

**Transcript of KDEF program:
“UPINMBA Awards Contest: ‘Confrontation’ Reel 2”**

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Albuquerque Museum, gift of Zane Blaney

This radio program is the second half of a documentary report of the events of May 1970 at the University of New Mexico in Albuquerque, New Mexico.

Keywords and topics: protests, anti-war protests, University of New Mexico, Student Union Building, New Mexico National Guard, New Mexico State Police, students, peace movement, college campus, Board of Regents, Governor David Cargo, Ferrell Heady, Martin Vigil, General John P. Jolly, arrests, bayonets, riot

SAM LEE: Now we’re going into the – excuse me – into the lobby of the student union. There’s about a hundred and twenty-five students in here --

[background noise and voice saying “into the main ballroom”]

LEE: who are sitting in the front and are singing “Give Peace a Chance”.

[students singing “All we are saying is give peace a chance / All we are saying is give peace a chance / All we are saying is give peace a chance / All we are saying is give peace a chance”]

LEE: It still remains blocked by a hundred persons sitting on the lobby of the student union building, the rest of the building has been cleared at this time. There are about a hundred students here. The student leader of the strike is telling the students that he will -- officers are going to come back in and is going to ask each person to stand up. This is Eric Nelson telling the students who are sitting on the floor of the student union building. He wants them to stand up, uh, when officers come in they are going to say “You’re under arrest”.

[clapping and cheering]

LEE: A member of the faculty telling the students sitting in the lobby that if they leave peacefully there is a very good chance the Board of Regents might let them back in the union very soon. Now the students are starting their chant again.

[students chanting and clapping words to “This Little Light of Mine”]

LEE: Major Wimberly of the State Police telling them that’s it’s the last chance to leave, telling them this is their last chance to leave.

[chanting and clapping “This Little Light of Mine”]

LEE: Major Wimberly of the State Police giving the students their last call. Now Eric Nelson of the student body vice – er, president, is moving out. Now moving out the front. They’ve taken the first group of students out now that they were arresting. Standing in here with newsmen and approximately seventy-five students left holding peace signs on the floor in the lobby of the student building. They’re taking the students out towards the back of the student building. Apparently, seems to be some commotion out front. Find out what is going on exactly out front with the students. Evidently, there must be something happening on the other side.

[shouting, crowd noises]

Uh, we don’t know who that is. Now the State Police are coming back in to take out the second group of students. Police are asking them to stand up, telling them they are under arrest. Thus far, it’s gone off without a hitch. One, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three – one of the students putting his arm around one of the policemen and the students cheering. The second group of students has been taken out without a hitch.

We’re told that Dr. Heady [Dr. Ferrell Heady, President of UNM] has arrived and will be coming into the building. Here he comes. The students are singing at this time.

[students singing “All we are saying is give peace a chance”]

Dr. Heady will address the group. Here’s Dr. Heady.

DR. FERRELL HEADY: The Regents have approved this proposal: That after this building is cleared and after it has been inspected, the Regents will turn over control of the Union on a temporary basis until Monday to the policy committee – the Faculty Policy Committee, and the Union Board.

[people saying “Thank you”]

HEADY: Those of you who are willing to accept this proposition should go out of the building now. Those of you who are –

[shouting]

HEADY: Those of you who will not are going to have to respond to the restraining order and to law enforcement officials who are here to enforce it and I have no control over those law enforcement officials who are imposing the restraining order.

[shouting responses]

LEE: Dr. Heady making his announcement. Dr. Harold Lavender standing right here beside me at this time. He said something to Dr. Heady and apparently Dr. Heady will speak again to the students. He asked them to clear the building and after the building has been inspected, they will turn the control back over to the students until Monday when the regular authorities will resume control. He said, “I guess that’s all there is to say” and the students keep on singing.

[Students singing “All we are saying is give peace a chance”; voices speaking in the crowd]

ARTURO ORTEGA: Under the Constitution of the State of New Mexico, the Regents have the constitutional duty of management and control of this university. Under the law, the Regents have the title to this building. We can’t avoid that. Under that constitutional mandate, it is our duty –

[crowd noises]

I am – I am for you!

[crowd noises]

LEE: That was, uh, -- no, the second figure was immediately shouted down – that figure was Arturo Ortega, head of the Board of Regents. The State Police are

taking out the third group now. At this count, there are approximately fifty arrested. The State Police are having no trouble – having no trouble at this time taking students out. The students are cooperating and the police are merely coming over to each individual asking them to stand up and telling them they are under arrest. This is the situation so far down in the lobby with about half the group gone. I'd say approximately fifty students left inside the building.

Meanwhile, outside the building, uh, as Zane [Zane Blaney] has no doubt told you, on the north side of the Union, the police have barricaded the front of the door, shoulder-to-shoulder. They're armed with, uh, riot equipment, the standard riot equipment, and I see no sign of trouble at this point.

BLANEY: At this point, I was outside the building where the ten people were bayoneted by the National Guard and Sam Lee remained inside and continued his commentary.

LEE: Okay, the police are coming back in to get the fifth group, which should about take the remainder of the students, at this time. They're having no trouble – they're having no trouble whatsoever. The students are cooperating with the police and the police are not, uh, -- the police are not manhandling them in any way.

[singing]

They're coming over and giving them a hand up off the floor. Some of the students, now, are just getting up and following the police. There remains on the floor, uh, practically twelve people, which the next round – the sixth round will take care of. And that's the situation inside the building. Apparently there's going to be no hitches. No hitches from inside the building at this point.

Groups of the students are being arrested by the police and, uh, the President of the Student – the President of the student body, Eric Nelson, will be going along with them. Eric Nelson, Student Body President, will be arrested.

BLANEY: After the students were cleared from the Union SUB Building, it became a relatively quiet scene. In the mall, the students had either sat down or dispersed. The National Guard remained their perimeter around the Union SUB. They removed their bayonets after a time and inside, Sam, what was going on with the National Guard?

LEE: Inside at that time, Zane, the National Guard was moving their bivouac equipment in which included rations, sleeping bags, duffle bags, this type of thing. And later, I suppose about twenty minutes, Zane, after the students were arrested and the situation started to get relatively calm, you and I approached Major Wimberly at the East end of the student union, at the door. At that time, we requested that we be admitted to the inside and after some discussion we were let inside. And Zane, what, uh, how did you find the inside of the student union at that time?

BLANEY: The building looked as though it had been occupied, of course, and there had been no janitorial services, as such. However the condition of the building as we could tell was not, uh, disturbed that much. Inside the National Guard officers were discussing the situation among themselves. There were several of the police officers around the building, but all of the students had been cleared out by this time. And, we could see certain personal belongings of the National Guard.

LEE: We also asked at that time General Jolly [Major General John P. Jolly] and General Done, we asked them about the report that Mitch had received back here over our broadcast wire to—something to the effect that a warrant officer by the name of E. G. Gonzalez had stated that there were absolutely no injuries due to bayonets. Uh, at that time, the two Generals both kind of seemed bewildered by that statement, didn't they?

BLANEY: Yes they did at the time.

I don't think they really knew what the warrant officer was talking about because we didn't name at that time – it wasn't until we got back that we knew what the warrant officer's name was. At the press conference, General Done stated that he knew of no warrant officer at all who would make any statements. The only warrant officer who would have been at the scene would have been a combo-chief and his name was not Mr. Gonzalez. We left the Union SUB. At that time we were informed that several press conferences had been called, one with the Board of Regents and Dr. Heady, another one later in the evening with the State Police and the National Guard. I attended the meeting with the Regents and Dr. Heady and filed this report:

Several news conferences tonight on the University of New Mexico campus and of the Armory this evening. The Board of Regents have just finished a news

conference and the student body Acting-President is currently holding a news conference, Frank Lynn. The President of the Association of Students, Eric Nelson, is in jail at the present time as far as we know.

On the Board of Regents that were here, Mrs. Frank Mapel, Arturo Ortega, President Heady, Mr. Norris Bradbury, and Dr. L.H. Wilkinson. During the press conference the Regents said that they did not know until President Heady knew that the Guard were on campus. And that was after they were on campus. They conceded that time ran out during discussions with the students during the afternoon and that had the court injunction been served earlier, it might have alleviated some of the problems that were incurred later in the afternoon. They have said that they intend to ask Governor Cargo [David F. Cargo] to take the Guard troops out of the – off of the campus as soon as possible, however they did say that they have not been in contact with the Governor since this afternoon. No contact whatsoever from Governor Cargo. As far as we know, he is in the northern part of the state, whether he is in town or not we do not know. They said they intend to restore the campus to normal operations as soon as possible. This is Zane Blaney, KDEF, 1150 [indecipherable] news from the University of New Mexico.

STEVE BELL: University of New Mexico President Dr. Farrel Heady has called a special meeting of the University Faculty tomorrow at 1:30 in the Kiva on campus. The special meeting was called to deal with the current campus crisis. This is Steve Bell for KDEF News with a special report from the University of New Mexico.

BLANEY: At this point, the National Guard and the State Police were getting ready to have their press conference. At that press conference Colonel Vigil [Martin Vigil] of the State Police, General Done and General Jolly also were there, and KDEF's Sam Lee covered that conference.

LEE: There might be a couple of things at this time, Zane, that I might say before we get into the actual coverage of the press conference itself. Number one, that General Done opened up his portion of the conference of which he was the third speaker and made a statement – a plain statement as to the National Guard's mission.

GENERAL DONE: The National Guard, in this particular situation, works under the direction of the State Police on orders of the Governor. We have a mission-type

assignment. It is up to us to decide how many troopers are necessary to carry out the mission that was assigned, which in this case was complete 360 degree perimeter security of the Student Union Building. This is what we did. There was a State Policeman, Capt. Madison, outside who coordinated with the National Guard. The use of bayonets is standard operating procedure in the Guard units in the State of New Mexico. Right or wrong, that is the way the book is written. There was no ammunition issued. Once it was found that the crowd was unruly and cooperative, all bayonets were removed.

LEE: Why were some of the guns, uh, some of the rifles –why'd they have magazines in them? Were they empty? Was it --

GENERAL DONE: There should not have had the magazine even in them, but --

LEE: I counted ten that I saw on the perimeter.

GENERAL DONE: There was no ammunition in -- Believe me, Mr. Lee, there was no ammunition.

LEE: Well, it's just that when I was in the Army --

GENERAL DONE: I take my order from the Adjutant General and until it comes from him to me and down through it, there is no ammunition issued under any circumstances.

LEE: The second speaker in the news conference was Colonel Martin Vigil. Reporters questioned him quite thoroughly.

REPORTER: When was Ferrell Heady informed that the State Police and National Guard were coming to campus? He claims he didn't know until they were there.

COL. VIGIL: Well, all I can say is that he did know.

REPORTER: He knew prior to their arrival?

COL. VIGIL: Oh, yes.

REPORTER: You said that they were expected to arrive simultaneously, both the National Guard and the State Police?

COL. VIGIL: Uh, yes.

REPORTER: So there wasn't a time when you could have stopped the National Guard from coming on campus?

COL. VIGIL: Oh, I see no reason why – why I should have stopped them or called them back.

REPORTER: Colonel Vigil, [mumbled]

COL. VIGIL: Uh, the court order, I believe, states specifically there that they are to be taken to or confined to the Bernalillo County Jail.

REPORTER: Have they posted any bond?

COL. VIGIL: Uh, this is a different matter. Once we carry out our responsibilities, then other legal aspects take over.

REPORTER: How far does your responsibility go?

COL. VIGIL: Well, we make the arrest, we take them and we go through proper procedure of booking, identifying and then it's up to the courts and the attorneys.

REPORTER: How many arrests did you make?

COL. VIGIL: Mr. Dome, I can't tell you exactly. This might sound – I understood that it was around a hundred. I'm not sure. Let's see, uh.

REPORTER: You say you were in command of the National Guard troops while they were on campus?

COL. VIGIL: Well, let me say this, they were acting, uh, on my orders. However, as far as the command of the National Guard, uh, you want to break it down into who was in command of who, certainly I think was in command of the Officer in Charge at that time. Just like the city police were in charge of Chief Swallows.

REPORTER: Were their guns loaded with bullets?

COL. VIGIL: Uh.

GENERAL DUNN: There was no ammunition issued whatsoever.

COL. VIGIL: Well, this is what my understanding.

GENERAL DUNN: Absolutely none.

REPORTER: How much force was authorized? What measures were authorized to you in order for them to carry out their mission?

COL. VIGIL: All I can say is that the, uh, the law provides that, uh, in a case like this, or similar cases, that uh, as much force as necessary is to be used. I can say this: that there was no force absolutely use—exerted there. What I'm saying is, um, that no one was, uh, pulled or shoved or had to be taken out of there by force. They merely walked out.

REPORTER: I understand they left the SUB quite peacefully. But I also understand that there was [mumbled].

COL. VIGIL: I'm sorry about that. Now, I was not out there. I couldn't comment on that. I was inside – I was inside – I was inside of the –

REPORTER: I know you were inside this external exterior room. What was happening inside and your opinion –

COL. VIGIL: No, the main objective was inside.

REPORTER: Who was in command outside while you were inside?

REPORTER: Right.

COL. VIGIL: Um, we had –

REPORTER: [mumbled]

COL. VIGIL: Um.

REPORTER: Was it a State Police officer?

COL. VIGIL: Oh, well Captain Madison and Chief Swallows, I believe, were outside.

REPORTER: I mean, no National Guard officers were involved in the command decisions at all?

COL. VIGIL: I don't believe I better answer that, I couldn't.

REPORTER: Well, surely, that if you were inside somebody must have been outside. Someone must have been coordinating the National Guard.

COL. VIGIL: Well yes. Certainly. Yes, the State Police was coordinating the operation.

REPORTER: So the State Police must have given the order to affix bayonets.

COL. VIGIL: Oh no, I couldn't. That's not a fair question, even.

REPORTER: Where is the Governor?

COL. VIGIL: Um, as far as I know, he's in Santa Fe.

REPORTER: Who did give the order to affix bayonets? You say you can't answer that intelligently, I wish someone can.

MAN'S VOICE: If you'll just wait, it'll be –

COL. VIGIL: I already –

REPORTER: You're saying that you – if you didn't, I am assuming that it will be answered by this gentlem --these gentlemen here because it's a National Guard order. So what you're sa--

COL. VIGIL: That's correct.

REPORTER: So what you're saying, the National Guard – someone in the National Guard ordered to affix bayonets?

COL. VIGIL: That's what I would assume, yes. Just a minute now. Uh, have I answered any of your questions?

REPORTER: How did you view the performance of the state's National Guard [mumbled] and how will you report it?

COL. VIGIL: How did I - ?

REPORTER: What did you actually think of the performance of the –

COL. VIGIL: I think, uh personally -- and this may sound um, um, uh, well, all I can say is that I think that things went extremely well.

REPORTER: Why do you tell us that? Extremely well? Do you mean the whole thing or just as far as the removal of the students?

COL. VIGIL: I'm talking about the objective of the court order. I think it went extremely well. I think I had, uh, at least one person in authority, uh, at the campus say the same thing.

REPORTER: Colonel, are we to understand then that you requested the help of the National Guard at nine this morning then, but the temporary restraining order was only -- was given this afternoon?

COL. VIGIL: The restraining order was to have been issued by 10:30 and then, uh, someone from the campus or from the student body petitioned or demanded from the court, that they have a hearing. So Judge Larrazolo [Paul Larrazolo] granted the hearing to be held at 11:15. The hearing was held and it concluded about 3:30, at which time the order was issued.

REPORTER: Did you at any time inform President Heady that the National Guard was coming?

COL. VIGIL: I'm sure I did.

REPORTER: And what time was that?

COL. VIGIL: Uh, the last time, um, I talked to Dr. Heady was about 5:15. At this time, I have informed General Jolly that, uh, we're releasing the National Guard from the campus.

LEE: This is Sam Lee from the New Mexico National Guard Armory on Wyoming in the East part of Albuquerque. Tonight, General Jolly and General Done along with Colonel Martin Vigil, uh, Chief of the State of Police, and Joyce Blaylock, State Police Attorney, held a news conference at 10 AM that lasted about an hour. There are several points brought up, uh, in the news conference this evening that did not jive with previous reports furnished to press or did not seem to ring true to situations as the press and attendants at the University this afternoon saw them.

Number one was the Attorney for the State Police, Joyce Blaylock, who reinforced the proposal that there will be a hearing May thirteenth at nine o'clock in the morning on the whole incident and on the restraining order. This restraining order is a temporary restraining order and is in effect only until a permanent restraining order is issued. The young attorney did not say when this temporary restraining order would be out of effect. We might say it right off hand, as of now, National Guard are released from duty on the campus however some State Police will stay and assist staff members of the Student Union Committee. They have been requested by Mr. Sloan of the University of New Mexico Student Union to stay

and help them with the student union. They did not say exactly what the duties would be.

The National Guard acted on orders from Governor Cargo and under Colonel Vigil's direction. Colonel Vigil talked to Governor Cargo shortly before 9 AM this morning and recommended to the Governor that the state National Guard be alerted for this purpose. The Governor then issued the order to General Jolly at 9 AM this morning. The State Police called the National Guard because they thought due to the situation that could continue at the University and the fact that there are fifteen thousand students that their force as city, state, and campus police would be inadequate. So Colonel Vigil asked for the Guard to be mobilized. The reason that the National Guard arrived at the campus later than the state and city police was due to a traffic delay according to Colonel Vigil. Both the city and state police forces, along with the National Guard, were moving out to the University at the same time, however there was a traffic problem and the National Guard arrived some thirty minutes late. Colonel Vigil said he was in command of the whole operation, however, he gave no order to affix bayonets. The controversy over the bayonets and the woundings that resulted therein, according to General Done, it is standard operating procedure in New Mexico National Guard – this rule was made three years ago – that any force, any time, any action of the National Guard, the first step is to affix bayonets.

I might report that eleven incidents were reported as a direct incident of the bayonets. However General Done or General Jolly – neither one would admit that the bayonets actually caused any wounds. Three National Guardsmen suffered wounds and they were all self-inflicted minor wounds. A smashed finger among them. Newsmen asked questions, I asked one question, why newsmen weren't allowed inside the perimeter. They said that from now on this would be corrected and newsmen would have access to anything that the National Guard was doing, but the two Generals refused to recognize definitely people were injured by bayonets.

Getting back to Colonel Vigil, he said that he had informed Dr. Ferrell Heady twice during the afternoon that the state, city, and National Guard were going to be on campus. The last time he called them was at 5 PM. He told Dr. Heady, Dr. Heady informed him he would be there. He, meaning Dr. Heady, would be out in front of

the Union before the police arrived. Vigil was in command of all and when arrived there he did not see Dr. Heady and someone had to go get him. There was no ammunition issued at all. No ammunition was issued at all said General Jolly. So, I posed the question to General Jolly, it is standard operating procedure in Field Manual 22-5 that every time a magazine is inserted into a weapon that there be ammunition in that weapon. Uh, he had no comment.

Repeating once again the news conference is over at this point, relating to the incidents at the University of New Mexico Student Union Building today. The students – uh, no bond has been set at this time that we know of and the students will probably be released on their own recognizance. This is Sam Lee, KDEF 1150 News.

BLANEY: The historic Friday was basically over at this time. The University campus was relatively quiet, still students mingling around the UNM SUB. However, the SUB building had been secured for the evening and we all waited until Saturday to find out about Governor Cargo, to get statements from him and to see what would happen on the University of New Mexico campus.

[26:47]

Saturday May the ninth.

LEE: On May the ninth, the most important thing that happened began with a news tip from, uh, sources unknown that Governor Cargo was at the University of Albuquerque and at that time, Zane, he was meeting with Eric Nelson, the Student Body President. He had asked, uh, the authorities to release Eric at that time. He was also meeting with Paul Schumaker, who is the Student President of Student Affairs for the state. He also met with Joe Kirkland, the Student Body President at the University of Albuquerque. They met for approximately ninety minutes in a closed session. Uh, when I arrived, along with Mitch, we waited and waited and waited. Finally they came out, and of course we asked them what – what went on in the meeting. And Eric said, briefly, uh in essence – he said that he presented the students problems to the Governor, how the situation came about and happened as it did from his point of view, stating that the students should be consulted more often on more things with relating to university policy. The Governor then was questioned almost entirely about the National Guard, at which time he seemed very evasive to us, that is, we couldn't get any definite

answers like we did later on in the week as to – he did admit to alerting the Guard, but he did not say that Colonel Vigil had called him prior to coming on campus, which we found out later he did.

From the University of Albuquerque, the Governor went to Zimmerman Library in the Honors Center Room of the Zimmerman Library. There he met with the Board of Regents and Dr. Ferrell Heady. They met for about an hour and ten minutes during which time nothing, in essence, transpired at all. The meeting was disrupted by students who grew in size from about fifty at the outset of the meeting to about four hundred when they finally, uh, disrupted the meeting through shouts, hollers, demanding questions. Mr. Ortega brought up the point that it was a Board of Regents meeting and not a meeting for the students. At any rate, the students broke up the meeting and Governor Cargo went to get back to his car and left the campus.

BLANEY: Sunday, May eleventh.

Governor Cargo called a news conference before his departure for Washington, D.C., to meet with the President and the other Governors concerning the Cambodian situation, the campus unrest, and inflation. KDEF's Sam Lee covered that conference.

LEE: At the conference, I asked the Governor if he had any second thoughts about the incidents that occurred last Friday.

GOVERNOR CARGO: Uh, but as far as what Martin Vigil has done, I believe that, uh, he possesses good judgement and, uh, I support him on that.

LEE: The Governor also stated that he felt there were certain things you must do regardless of the political consequences.

CARGO: But, uh, I don't think it really makes much difference because, uh, there are certain things you have to do regardless of the outcome politically and certain things that you, um, you must protect. For instance, even if it was very popular politically, um, to turn the campus over, uh, to sit-down strikers or whatever they are, uh, I don't think this is a very viable position for a Governor or a Board of Regents to be in. And after all, they sat in that student union building, uh, for three days, almost three and a half days. And, uh, I think probably the solution is just open the, uh, Student Union Building up twenty four hours a day and if they

want to sit there a whole semester, let them as long as they don't block the egress or ingress into the building. Who cares?

LEE: Monday, May eleventh.

PAUL EULIN: Resumed normally today at the University of New Mexico and in a special faculty meeting completed late this afternoon the faculty approved a series of additions to the regular curriculum. However, all students who desire to complete classes for which they registered will be able to do so. Also, all teachers will meet their regularly scheduled classes for the rest of the semester. The following options are for students who do not wish to attend the rest of their classes were approved today. First, they may receive credit for any course and a semester grade based on work completed so far this semester. The second option, students may receive grades of either credit or no credit in courses. The third option, students may receive an incomplete and make up the work in the course later. And finally, students can withdraw completely without penalty if they so wish. Students will be required to notify their instructors of what course of action they wish to follow by this Friday.

Also approved by the UNM faculty today were a series of extra or enriching free university classes. These classes on topics ranging from Cambodia to racism will be open to all students wishing to take them. They'll be held in the old IBM Building at the corner of Stanford and Central. It should be emphasized, however, that classes will be held as usual for those students who desire to complete the semester and that these additional classes will not take the place of regular courses. This has been Paul Eulin from the UNM Public Information Office for KDEF News.

BLANEY: Governor Cargo is expected in Albuquerque Monday night to hold a news conference. We'll be finding more about what the discussions were with President Nixon and the other Governors concerning the campus unrest, the Cambodian situation, and inflation.

[music]

BLANEY: The National Guard has scheduled an inquiry of Friday's events on Wednesday, May thirteenth. The confusion surrounding the events was mainly a matter of semantics. Authorities saying the same thing at different times and

different references. We have tried to leave conjecture to the politicians and the public. What you have heard is a document of reports of our correspondents as they witnessed the situation. The KDEF news department is solely responsible for the content of this program. We wish to express our gratitude to KUNM, The Lobo, and the Public Information Office at UNM for valuable assistance during "Confrontation: New Mexico".

[music]

[end]

[33:50]