosed for the Bureau are four copies of an LHI setting forth the fact that the 57 negatives were returned to ITO on 3/11/75, and receipt obtained reflecting the return.

Copy of LHI being furnished to USA, Cleveland.

2 - Bureau (Enc. 4)
2 - Cleveland

WES: sjk
(4)

SEC-11
EX-104

M R 17 1975

MAR 2 4 1975

Approved: Sent M Per

Special Agent in Charge
KILLING OF FOUR STUDENTS AT
KENT STATE UNIVERSITY
KENT, OHIO - MAY 4, 1970
ALLISON KRAUSE, ET AL - VICTIMS

On March 11, 1975, a total of fifty-seven (57) 35 mm negatives previously furnished to the Federal Bureau of Investigation were returned to Kent, Ohio.

A receipt was obtained reflecting the return of these 57 negatives.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
To: SAC, Cleveland (44-703)

From: Director, FBI (44-45339) 1 - Mr. Helterhoff

Enclosed is a copy of a memorandum with enclosures from the Director to the Assistant Attorney General, Civil Rights Division.

The enclosed sets forth information relative to the Freedom of Information Act re captioned matter and is being forwarded to your office for information purposes.

Enclosures - 3

EX-131

REC. 454/552. 817

7 MAR 18 1975
TO: DIRECTOR, FBI (44-45339)
FROM: SAC, CLEVELAND (44-703) (P)
SUBJECT: KENFORD

Enclosed herewith for the Bureau are four (4) copies of an LHM in captioned matter.

Instant LHM was prepared and is submitted in response to a telephonic request received at the Cleveland Office from ROBERT A. MURPHY, CRD, USDJ, on 3/13/75. In his call MURPHY stated he was calling from Boston, Massachusetts and requested that the Cleveland Office attempt to ascertain what transcripts of testimony offered before the local Ohio Grand Jury may currently be maintained by the Cleveland Office. Instant LHM sets forth the names of those individuals who appear to have testified before the local Grand Jury in this matter and for whom transcripts are currently in possession of the Cleveland Office.

Copy of LHM being furnished USA, Cleveland.

Q - Bureau (Encl. 4)
2 - Cleveland

MVH: mak
(4)
Memorandum

TO: Assistant Attorney General
Civil Rights Division

FROM: Director, FBI

DATE: March 18, 1975

ATTN: MR. ROBERT A. MURPHY

SUBJECT: KILLING OF FOUR STUDENTS AT KENT STATE UNIVERSITY, KENT, OHIO - MAY 4, 1970 ALLISON KRAUSE, ET AL - VICTIMS

Reference is made to [ ] memorandum dated 3/17/75 (your file ________________________).

There is enclosed one copy of the report of Special Agent [ ] dated 3/14/75 at Cleveland ________________________.

A. [ ] This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. [ ] The investigation is continuing and you will be furnished copies of reports as they are received.

C. [ ] The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. [ ] Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. [ ] Please advise whether you desire any further investigation.

F. [ ] This is submitted for your information and you will be advised of further developments.

G. [ ] This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. [ ] This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

Enc. 1
FOOT: Furnished per request of Mr. Robert A. Murphy. ________________________

FILE COPY

NOT RECORDED 7 MAR 21 1975

FILE COPY

ENCLOSURES

F4 MAR 21 1975
TO: DIRECTOR, FBI (44-45339)
FROM: SAC, CLEVELAND (44-703) (P)
SUBJECT: KENFOUR

For information of Bureau, on the morning of 3/28/75 ROBERT A. MURPHY, CRD, USDJ, telephoned the Cleveland Office to advise that he was requesting his Assistant, MARGIE JONES of the CRD to travel to Cleveland during the week of 3/31/75 - 4/4/75 and most likely specifically on Wednesday, 4/2/75.
The purpose of the trip is to bring to the Cleveland Office several documents pertaining to State Grand Jury testimony previously furnished to the Department in this matter and also for Miss JONES to review similar documents currently in possession of the Cleveland Office. MURPHY explained that he will then authorize the return of State Grand Jury testimony transcripts to a representative from the Attorney General's Office for the State of Ohio and that he will be in correspondence with that office.

MURPHY advised that he would communicate in writing with the Bureau concerning the return of State Grand Jury testimony. In this regard, MURPHY stated it is his desire that "we", the Bureau and the Department, return any requested evidence to the contributor, including the State of Ohio, for any appropriate disposition rather than make same available direct to attorneys for the Plaintiffs. MURPHY noted that by such a procedure, the Department would not be open to any accusation of favoring one particular side over the other in the civil suit.

Bureau
2 - Cleveland
MVH: mak
(4)
CV 44-703

Above for information of Bureau only. No LHM being submitted inasmuch as MURPHY stated he would be corresponding with the Bureau re this matter.

For additional information of the Bureau, the Cleveland Office is currently the repository in this case for a voluminous amount of evidence, including physical evidence such as M-1 rifles, .45 automatic pistols, etc. Cleveland is desirous of disposing of same consistent with the exigencies with regard to the pending civil case in U.S. District Court in the Northern District of Ohio. Accordingly, the Bureau is requested to ascertain through the Department whether or not much of the evidence obtained by the Bureau, particularly the physical evidence as opposed to documents, can be returned. If so, certain authorization from the Department should be obtained.
To: SAC, Cleveland (44-703)  
From: Director, FBI (44-45339) — Mr. Helterhoff  

Enclosed are two copies of a self-explanatory departmental letter dated 3/21/75.  

SuLIM when negatives are returned.  

Enclosures - 2  

NOTE: Department has requested return of certain negatives in this case.