Derry Bowles

Six Weeks in Spring
UC Berkeley Management of Campus Protest Oral History Project

Interview conducted by
Julie Shearer
in 1985

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[Begin Tape 1, Side A]

Shearer: First of all, if you could spell your full name for the transcriber.

Bowles: My first name is Derry, D-E-R-R-Y, Last name, Bowles, B-O-W-L-E-S, like Bowles Hall.

Shearer: What is your position?

Bowles: I am Chief of Police.

Shearer: How long have you been Chief?

Bowles: Three years, four months.

Shearer: And how long in the University setting?

Bowles: Fifteen years as a chief. I was Chief of Police at UC Santa Barbara for twelve years, having started there in 1970 during the period of anti-war rioting. I am one of the senior chiefs in the UC system.

Shearer: But you were not here on this campus during the sixties?

Bowles: No, I was not here.

Shearer: What early warnings did you have that demonstrations might occur on this campus on the anti-apartheid issue?

Bowles: I had no pre-conceived idea or early warnings that demonstrations might occur on this campus. The first indication of this type of incident’s occurrence came to me by way of the Columbia University campus newspaper. I read that there had been a sit-in relating to anti-apartheid activity. The Columbia incident seemed relatively small at that time.

Shearer: This was last fall?

Bowles: I believe it was the period just around the first of April when Columbia University
had the beginnings of apartheid-related problems.

Shearer: I want to ask you a little bit about the last six months that preceded the demonstrations, because I’m interested in knowing about the observers, the ombudsman, and the relationship of the observers to the Police Department and the Student Activities and Services Office. I understand that there was a BART [Bay Area Rapid Transit] alert on February 27 and there was a subsequent report on the incident by the ombudsman, and I read somewhere that this report was commissioned or ordered by you. Is that correct?

Bowles: On February 27, 1985, there was a BART alert, into which I requested an investigation by the ombudsman. Going back to the night of that incident, I remember receiving a telephone call at my home. The gist of that call was that the campus had had a confrontation out by the library, and that a police car had been surrounded. When police personnel went in to retrieve the car, they had been pushed, and in fact people had attempted to take the officers’ guns. At this point, batons were drawn, and people were struck with the batons from the waist down. No one was injured. Following the incident, I came in and interviewed the officers involved and the lieutenant in charge at the scene. It was my determination, from the information given, that at least on a preliminary investigation, speaking with those involved, the officers acted in good faith and that there were no violations of brutality, nor was any over force used at the time. However, it was also my conclusion that the incident was the most violent situation to occur during my presence at UCB to that date.

The next morning, as I recall, some of those that had been involved, attended the Academic Senate meeting, which had been underway that same night, and asked that action be taken. They held off, waiting to see what the police were doing. This was when I became concerned and called Pete Small, who is the campus ombudsman. I asked him to begin an investigation. Let me explain my perception of the working function of an ombudsperson. On the UC Santa Barbara campus, there are two full-time and several part-time ombudspersons. They all deal with the ills of the particular society, whether the perception of wrong lies in the Police Department, housing, affirmative action, or whatever. These ombudspersons are very effective, and are excellent investigators. Their duties also include mediation, and if a party is at fault, then that will be revealed. I have studied the system at UCSB, found it to be excellent, so I felt that that would be a good manner by which to investigate the situation at hand. I further believed that our department was going to be in for a lot of criticism due to the fact that whenever someone is hit by the police, there is resultant criticism and the department should be prepared.

That was the first attempt I made to obtain an investigation from sources outside of the Police Department. We began taking criticism that same night. The next morning, criticism continued and was mainly, “You won’t investigate it anyway.”
And whatever you say, we won’t believe.”

Shearer: Who was leveling the criticism?

Bowles: The criticism was coming from the protestors, Academic Senate, city people, and the Police Review Commission for the City of Berkeley, which, for the whole time I have been here, has been attempting to bring the University police under their control. The Berkeley City PRC, by way of letters, declarations, and meetings, are intent on obtaining the power to review the complaints issued/signed against the University Police Department.

Shearer: I understand there used to be a Police Review Commission here on campus.

Bowles: There had been an on-campus Police Review Commission at one time. It was not an effective one, in my opinion, at all. It really faded out when we entered into a union contract. All the University police entered into a singular contract which applied throughout the entire UC system. The method of internal investigation and the investigation of complaints became unified throughout the system and did not include a Police Review Commission, or a Police Review Advisory Commission. This is not to say that we could not have had such an entity, but it would have been out of sync with the union contract. So, at the point, we entered into the procedure established on the systemwide scale, and under the contract with the union. The campus Police Review Commission subsequently faded out.

Shearer: I read in the log that there is another advisory board, however, that has been recently formed, in which you’ve included some student and stuff and faculty representatives.

Bowles: When the old PRAC was abolished, I requested that I have a Police Chief’s Advisory Board. This was to be made up of the same components as the former committee. I would describe the resulting board as a support group to me, a group to which I could say, “I am having affirmative action problems in recruitment.” “The salary is terrible, we’re losing officer.” “I have a personal headache today, and I need some sympathy,” or ask, “Will you go forth and see what you hear about the attitudes toward the police today?” This was intended to be a two-way flow of communications, which would include the chair of the Graduate Assembly, the president of the student body, a representative from the ASUC, a community member, and anybody else who wanted to attend meetings. Primarily, the role of this group was to advise us.

Shearer: Well, what about in a case such as the Moffitt Library incident?

Bowles: As in the case of the Moffitt Library incident on February 27, 1985, the PCAB did not have an investigative role. Any individual member was free to independently
ask questions, investigate and return to day, “Here is what I have found to be wrong,” and then give their findings to me. Their ultimate role, of course, was to hear what the Police Department had to say, to hear the public, and to bring each element together to me so that I might make a better decision, thus establishing a better flow of communication. The basic concept behind this was to give me a better feel regarding the community at large. This in turn would naturally help our Police Department to better serve the community to which we are assigned, to ascertain community consensus and community needs, and assist the UCPD at Berkeley to modify our procedures to the best possible results.

Shearer: Was this group, then in operation at the time?

Bowles: Yes, it was.

Shearer: What use were your able to make of it?

Bowles: Not too much. I wasn’t able to make any use of the Board as far as soothing the waters, giving us time to investigate, or to deal with the situation. I was able to utilize them from my own perspective; I was able to tell them how I felt about the situation, which was good for my peace of mind. In human services, there are built-in support groups, and they encourage everyone in a high-stress job to participate in such support groups. Perhaps that is how the Board was best utilized in this instance; I was able to communicate to the Associated Students through their representative, and I was able to communicate with the Graduate Assembly, the faculty, the staff, and with the community of Berkeley. In these cases, doors were opened which I was unable to open previously. However, the problem remained; I merely had more people with which and by which to communicate. The Police Chief’s Advisory Board is still in existence.

Shearer: In reading through some of the files, I understand that in March, the rallies preceding Charter Day—that would be the 20th-22nd—there was considerable discussion between the Office of Student Activities and Service and representatives of various organizations, including the African Students Association, and there was a note that you, as chief, were pursuing an “aggressive outreach” effort to talk to students, to give training, in fact, to some observers, and then it wasn’t clear exactly what kind of training it was. Can you recall what that effort involved at that time? It did mention two student concerns: one, the photographing and what was described as police over-reaction, and the effort was aimed at those issues.

Bowles: To answer that, I would have to go back in time. When I first arrived here, this campus had a history of demonstrations. Since I have been here, I have promoted demonstrations. I think that that is part of the Berkeley campus, and that the Police Department should not only encourage a demonstration, but assist in the demonstration and in the exercise of the first amendment, the freedom of speech, up
to protecting demonstrators from those who do not wish them to demonstrate. Moreover, I see the duty of the Police Department as trying to help the demonstrators monitor and control their own behavior within the scope of the law, or at least without disrupting and taking away the rights of other individuals while still getting the point across. So the Police Department was operating in that mode where we would meet with demonstrators. We had perhaps one hundred demonstrations per year. I mean, there are a lot of demonstrations that take place. There may be only a hundred people, but it is still a demonstration. The demonstrators would have their monitors. This might be in relation to the Beat House, or any number of items. Certainly the involvement in South Africa, South America, nuclear arms, tenure, unionism and so on and on.

Things surface all the time, and in all those incidents we worked with monitors; monitors worked with us. They trained; we closed streets for the sake of expediting traffic. It just worked out great. When we had the BART alert and the incident which followed that night, there was no one to talk to. Up to that time, we had always had groups come forth and state, “We are going to have a march”, to which we would respond with, “Do you have monitors, and what do you plan to do?” The group would tell us, “We intend to, but we really have a commitment; we want to be arrested.” We then would say all right, and give time for press interviews and the whole thing. Then we’d ask the administration to address the group. That is how we ran it. The publicity on that was adequate, at least. News media coverage was sufficient, and no one was hurt. And it worked, it really worked.

That all fell apart with a new group of people coming in, in the anti-apartheid group. There were no monitors, no leadership and consequently no structure or organization. The results were that no one person or delegation could speak for the group at large; there was no manner in which to effectively communicate, negotiate or cooperatively evaluate. More to the point, that particular group could never arrive at a decision on what to do. So, during all this time, we had people meeting with them—the SAS group, John Cummins, our own personnel—and no decision was ever really arrived at, because the system lacked structure and operated on too many opinions. The lack of monitors, the lack of communication with the police, and the denial of an opportunity for police to participate in what was transpiring really bothered me. I think, had we had that communication, certain things would not have happened. I mean, we would have been able to work through any problem.

Shearer: That is, if you had had consistent leadership—

Bowles: And communication. Directives and demands came out of several groups, actually. I’m not even sure of the exact name for it; and yet, theoretically it was one organization. There were so many coalitions that comprised the group. One such group was first involved in US intervention in South America. Another came in as the anti-apartheid group with three or four segments within it to begin with. There
was no unification. Along came other splinter groups that we have never had communications with, like the Spartacus Youth League and the Revolutionary Communist Youth Brigade, which is everywhere, back East and everywhere.

Shearer: Were these groups in evidence before the sit-in, before the rally and sit-in?

Bowles: No, they were in evidence in December and January. And that’s when I noticed that we had lost communications with them. So during this period of time, to bring you up to date now, I was attempting to get back that element of communications. I was saying, “I’ll join with you; let’s train together. We’ll help you hold the demonstration.” There was a group with which we have always been able to work, one of the largest and this group actually started the demonstrator-police interplay. The interplay started ten, fifteen years ago with the police and the demonstrators across the United States.

Shearer: [That] is?

Bowles: Working with the demonstrators to hold the demonstration. When I was a new chief at UC Santa Barbara, we used the method all the time. We would meet with demonstrators early in the morning, and they would say, “We’re going to do this; what will you do?” My response would be, “If you do that, we’ll have to do this.” and we would arrive at a consensus. Thus, the demonstration would meet its need without serious injury or hatred or anger resulting between the Police Department and the demonstration participants. In fact, we usually were able to protect their rights. After the Moffitt Library incident I attempted to bring back that sort of interplay, through whatever means possible. I wasn’t able to do that. No one would come forth. I went to the Livermore Action Group, which is my example of a very well-disciplined group of demonstrators; just as Greenpeace, or some of the other larger groups in the United States that I am aware of. I was unsuccessful in developing that sort of cooperative exchange with our particular demonstrator groups until Charter Day.

Bowles: For the Charter Day demonstration, which was held at Zellerbach, we decided to set up wooden barriers so that first those that entered for attendance of the ceremonies could do so peacefully, observe peacefully, and then exit the ceremonies similarly without being harassed by demonstrators. My idea was to set up a large area, where the demonstrators would be outside the barriers and would be able to chant and let the alumni who came to Charter Day, as guest of and visitors to the University, observe that there was concern.

This was not satisfactory for the demonstrators; and at that time, for the first time, leaders surfaced. All at once, there were four or five people who said that they had authority to speak for the group, and I was overjoyed. “My Golly, we have leaders!” We negotiated down to the line. We determined that the barriers would be removed, as long as demonstrators did not assault or disrupt as the alumni and
others in attendance left the ceremonies. We even negotiated to leave a strip, put
down tape on the asphalt, and the demonstrators would respect that neutral zone
and allow the people to leave via that neutral zone.

Several things transpired. We did not put down the tape, due to the fact that I
couldn’t find the tape! I don’t know where it disappeared to! Secondly, because we
were not able to designate the neutral zone, I was of the belief that the
demonstrators would then be unable to control everyone there, because there were
other factions present, and that could have led to a confrontation amongst them.

Shearer: One toe over the line and that sort of thing?

Bowles: Yes, that type of thing. I did not want to inflame the situation, so we decided to let
the attendees at Charter Day flow out through the demonstrators. I went back out to
the leaders of the demonstrators and explained that they, the attendees, would be
coming out among them, that those people had grown up in Berkeley and were
accustomed to demonstrators. I urged the demonstrators to greet the alumni and
visitors with the respect due to them as alumni and guests. This all worked out great.
The announcement at the culmination of Charter Day was that we had turned a
demonstration on just for them, the guests, just like the good old days! As everyone
left there was general handshaking. All in all it was a beautiful evening. It was the
best event we had had up till that time. Afterwards, the leaders disappeared.

Shearer: So none of the leaders who were in evidence at the time then resurfaced?

Bowles: No, they did not. And if there was a leadership, the change was continuous during
the months that followed.

Shearer: The first week in April, the last week in March, when there was considerable
activity on the part of the Committee Against Apartheid, decorating the trees,
putting up banners and crepe paper and so forth, there’s a record of almost
continuous discussion, conversation between Officer Johnson and various
representatives of that group in which he would try to explain the rules to them. It
seemed to me that this was carried to extraordinary lengths. Is this extended
negotiation and discussion the usual way of dealing with student groups?

Bowles: Somewhere around April 10 or 11 the sit-in on the steps occurred; that is when it all
started.

Shearer: Yes, the 10th.

Bowles: We had constant violations of University regulations, more so than the law. You
have to realize that the University Police Office is a state office. Officer Johnson is
a state officer, and the first oath one takes is to enforce the rules and regulations of
the Regents of the University of California. It’s very unusual for a police officer. Most officers merely support the constitution of the state and of the federal government; that’s it. And the laws. So in that case, it puts the police in the role, or has up till presently, of primarily enforcement of the rules. So what Johnson was attempting to do was to constantly have the banners taken off the walls, banners which were not supposed to be there, and discourage the placement of tables where not allowed, literature distribution, and a variety of other activities. Each incident up there was in violation of our UC regulations.

This was the first time that we were ever faced with that situation. Normally, all those regulations would be complied with, except for a desire to be arrested by “blocking an entrance to a building, blocking a driveway or roadway or sidewalk,” that kind of thing. We had not had this type of behavior before. So it was new and unusual. The second point was that Officer Johnson was not dealing with leaders. He was dealing with a person who would come out and talk to him and go back to report to the group. The group would then decide that there would have to be a consensus on the topic. Well, they never arrived at one.

Shearer: I’m speaking now of the days preceding the actual sit-in. That would be the end of March, the first week in April.

Bowles: Same thing, not any different; it was the same beginning. Now, I have just come back from a tour of the East with John Cummins. My views are different now that we have been able to talk to the other universities, and I have realized that we have a national situation, one which indicates that what other universities are doing today, is also the exact circumstance here at UC Berkeley. Everyone is linked by computers and modems. We just were not aware of the trend at the time.

Shearer: You mean the protesters?

Bowles: The protesters, yes. We did not realize what a united front they had and the information system they were utilizing. We just felt that we had sort of lost control. In my opinion, we had to catch up. “What are you going to do now?” was the repeated question we had to ask, followed by our response or reaction. This pattern persisted, instead of our planning together. That is exactly what the presidents and the deans and the security or police of the other universities have said to me in discussion. That is almost exactly what was described to me in similar situations.

Shearer: With whom would you do the planning? With other members of the administration?

Bowles: No, normally in the past if I had what I would like to do I would plan with the designated leaders of the demonstration. Who they are and what their views may be is not important, not as far as planning a demonstration.

Shearer: So, in these early days in April, your sources of information on this were the people
in the department, Officer Johnson and others who could see what was happening? Or were you out there on the plaza yourself, noticing things too?

Bowles: I was out there every day, and most nights. Sometimes at 5:30 in the morning.

Shearer: Before the arrests?

Bowles: Yes. I was running approximately a seventeen-hour day. Those forty or so days were very exhausting.

Shearer: When did they begin?

Bowles: I began that schedule immediately after the library situation, of long, long hours; and it did not end until the stairs were cleared.

Shearer: I imagine that had a considerable effect or impact on your perception, if you were working seventeen hours a day? Wouldn’t that take its toll?

Bowles: Oh, yes.

Shearer: How did you use observers during this time, prior to the arrests?

Bowles: We had observers, and we began using them during the first part of that year, really, in full swing. However, we only had about thirty trained, and that meant we could only utilize two or three, up to five at any given time. I think, had I had a sense of what might have happened; if there had been any way to know what would have happened that night of the BART alert, we would have had thirty or forty observers out if all of the observers were utilized. Once we put the observers out, actually got them trained in groups and assigned—and totally believe in this—regardless of who monitors or who manages the observers, when everything is said and done accusations of brutality and misbehavior on the part of the police died away. The accusations ceased to exist. You could see people who would say, “Let’s burn it down”, and an observer would be standing there. The individual would look over and see the observer, and they’d say, “I was joking”.

So trying to stimulate a group of people to behave in a group action, instead of acting as individuals, and losing their control for a while, died. The observers, I think, were the single tool that made the difference between extreme violence at Berkeley, and the way it went thereafter. All things considered, for Berkeley, things were really quite peaceful. I might add that Berkeley is the most violent of all the campuses that I have called on the phone or talked to. There is no campus that compares to us.

Shearer: Why do you think that is?
Bowles: Outside influence. We are dealing with a great number of people who are not students.

Shearer: Was that your perception at the beginning of the sit-in as well?

Bowles: Yes.

Shearer: That there was a sizable component of outside people?

Bowles: Yes, and then it grew.

Shearer: “Outside” meaning from the community?

Bowles: From everywhere. Initially from the city of Berkeley, then from the city of San Francisco, and then from northern and southern California, and then all the way from the East Coast.

Shearer: What measures did you take to verify this impression?

Bowles: I would go out and ask them.

Shearer: I see.

Bowles: It worked!

Shearer: Then they told you exactly who they were?

Bowles: Right, yes. No, they would not tell me who they were; they would tell me where they were from. They would tell me they were all Steven Bikos, but not their names necessarily. I would talk to student leaders, I would talk to people I knew, I’d talk to the press. We were invaded with criminals; we were invaded by people who had no place to stay or eat, and this was a shelter for them, and protection. I use the word “invaded” because I really mean that; we were invaded by organized groups of people who were here to disrupt, regardless of what the—

[End Tape 1, Side A]
[Begin Tape 1, Side B]

Bowles: You must understand that about a month before that, we lost a building which burned totally to the ground, with, perhaps a million or more dollars in damage, when the ROTC incident occurred. Just before the Regents meeting, we had a man-made bomb blow a researcher’s eye out and hand off. We had a series of major burglaries and assaults and other things that took place, and we were still being invaded by three black gangs, two from Oakland, and one from Richmond, and
nothing stopped. It was still the campus as usual for the Police Department. As a
police chief, I would have to say it was a difficult task for the University Police
Department just to maintain the campus without the sit-in and demonstrations, to
attempt to keep it a safe place in which to be. With all the other things taking place
we weren’t able to take care of the criminal element. We had the drug dealers and
all the other things that take place, and it was just too much.

Shearer: It sounds like a very great deal. Moving to the sit-in, which became the sleep-in on
the night of April 10, and then the 11th and 12th; what were your goals and the goals
of the administration at that point, in managing the sit-in, which was clearly
becoming a sleep-in?

Bowles: I don’t know. That’s a very difficult question from my chair. It might be easier from
some other person’s chair, but I guess the point was that the administration wasn’t
sure what was happening. Was this going to be just a one夜er? Just what was
going on? So the attempt was made to find out by negotiating and discussing, which
proved useless. We were unable to really get a handle on what was going on.

Shearer: At that point you were negotiating and discussing with the demonstrators?

Bowles: I was doing that at that time.

Shearer: Were the senior staff members also involved? John Cummins?

Bowles: John and myself were. Yes, there were a few out there at that time. It was not as
organized as it was later. Sometimes the philosophy is that if I had the protesters
sleeping there where they were determined to sleep, at least we could see them. I
knew where they were, and I could see that for the time being, they were safe.
Moreover, one, two or three nights out wasn’t the end of the world. At that time
there was very little trouble from outside elements, as far as sexual assault, theft,
and all the other things that later started to occur out there, and there was yet to be a
health and hygiene problem. I think I was in a state—speaking only for myself,
now—of wait and see. I was pondering over whether we should go ahead and
enforce the rules and which rules to enforce.

Now, if I’m confused in this area, it is because the University was confused at the
time. There are various beliefs within the University. I have one, and I’m not an
attorney. The attorneys may have another view, and they’re not police chiefs. So
goes the interpretation of the law. At that point, there were people believing that the
University could take no action to remove the people from the stairs unless there
was some other hazard to occur. Then there was a belief that if they slept, and if we
actually could prove that they were sleeping, there might be some action taken
against them. But the stairs had been used for so many years, and for some of
everything, that that was generally the public’s property. There was discussion that
we could not close the stairs off to general use for any reason, and I suppose that maybe we were doing a lot of searching, as to what in the world we were going to do. So when I tell you that I really did not know I didn’t; but we were doing a lot of research at that time.

Shearer: Going to the evening of the 11th, that would be after the first night’s sleep-in, at which John Cummins, I believe, and perhaps yourself, met with the demonstrators and read the rules to them.

Bowles: That night.

Shearer: Yes. And you said the doorways must be unblocked, the lodging materials must be removed. Then, on the morning of the 12th, you came back and removed the lodging materials, and apparently nobody objected. That is, the protesters did not object. The mattresses were taken away and so forth, but at that point, there was no move to unblock the doors. Why was that?

Bowles: To unlock the doors from the inside?

Shearer: Yes.

Bowles: The belief was that, and I’m not sure so I have to guess this, they would occupy the internal part of the building, as they were doing now on other campuses, and that is what the move was on their part. Because we really had no trust or communications with anyone, we had to consider that if we opened the doors, protesters would come in, and then we would have a sit-in inside the building, which would take care of registrations packets and all the other things that were taking place inside. That would have been even more cause for concern. Also, the doors still had at time Kryptonite chains and such—the demonstrators had not unlocked their side of the doors.

Shearer: The Kryptonite locks were put on by the demonstrators?

Bowles: Right. I mean, they had one side locked and we had the other side locked. However, they did not remove the door locks. Now, that is my opinion. I may have missed something, but I believe at that time I’m correct.

Shearer: On that day, there was also the dedication of the student union building; they were renaming it Martin Luther King. Did that have a bearing on the decision not to remove the demonstrators themselves from Sproul steps? That dedication would have been taking place, I guess, right across the plaza.

Bowles: We didn’t want to disrupt the dedication anymore with noise or anything else than we already had. That had a bearing as far as removing demonstrators from the
stairs.

Shearer: Going now to the decision to arrest, this discussion process took place over the weekend of the 13th and the 14th. Were you a part of that process?

Bowles: Yes.

Shearer: What did you advise as at that point?

Bowles: I believe I was of the opinion that they had to be removed, that we should clear the stairs at that time.

Shearer: Why, at that point?

Bowles: We, at that point, had banners over the total Sproul Plaza side of the building; we had probably fifteen University violations that no one could comply with; they were unable to regulate themselves. Even though at one time they cleared a path and at another time removed the mattresses they no longer were moving about, and the area became a violation of all sorts of things including health and sanitation. There was not one group in charge that could control anything, and whatever any group said they would try to do, did not come to pass. If we said, “Don’t do this”, they would do the opposite and just push, push, push, constantly push the University and violate one rule after another. It was obvious that this was the mode, which prompted our attempt to deal with the situation at that time.

Shearer: Was there another attempt on the part of the police or the Department of Facilities Management to remove mattresses?

Bowles: We had them every night. At all times there were attempts to intercept somebody bringing in mattresses, people putting up something, and there would be a fight over it. It was a matter of whether we wanted to get involved in that at that time. You need to take into account the number of officers that the department has, and the number of demonstrators that were out there. You shouldn’t engage in something you cannot win at. We couldn’t keep up the small skirmishes on a continuing basis.

Shearer: At that point, were you asking for additional police personnel?

Bowles: No, not that first week. From then on we moved in. Rather, I hired more people, but they were civilian rent-a-cops; they were guards and they were building security and such.

Shearer: And what were they assigned to do?
Bowles: Protect buildings. There were certain buildings around the campus that I felt would be areas that the demonstrators would like to get into, out of the weather, and take hold of the building. So their job was, first, to let us know someone was there, and to try to keep them out of the building if possible. And these were just various, key buildings.

Shearer: Was the Student Union one of them?

Bowles: No.

Shearer: When you were making the decision on the arrest, were you in consultation with or coordinating your activities with the district attorney of Berkeley?

Bowles: Yes.

Shearer: Did you initiate that?

Bowles: Initiate what?

Shearer: The coordination or consultation?

Bowles: With the District Attorney? Yes, I did. There were complaints on his part at that time that we had let them stay there that long, in violation of all of our rules, and that we probably should have been photographing them every minute of the time and documenting a permanent stay there. However, he felt at that time that we had the right as owners to remove them from the property, contrary to the views of some of the University attorneys.

Shearer: Why were the photographs not taken? Was this a result of your prior compromise with the students on this issue?

Bowles: What we have stated, I believe, is that we will not take photographs unless there has been an announced violation of rules or regulations, or attempts have been made to take civil action. There were *Daily Californian* photos taken of the area. We would go out and take photos of the area, but we did not run an all-night film on the protesters, partly because we did not have the necessary kind of equipment, cameras, with which to accommodate such a plan. We had never been faced with this situation before, not for the time that I have been here, or for ten years, in fact. In addition to the fact that we lacked equipment or cause to take photos, there is the fact that demonstrators hate photographs. Fights can erupt and photographers can actually get assaulted for taking pictures. Even though the photos are totally within the law, court law, many demonstrators believe that photographs are a tool to be used against them, which they are. The photos are put in some file somewhere, and used as documentation for future employment, and all sorts of other reasons can
rationalize the use of the photos. If they are really not needed, I don’t believe photographs should be taken. [brief tape interruption] All right, where were we?

Shearer: We were on the night of the arrests, and I was asking you about coordination with the district attorney’s office. How early did you start working with the DA?

Bowles: The day before. However, I had been dealing with the DA, you know, every few weeks or so, discussing the situation with him. We went over the rules, regulations, and the procedures; how we would deal with it. He was upset with some statements the Chancellor had made or had been reported to have made. If you speak to the press and the press reports that you said something, that is taken as truly what you said. What is reported is not always exactly what you said; sometimes things are taken a little out of context, or distorted. We were able to get the DA to agree that we were taking the right course of action and that we had made the right decision considering all that was involved, that that had been the correct way to proceed.

Shearer: To arrest?

Bowles: To remove; if necessary, to arrest. If you could remove, we would. If people sat and refused to be removed, our only resources would be to arrest, and this was the case we were faced with.

Shearer: What was so upsetting to him?

Bowles: I guess that we didn’t take action immediately. The first night we should have removed the protestors, according to the DA.

Shearer: But what remarks that were attributed to the Chancellor were so upsetting to him?

Bowles: I can’t recall, but the remarks were relative to an interview that the Chancellor had had in Oakland at a service club, the Claremont or somewhere. It was in relation to respecting and allowing demonstrators to stay on at a site, or something like that. I have to add one other thing. We were aware at that time that there were sleep-ins going on at various campuses around the United States and that those administrations involved had made the decision to allow their protestors to stay, and, in fact, those protestors were inside buildings. [brief tape interruption]

Shearer: So arrests were conducted on the 16th, informed by the advice of the DA on how to make the appropriate moves?

Bowles: No. The Police Department decided on procedure and tactics and movement. The District Attorney advises us on elements of the violations; what penal code sections would be most appropriate for the behavior that is exhibited out there.
Shearer: What were your instructions for that night? What was the goal?

Bowles: To clear the steps.

Shearer: To clear the steps. And were there any restrictions placed on you? “Don’t do this. Do as much as you can but don’t go further into this area.” I mean, what was the outside limit of action?

Bowles: Within the scope of the law and certainly within the rules and regulations. I’ve not had someone else try and be a police chief for me; and if they could, I think that I’d welcome them to the position. You know, I do believe that I know more about the job than a pretender to the position would. So, no one has come in and said, “You should do it this way”. Instead, I’ve been told, “We wish this to happen,” and the rest of it is generally left up to the Police Chief to figure out how to accomplish the goal. The Chief is supposed to be trained to function in this capacity.

Shearer: How do orders come down through the organizational chart?

Bowles: In my case it comes right from the Chancellor.

Shearer: So it doesn’t come necessarily through Ron Wright?

Bowles: Not in these cases, no. My reporting structure, as I perceive it, relates to my daily operation. For business operations, for the survival of the department and all those things, my boss is Ron Wright. He is like a city manager to me. For the operation of the total campus and such, I touch bases and listen to other vice chancellors and others, including the Chancellor. Ron Wright will be at those meetings, but the Chancellor calls the shots. I think a police chief really needs to have flexibility. Ron’s the one to see if I am doing well or not, and running my shop correctly.

Shearer: What impact do you think arrests had on the momentum of the demonstration?

Bowles: They increased the momentum, which I think most of us probably had an idea would happen. In other words, it tripled the amount of news media coverage, and ultimately added to the whole situation.

Shearer: And you had taken that into account in making the decision to take that step.

Bowles: Yes.

Shearer: After the arrests, from the period of the 17th to the forum, were you involved in planning for the forum, either the agenda or for the security?

Bowles: Yes.
Shearer: What particular concerns did you have about security and the agenda?

Bowles: I probably had several thousand concerns. I may have had four or five major concerns. One was obvious: the disruption. There were concerns relating to bomb threats and to all sorts of behaviors which occur during similar situations: Attempts to hold people hostage, to take over the microphone, to close the roads, such concerns existed; indeed, all those concerns were constant, since all of them I had experienced during the course of my own career. If it was thought of before, it could be thought of again, and actually, there was nothing to re-create. All that had to be done was to open a book that chronicled what had been done in the past.

Consequently, there was great cause for concern. I personally knew the student who was in charge of security for the event. I knew of his strength in dealing with those who wished to grab the microphone. Later, after the forum, members of the Spartacus League came right down to attempt to grab the microphone. There was a physical confrontation which ensued, which in no way could the Police Department have been able to handle. There would have been no legal manner in which our department could have engaged in the confrontation. As student monitors the security team was not in violation of the law. They were able to physically prevent the takeover of the microphone, as well as maintain the decorum that existed. This worked out perfectly.

Shearer: Were these people trained by the Police Department?

Bowles: Yes.

Shearer: How did you achieve this kind of cooperation if you were at that point dealing with a shifting leadership?

Bowles: Well, at that point, we had entered into an agreement with Pedro [Noguera]. Now Pedro has been a person to communicate with all along, and he took a leadership role. One of the people we appointed as security had worked for us as a police aide. The other groups that were placed there included Cal Performances, which is also a group we use for rock concerts. The combination worked.

Shearer: These are non-sworn officers?

Bowles: All non-sworn.

Shearer: Was the police aide known by the students to be a police aide?

Bowles: Oh, yes.
Shearer: I see. So this was acceptable then, to the—

Bowles: He was no longer a police aide, but he had been a good one. He came in on a football scholarship, was a large person; a good, honest person. He knew crowd control techniques, and in addition to concert security, Cal Performances and select police aides he helped form a winning combination. This proved to be something to learn from. Police aides, peers, can do things that police officers cannot. Those of us who are paid professionals are unable to do things the peers can legally do. We can’t go in and push somebody and tell them to “get up again, and I’ll throw you out of here physically, or hit you in the face”. There is not a police officer that can, not without going through an awful lot of grief, possible termination, and being charged. It appears, after the event, that such things did occur in an effort to control small splinter groups, and that these tactics were successful.

Shearer: Did you anticipate that peer control was going to be the most effective mode?

Bowles: Yes, of course. Absolutely.

Shearer: You were at that time though also asking for increased police reinforcements from other campuses, and I guess, elsewhere through [Sheriff] Glenn Dyer—

Bowles: No, not at that time.

Shearer: Not during the week of April 20 to 23rd?

Bowles: Yes, okay. I had not asked through the Sheriff. What I did was ask the Berkeley City Police Department to assist us. The city Police Department refused to assist us, and I was asking for assistance daily. In fact, I sent a telegram. The only way they would assist us, they said, was if I declared mutual aid. As a police chief of a large jurisdiction—the University—I would have to go then to Glenn Dyer and ask for mutual aid. Whereupon he would assign or ask the City of Berkeley to assist. They would have had to comply or be excluded from the pact and become ineligible to receive any assistance should they need it. That was the situation. At that time, the city Chief said that the only way they would go the prescribed route was if our department was on its knees, and that was not real good. I mean, I did not want to get on our knees yet. So that is the approach I utilized at the time. I am not criticizing the city chief, as such. Well, maybe I am. Yes, I am criticizing him. However, he was under great political pressure from the city council, which may have terminated him had he done anything else. The very strong belief that apartheid is evil, and any action taken against anti-apartheid expression was wrong remained the consensus of the city council; even in light of the fact that we were attempting to preserve the peace of the campus.

Shearer: So the Berkeley police were not involved, were not at the ready, were not
coordinating with you at that time?

Bowles: Not officially.

Shearer: What about unofficially?

Bowles: Unofficially, not during that time. [tape interruption]

Shearer: Let me ask you a question about what publics you were dealing with as the Police Chief of the force at University of California.

Bowles: See, we deal with all publics, and that makes it very difficult; especially the city officials of Berkeley. I’m not speaking just of the city council, or the Police Review Commission, or the Mayor. I’m speaking of all the boards: the park board, the school board, and so on, and so on. I have spoken with many of those people. There’s a great deal of anger about the University’s role and why the University has not gone totally to support of the anti-apartheid movement—even the removal of the sleep-in participants came under fire. We as a police department are the image of the authority, the power of the University, in most minds. It is a difficult role, and has brought about a lot of resentment and bitterness toward us. I was at a party in Berkeley. A mother came up to retrieve her child, whose name, I believe was Calvin. “Calvin, come away,” she said, “I don’t want you talking with such an evil man.” This was an official of the City of Berkeley. So the University’s image within the city is probably not what it ought to be. We have got to work on that.

Shearer: And she was referring to you?

Bowles: To me, yes. That was at first.

Shearer: Very difficult. I imagine that various publics feel various ways, and I imagine one of your publics is other police organizations. How does that work?

Bowles: The support for the University Police Department from the Alameda County Police Chiefs’ Association is superior; it’s first class. From the Sheriff’s Department and from the state and California Highway Patrol, from all the people we need the support from, it’s always there. The relationship with the city police is tarnished, and not as good as it should be. It is the interference of the city council, directing the Police Chief to do things that he should not do—sometimes telling him what he can’t do, which makes me feel uncomfortable when anyone hears about it.

Shearer: You sometimes feel caught between a rock and a hard place?

Bowles: I quite often feel that way, and I’m sure that the city police chief does also.
Shearer: Do you interface with officials outside the University? I mean, alumni, Regents, and so forth?

Bowles: Oh yes.

Shearer: What kind of information, pressure, or questions are directed to you?

Bowles: Oh, everything. I will get a phone call—it depends who it is. This office number is open to anyone who has the number for it. I will get calls from people that damn me for not taking action, and from those who damn me for taking action.

Shearer: And they call you directly?

Bowles: Directly.

Shearer: They don’t call the Chancellor?

Bowles: Well, they call me directly, and I’m sure they call the Chancellor, too. On the Berkeley campus, the position—not me as Derry Bowles—of Police Chief is one of high visibility. It always has been, and I think it will always be, whoever sits in the seat. I just happen to be in the position right now.

Shearer: Did you get calls from Regents or did you have a sense that there was an identifiable contingent of Regents?

Bowles: No, I did not get calls from Regents. I met with Regents, and we utilized a student Regent for assistance and consultation and help at night meetings and such. It was one of our own students here.

Shearer: Fred Gaines?

Bowles: Fred Gaines.

Shearer: The deteriorating conditions on the steps was cause for concern, and I want to ask specifically about one day because no one’s been able to answer this question. On the morning of the 26th of April, there was an attempt to clean the steps. This followed several days and other attempts to clean the steps which were, I gather, announced ahead of time and the demonstrators cooperated more or less. On this morning, however, there was no announcement, and four people resisted the cleaning attempt and were arrested. How did this come about? Why was no announcement made on that morning?

Bowles: There was an announcement. The announcement was made to the reception table. You have to go back to the fact that we did not go out with a PA system and make
an announcement. We made an announcement as they had requested, and that was: go to the handout table that they had out front, and tell them what we were planning.

[End Tape 1, Side B]
[Begin Tape 2, Side A]

Shearer: The question was—where did I read that there was no announcement? I can’t pinpoint it exactly, but there were several accounts of that day, one from an interviewee, who, I guess reported what the students had said, that there had been no announcement, and also there was a letter written to the Chancellor, with a copy to you, from the Graduate Assembly, alluding to this.

Bowles: To my knowledge, there was an announcement delivered that we were there. More to the point—it was very obvious, by the presence of the facilities people, the truck to haul off the debris, that the whole nature of cleaning the steps was no different than before. It was obvious that people were there to clean, but there was also an announcement made. That’s what I have been advised, and I believe that to be true.

Shearer: There is another little chapter to that story, which is that on that morning there was to be a meeting between some senior administrators and some protester scheduled for nine o’clock, and apparently the protesters did not show up by 9:30.

Bowles: No, they did not show up.

Shearer: And then an hour and a half later, at eleven o’clock, the steps were cleaned, and I believe the protesters, some of them, saw that as retaliation, and then subsequently there was an announcement by the administration that negotiations had been broken off. Does this jibe with your recollection? Can you explain how this might have happened?

Bowles: No. I wasn’t in on the meetings. They had missed several meetings at that time. I was advised that the protesters or demonstrators or activists, whomever they were, a coalition of individuals, were failing to do anything, so meetings with them were falling down and the deterioration of the area was increasing. The decision was made to try and go in and clean it up again.

Shearer: Who actually made that decision?

Bowles: I’m sure that I concurred with that decision, but the decision certainly came out of the coordinating body at that time and would have emanated from Cummins. I don’t know who else would have been involved in that.

Shearer: But the person who actually would give the instruction to do the cleaning—
Bowles: Cleaning?

Shearer: It wouldn’t have come from Vice Chancellor Wright?

Bowles: No. Vice Chancellor Wright really didn’t play a role in that as far as deciding what to do or what not to do, that I can recall. He was mostly kept advised.

Shearer: So this did not represent, as far as you recall, any shift in tactics?

Bowles: Nor any big thing at all. No, I don’t think it was even a major issue. That was set up that day. Are you aware of the person who was face-painted?

Shearer: Yes, I’ve heard several accounts of that.

Bowles: Have you seen those photos?

Shearer: No, I have not.

Bowles: You should see those. That person was brought in that day, and possibly was the reason that the meeting—and this is my opinion—failed. The intention was for the Police Department to come in perhaps, or just to have us push in for the protesters to assault us. I was not there to see that and probably did not consider that event to be of very great significance. It started with somebody jumping on a piece of wood, a sign that a grounds person was trying to pull away. Then that person was arrested, along with a group of people following the first arrest. Cummins is really the person who witnessed that, as well as a lot of others, observers included. We were attacked, physically attacked; they actually leaped upon the police that day. That had to be planned because this person painted up to look like he’d been beaten severely, was brought in under a blanket; that person leaped on a police officer. Then, later, that person was down on the ground in front of the officer. Hal Reynolds, who is a reliable individual, did and probably still does swear that he saw the police officer beat that person around the head with a baton severely. Some seven other observers did not see this happen; there were no marks on the person, as we later had a physician and a nurse come in.

Shearer: Now, this was the person who was all painted?

Bowles: Yes. See, it was so realistic that Hal Reynolds said he saw that. So at that point, the door was closed, and I arrived. I don’t know where I had to get there from. Down at University Hall, or somewhere. By the time I got there we had had all that demonstration, and I led a group of officers out through the crowd because I didn’t think we were going to be assaulted further; the crowd was not as violent as those few at the door appeared. I let those prisoners out that day. There was a lot of
planning and a lot of effort on the part of the demonstrators, to make the police look very bad. That was apparent. This happened to me on that same day: I was being interviewed on television in Barrows Lane, and some guy came up and grabbed my shoulder, started yelling in my ear, and I put my hand up, like this, you know, “get away,” raising my left hand straight into the air is all I did. He grabbed his face and screamed as though I’d hit him in the face. He ran back to the crowd. Everybody laughed. But had the television camera not been on me. The individual went back and said he was going to file charges for aggravated assault, against the Police Chief.

So, what I’m saying is that there were a lot of things used against us that had not been used for years; things used against the police, that totally distracted from the anti-apartheid element and shifted the focus onto one of anti-police. This still bothers me, why there was so much effort to bring the police, the anti-police sentiment into the demonstration. It was almost like there was an effort to distract from the anti-apartheid issue by someone. I don’t understand that. I know the groups involved. But distract it did. This is something that is very important. The violent discussions that took place, anti-police, “burn it down,” and that kind of talk. “Break windows and throw rocks.” “Let’s assault the police and go tear this down.” All had a major effect on the deterioration of the number of people in the demonstrations. They fell apart geographically, until the time of the Regents meeting. Would-be participants in the demonstrations would not stay because of the potentiality of violence.

Shearer: This was the period of the first couple of weeks in May?

Bowles: Yes. It started after that incident.

Shearer: After the cleaning incident on the 26th?

Bowles: Yes, the techniques and tactics employed cause people to start drifting away from the demonstrations and to not want to be a part of them. See, everything else was so well planned on the part of the demonstrators, there is no reason for me not to believe that that part was not also well planned. There was no effort to breakdown the demonstration. I don’t know why. That is what I am saying.

Shearer: It’s puzzling.

Bowles: Whether it is just plain crazy, just anti-establishment, or a deliberate plan to break apart a movement. I don’t know those things. But I know that it happened.

Shearer: And this was in evidence following the 26th?

Bowles: Yes.
Shearer: What role did you take in planning for the Regents meeting of May 16 and 17?

Bowles: My role was total responsibility for the security of the meeting: before, during, and after the meeting, and during the dinner for the Regents. Also, to see that all those things were accomplished as smoothly as possible. That required that besides the basic protection, transportation, parking, and all the other usual things to be taken care of, I had to make a declaration for mutual aid. That meant, of course, activating and attending meetings with the sheriff and other law enforcement agencies, debating with them for hours as to the techniques to be used and who was in charge, and who was to be in command.

Shearer: Once you declare a request for mutual aid, who is in charge? Are you then in charge?

Bowles: I am in charge, if the Sheriff agrees that I am qualified to be in charge. I am qualified; I have been through this a lot in my life.

Shearer: So when the Oakland police come up because of the fact that the surrounding area is under their jurisdiction, they are still under your command?

Bowles: They are. This worked where they were concerned. We had to give a little compromise to them, but overall, yes, they were under my command. I have to agree on that procedure. In this particular instance, this worked better than any other procedure that I have been through as far as cooperation of law enforcement agencies. Normally, when you call for mutual aid you’ve got everyone trying to do their own thing, and now allowing the operation to function cooperatively. My background is such, and I believe that a chief coming to Berkeley had better have this background, as to having come out of major violent demonstrations in Isla Vista, dealing with sheriffs, mutual aid, and some 800 officers, et cetera. So I do have that background and I’d been trained in a manner that, had I not been, I would have relinquished command to the Sheriff and said, “None of us are qualified to do that; you take that.” Had everything gone to mud, I would have also been given that honorable reputation to deal with. In the event everything had turned out wrong, things would have been my fault. So, you’ve got to do that. As it was, everyone was very professional. I was very pleased with the Sheriff and the Oakland PD.

Shearer: At that point, having viewed the condition of the steps and the composition of the demonstrating group, did you have the same fears, concerns for security at the Regents meeting, that you had had for the forum?

Bowles: No, a whole different role. On the forum, it was a gamble. Hopefully, the students that were in charge of the security, and the students themselves assumed those roles, that the students would do what they had to do. At the Regents meeting, it was a
belief in my own ability, and the abilities of the people who worked for me, to carry out their tasks as directed, that every single thing had been attended to, right down to the smallest detail. The set-up at the Regents meeting—and I take responsibility for that, good or bad—was one which I would have preferred to be a good experience. If you had to match what it looked like up there, you would liken it to Woodstock. I don’t know if you’re old enough to remember Woodstock.

Shearer: Thank you. Unfortunately, I am, yes!

Bowles: All right, so they would set up fifty porta-potties, ten or twelve water fountains, areas to sleep, lighting for protection, and security around the area.

Shearer: Areas to sleep?

Bowles: Yes, overnight sleeping.

Shearer: So at that point the policy was to allow—

Bowles: Overnight sleeping and private security in the area to see that everyone was okay for sleeping, that there would be no intrusion. A PA system and a platform to hold dances and musicians. The “great blue whale” was moved around up on the patio. We had to study the weight the patio would take, how many people we could put on the patio; and we had to get the old drawings out to see if every seven feet of the patio would support 200 pounds. The helicopter port and the air coverage and fire trails had to be secure. It was a major undertaking to cover all those points.

Shearer: You and Bill Graham!

Bowles: Yes. Well, I’m used to holding big rock concerts. We used to hold about 36,000 at rock concerts where I came from, and we did the same thing. So it was a similar operation. It would have been a great event, except no one came.

Shearer: Was this your idea? Did you sort of float this up to the chancellor and other people, that it should be almost a celebratory event?

Bowles: I think so.

Shearer: And this was worked out also with the protesters?

Bowles: Not necessarily. I like the idea. I don’t know whose idea it was, exactly. I know that I addressed this and perhaps someone else said it too, I don’t know. But we used to do this, so it’s something I’m used to doing. Let me tell you that I believe that the police, you know, we should go out of our way to keep peace. I mean, we should work with demonstrators, and we should do that because when you go home at
night you’re not all bloody and bleeding and full of anger; no one is. The point of
the protest should be seen, and there should be a place for the press. We had all
those things, and ways to get in and out. Then if there has to be an arrest, yes, they
make the arrest. During the Democratic Convention in Florida a hundred years ago,
I believe there was a real wise police chief there. He sat up a sand dune in the
village for the protesters, and it worked. I was really taken by that, and I’ve always
used that kind of a thought.

Shearer: How did the Oakland Police regard this?

Bowles: Fine. Once you set up the mood—let’s say you set up an area that ought to be okay
and you control the sound, which we did—we had sound control for the PA system,
that creates the mode of the area. You have high visibility, police, and I also believe
in that. We had an enormous amount of police officers there, so that instead of one
thin line, all the University can muster, we were augmented from mutual aid from
everybody, all the other campuses. We had three or four deep, and no fights; it’s not
worth it. Things can become too overwhelming, but all went peacefully. The road
remained open, cars left, and people did their thing. And it was successful. But it
was sheer force to deal with those few who wanted a lot of violence, and they tried it,
they really did. They came charging at the line several times.

Shearer: Were these people that you could identify?

Bowles: No. I didn’t know any of those faces. They weren’t local students.

Shearer: What use was made of observers at that point?

Bowles: Around the clock

Shearer: And especially at Lawrence Hall of Science?

Bowles: Yes.

Shearer: What use was made of their statements? I know at one point the District Attorney
was interested in looking at the accounts of the arrests or maybe it was the
demonstrations, and I understand the policy is to make those available. Was some
use made of them?

Bowles: I don’t think so. Well, it would be for student discipline or something like that, but I
don’t think they were used. There were very few arrests made up at Lawrence Hall of Science. What, eight? There weren’t as many.

Shearer: You wrote your own force and requested that they write declarations concerning
threats to disrupt, threats to destroy property, and threats to physically harm. Is this
a usual practice?

Bowles: Yes.

Shearer: So it’s done all the time.

Bowles: No, it’s a normal police practice during these *kinds* of situations. It’s not an unusual procedure for a police department to do or for a chief to do, especially a university chief.

Shearer: There was a description of activities at 613 Eshleman and some accounts that were critical of the use that students made of the building and so forth. What is your comment on that? What took place at Eshleman?

Bowles: I don’t know. I’m not the first-hand person to speak to that. By the time I arrived up there, it had been generally cleaned up, except for the mattresses and sleeping bags and such. John Cummins and some other people are more familiar with what took place up there. Generally, the place was pretty well trashed up I know. When I was up there the odor of human waste, and stuff like that, was terrible.

Shearer: This was the floor the demonstrators were using?

Bowles: *Somebody* was using it.

Shearer: What at this point would you do differently if you were going to do it again? You said earlier, that you wouldn’t take this job.

Bowles: [laughs]

Shearer: What worked? What did not work so well, looking back?

Bowles: I would use observers continuously, at any possible thing.

Shearer: Even for ordinary rallies?

Bowles: Yes. Because of the potential to create a situation or fall into one. I will utilize cameras more, regardless of the protests because of it, just to be prepared. We have now hired professional photographers, versus using police officers, to document with sound and color, what happens, for our protection because we get set up. I really believe that, absolutely.

Shearer: This would be photographs in advance of the commission of a crime?

Bowles: Any indication of *any* violation. If they’re going to camp out, unless the University
states that they may, they commit a violation of a rule. The Chancellor can, I guess, override everything. If he says to leave them there, I would photograph them there, still. That’s still legal. And I think I would rather take the heat from the demonstrators for taking the photos, as opposed to not having the photos; we’d be able to prove to a jury that we were taking some action.

Shearer: There was such a great deal of discussion and negotiation between yourself and Sergeant Handy and the demonstrators on this point that had to do essentially with the timing of the photographs, so that the compromise that was achieved, as I understand, was to avoid taking photographs until the moment a crime was committed. Now, does your statement now represent a change in that?

Bowles: No. The statement has been distorted. I only found out recently that people were saying different things than I had said. That’s possibly because it wasn’t put into writing; and it’s possibly because I did not want to put into writing—I did not want it subject to a million reviews by every attorney in the world. But the statement now and in the past that exists is that we will take photographs when there is an announcement of a violation of law or University rules or regulations, or when the intent to do so is evident. When a statement is made of an intention to block something or anything of that nature, a violation has, in fact, occurred. That is a violation of somebody else’s rights or rules or regulations. We will start taking photographs at that time. And that is how it has always been, but somehow, somebody, without putting it in writing, has distorted this. I do not know who changed it around, but that is the way it is now and the district attorney is comfortable with it, as are the courts. Each feel satisfied that we are taking the necessary legal actions, and that we should take them to document the incident.

Shearer: You were saying other things that you would do next time.

Bowles: Well, one is that now I have established a liaison contact with the various campuses throughout the United States, those with a history of demonstrations, and I will run the daily contact with them, to see what’s happening there. Maybe this will help us to be prepared; maybe we will be able to tell them what is happening.

Shearer: I understand that the time, place, and manner rules are being revised.

Bowles: Right.

Shearer: When did that start?

Bowles: As soon as the stairs were cleared.

Shearer: What direction do you think the revision should take?
Bowles: It has been in the draft revision already, and I concur with those changes. One of the things I would like to see is that I would like to see student conduct process initiated immediately, when student conduct is violated, not waiting till after the stairs are cleared or anything else, but start the action right away.

Shearer: The disciplinary measures?

Bowles: If that should lead to discipline, yes. But the hearing process should take place. The person identified or at least given an opportunity to identify themselves, photographs taken, and enough to initiate a student hearing process and to move towards that rapidly. I think it is foolish to believe that our court system is seriously going to look at demonstrations and violations of simple civil or criminal codes, when they have homicides and rapes and robberies and serious other crimes crowding their dockets. They have a hard time getting through them now.

So some other way to deal with it all has to be developed, so as to not crowd our system like we did this last time with jury trials and discovery motions and five attorneys trying one case with seven advisors. A circus. When I was down there, I was there four hours and some, the court allowed the spectators to cheer and to boo in a court of law in the United States. The evidence was mishandled and passed around through the whole area; I’ve never seen anything like it. Not only was that improper for our system, since many people have endeavored to make our judicial system what it is today, but it is an enormous waste of money and time and frustration. And if that system can’t deal with it, or refuses to deal with it, and the University wants to maintain all the other 30,000 students who have things to do, and still feel strong, yet not get into this sort of involvement. Then we’ve got to deal with it in-house. We have to have some way to have the authority to discipline behavior and see that the function of the institution is maintained, research and study, knowledge and learning. We’ve got to do that.

Shearer: Is there anything you’d like to say that I haven’t specifically directed you towards?

Bowles: Yes, I would like to withdraw the statement that I wouldn’t have taken the job in the first place. It is the most complex job that I have ever seen for a police chief, much more than I had expected when I came here. I spent the summer reflecting on what happened and trying to decide other ways in which I will try to deal with certain things. One thing that I am going to try—and the Chancellor commented thus I believe; “Well, I wish you a lot of luck!”—is that I am going to go out amongst the demonstrators and the community and the leadership, wherever they may be, and I am going to get to know them. I am going to spend a lot of time doing that, so that I may not know exactly what they’re doing but will be able to communicate, and they will be satisfied that we are professional in what we do, so no one will leap to conclusions. This also applies to the news media. If we can fee up the mechanics of the department, I intend to try.
Cal [Al Kalmanoff] has been investigating the Police Department and has pretty well wrapped up at least one phase. He asked me if I meant I was going to go out and swim with the sharks. I told him no, I wasn’t going to swim with the sharks. I intend to talk with them, though, and we might eat together. I mean, they’re not really sharks. What is missing within the Police Department, and also in the surrounding community, is that we fail to realize that we have a lot of common denominators. We all have things that we agree should be taken care of. We don’t want assault, robbery, unsafe nights, we want to be able to talk down the sidewalk; we all agree on that. We may disagree on what form of government we ought to have, and we may disagree on how wild a protest should be, but for the most part we’ve got a lot of areas in which we do agree and where we support each other. I want to foster those areas. That is what I am going to try and accomplish. I think that this is a very important role for me. Moreover, I believe that we may be able to turn some of the ill feelings around that have heretofore occurred. If I can get out there, I’m going to try to turn it around.

Shearer: Is Sergeant Handy a step in that direction? I mean, his new assignment with Public Information?

Bowles: Oh yes. Every member of the department is a piece of that program somehow.

Shearer: What was the most difficult part in terms of dealing with your down people throughout this process? Any particular frustration?

Bowles: Fatigue was the most difficult. Long, long hours. Not enough rest. Exhaustion. Then, not acting exactly as one should have due to lack of sleep and such. That was probably the most difficult aspect. We are a small department and there is not enough money to go and just triple the size of the University Police Department: there just is not the money available. So we have to do what we can with what we have.

Shearer: So mutual aid, either official or unofficial, becomes a significant factor?

Bowles: Yes. We really don’t have the ability to draw on mutual aid every day. What we do have the ability to do is to transfer University police officers here from other campuses for a time, but not for long. So we were doing that. Invariably, with different officers, come different attitudes. We always are short of officers, and in our particular area, the law enforcement people outside the University make a lot more money than we do. So you get an officer on campus trained, especially affirmative action appointees, and away they go. So we were attempting to talk to the Livermore Lab officers with, “How do you like Berkeley? Would you consider—”
[End Tape 2, Side A]
[End of Interview]