

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

-----X

ARTHUR KRAUSE, et al.,	:		
	:	C70-544	C71-23
Plaintiff	:	C70-816	C71-24
	:	C70-859	C71-25
v.	:	C71-20	C71-26
	:	C71-21	C71-471
	:	C71-470	C73-643
	:	C72-439	
JAMES A. RHODES, et al.,	:		
	:		
Defendant	:		

-----X

May 5, 1975
Washington, D.C.

The deposition of TERRANCE NORMAN, a witness called to testify by counsel for the plaintiff's, under the Federal Rules for Civil procedure, pursuant to notice, before BEA LOU BUSSELL, a court reporter and notary public, duly qualified in and for the District of Columbia; in the offices of the American Civil Liberties Union, 410 1st Street, S.E., Washington, D.C., at 1:30 p.m., on the 5th day of May, 1975.

WARD & PAUL
Washington - Virginia - Maryland

Phone (Area 202) 54

WARD & PAUL

410 First St. E., Washington, D.C. 20003

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

APPEARANCES:

On behalf of the Plaintiff's:

DAVID ENGDAHL, ESQ.
2049 Cornell Road
Cleveland, Ohio

On behalf of the Defendant's:

CHARLES E. BROWN, ESQ.
Crabbe, Brown, Jones, Potts and Schmidt
42 East Gay Street
Columbus, Ohio 43215

and

BURT FULTON, ESQ.
Hauzhurst, Sharp, Mollison and Gallagher
630 Bulkey Building
Cleveland, Ohio

Phone (Area 202) 543-6000

WARD & PAUL

410 First Street, S.E., Washington, D.C. 20003

WARD & PAUL
Washington - Virginia - Maryland

Phone (Area 202) 544-6000

WARD & PAUL

410 First Street, S.E., Washington, D.C. 20003

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

C O N T E N T S

	EXAMINATION BY COUNSEL FOR:		
DEPOSITION OF:	<u>PLAINTIFF:</u>	<u>DEFENDANT</u>	<u>DEFENDANT</u>
TERRANCE NORMAN	3	108	141

E X H I B I T S

NORMAN DEPOSITION EXHIBIT'S:	
Plaintiff's No. 1	26
Plaintiff's No. 2	41
Plaintiff's No. 3	41
Plaintiff's No. 4	41
Plaintiff's No. 5	41
Plaintiff's No. 6	41
Plaintiff's No. 7	41
Plaintiff's No. 8	48
Plaintiff's No. 9	48
Plaintiff's 10 through 28	49
Plaintiff's 29 through 34	52
Plaintiff's No. 35	65
Plaintiff's No. 36-37-38	74
Plaintiff's No. 39	74
Plaintiff's No. 40	99

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

E X H I B I T S

NORMAN DEPOSITION EXHIBIT'S - DEFENDANT'S
Defendant's Exhibit's A through M were marked for Identifi-
cation, Page 141

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Whereupon,

TERRANCE NORMAN

having been first duly sworn by the notary public was examined on direct examination by counsel for the plaintiff's as follows;

BY MR. ENGDAHL:

Q Will the witness state his name for the record?

A Terrance B. Norman.

Q Mr. Norman, have you ever testified under oath previous to this hearing, concerning the events at Kent State University on May 4, 1970?

A Yes, sir, but I don't remember the day. It was more than a year ago, in the Federal Grand Jury Investigation in Cleveland Ohio.

Q Other than your testimony before the Federal Grand Jury in Cleveland, Ohio, have you ever testified under oath about this case?

A Not to my knowledge.

Q I should inform you that at this time, we are in possession and by we, I mean both the plaintiff's in this case and the defendant's in this case, are in possession of the Kent State University police department records and reports from about this time, in 1970, various highway patrol interviews, of your-

WARD & PAUL
Washington - Virginia - Maryland



1 self and other persons, FBI statements, in connection with
2 the events and the state Grand Jury testimony, and we don't have
3 but wish we did have, the Federal Grand Jury testimony, but we
4 have these other matters that I have identified.

5 Q Could you state your address, please?

6 A Care of 5720 Georgia Avenue, Washington, D.C.

7 Q That is a mailing address?

8 A A forwarding address.

9 Q Can you give us your living address?

10 A I would prefer not to if I don't have to, unless it
11 is absolutely necessary.

12 Q I am afraid it is for process serving.

13 A It is 809 West Maple Avenue, Sterling, Virginia.

14 Q How long have you lived at that address?

15 A One year.

16 Q How long have you lived in the Washington, D.C.
17 area?

18 A Approximately five years.

19 Q Previously, where did you live?

20 A In Ohio.

21 Q In what city?

22 A Akron, Ohio.

23 Q Do your parents still reside in Akron?

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Yes.

Q Did you reside with them at the time you lived in Ohio?

A Up until I was about sixteen.

Q In May of 1970, were you residing in Ohio?

A In Akron.

Q At an address different than your parents?

A Yes.

Q What is your present employment?

A The Metropolitan Police Department Washington, D.C.

Q How long have you been employed by the Metropolitan Police Department?

A Since August 1970.

Q What kind of work do you do?

A Just a patrolman.

Q Your experience with the Municipal Police Department has been continuous since August 1970?

A Yes.

Q Have you been, during any part of that time, involved in any activities of the police department, other than a patrolman?

A No.

Q Have you had any special duty assignments?

WARD & PAUL
Washington - Virginia - Maryland

1 A I work with the civil disturbance unit and also our
2 S.W.A.T. team.

3 Q S.W.A.T.?

4 A It is barricaded person and anti sniping type of
5 thing, coming under the civil disturbance unit.

6 Q Have you been with that assignment ever since you
7 came here in August of 1970?

8 A No, I went to training sometime in 1971 and was assigned
9 in 1971.

10 Q Have you had any involvement with undercover work
11 since beginning your employment in Washington, D.C., with the
12 Metropolitan Police Department?

13 A No, it has all been uniform.

14 Q Have you ever been employed by the Summit County
15 Sheriff's Department, in the past?

16 A No.

17 Q Would you describe your employment for a year and
18 a half, prior to May of 1970?

19 A Working at a parttime job with Arco Electronics in
20 Akron, Ohio.

21 Q During what period was that?

22 A From about 1966 to 1970.

23 Q That was parttime?

WARD & PAUL
Washington - Virginia - Maryland



1 A That was parttime during the school year and fulltime
2 in the summers.

3 Q Any other employment during that period?

4 A No regular employment other than certain odd jobs.

5 Q Were you ever employed as a security guard?

6 A Oh, yes, I was employed as a security guard at
7 Blossom Music Center in Northhampton Township.

8 Q When was that?

9 A In 1969, I believe, but I am not sure.

10 Q Do you know the period of the year, during which you
11 were so employed?

12 A Parttime, during the summer.

13 Q Parttime, during the summer?

14 A Right.

15 Q That would be in the summer of 1969?

16 A I believe so, yes.

17 Q At anytime other than that one summer that you were
18 employed at Blossom?

19 A I think I worked there a couple of weekends during
20 the winter season, but that has been some time ago so I'm not
21 sure.

22 Q Mr. Norman, have you ever been discharged from a
23 job or fired from a job?

WARD & PAUL
Washington - Virginia - Maryland



1 A There was one job I had as a busboy at a chicken
2 place and either I quit or you are fired-I quit type of thing
3 and that is the only one that comes to mind. This was in 1964-
4 65.

5 Q How did your employment as a security guard at
6 Blossom Music Center terminate?

7 A Well, that--I don't know whether I quit or just never
8 went back to work the following school year. I was never
9 actually fired or discharged.

10 Q Are you acquainted with a man named Larry Cochran?
11 who is or was the police chief of Northhampton?

12 A Yes.

13 Q Was he familiar with your employment with the Blossom
14 Music Center?

15 A Yes.

16 Q I will represent to you that he made the comment,
17 the following comment and then ask you to respond to it, whether
18 you think it is true or what you think. I will represent to
19 you that Mr. Cochran has said, that Mr. Norman was fired from
20 Blossom for being gun happy and big mouthed. Can you respond
21 to that?

22 A I think that his statement is not true.

23 Q You went to highschool in Akron?

WARD & PAUL
Washington - Virginia - Maryland



1 A Yes, in the suburbs, yes, Copey.

2 Q After high school, did you continue your education?

3 A Yes.

4 Q Where?

5 A Kent State University.

6 Q Did you enroll directly in Kent State University after
7 high school?

8 A I don't know. I think I might have skipped one quarter.
9 I don't remember exactly but it was shortly after high school.

10 Q Did you attend any other college or university, prior
11 to attending Kent State University?

12 A It was either while I was in junior high or as a
13 freshman or sophomore in high school, I took a non credit course
14 at Akron University in electronics.

15 Q With that exception, have you ever enrolled in an
16 institution of higher education, other than Kent State University?

17 A American University in Washington, D.C.

18 Q When was that?

19 A 1970, it was concurrent with the department training
20 program for a juvenile delinquent course.

21 Q During the spring term of 1970, were you a fulltime
22 student at Kent State University?

23 A I believe so.

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q Was Kent State then on the quarter system?

A They were on quarter system.

Q So that would have been the spring quarter?

A March to May, something like that.

Q And to your recollection, you were a fulltime student at that time?

A Yes.

Q What was your view of the general impression or your general view of the KSU academic community?

A I don't--you will have to clear that up a little more specifically and tell me what you want?

Q Okay. Were you happy at Kent State?

A No. No I wasn't.

Q Can you explain why you weren't happy?

A Well, I was majoring in law enforcement and there had been rumours of the law enforcement program going to be taken from Political Science and put with the Sociology Department, which I didn't want any part of so that was just one thing, plus there seemed to be more--the students seemed to be more liberally slanted than what some of my own beliefs were.

Q Why did you dislike the idea of the law enforcement program changing from the Political Science to the Sociology Department?

WARD & PAUL
Washington - Virginia - Maryland



1 A It was my personal opinion. I didn't want, I was
2 familiar with the Sociology Department and was required to take
3 a lot of their courses for the law enforcement and it seems
4 that they had one theory about law enforcement and I had another
5 theory and it just was the two didn't meet.

6 Q While you were at Kent State, were you receiving
7 financial assistance through a loan program?

8 A Yes, I was.

9 Q Can you describe that for us?

10 A It was LEAA or LEAP, one of the two programs and it
11 was a loan that was to be repaid or you repaid it to them by
12 going into anything that was law enforcement, by way of
13 corrections, social work, anything along that line, it would
14 be repaid at the rate of 25% per year but I just got another
15 bill from them and maybe it is five years instead of four.

16 Q How did you apply or become eligible for the program?

17 A I heard about the program. I was working my way
18 through school and things were getting tight and I heard the
19 program was available and I talked to one of the people who
20 administered the program and made an application for it and I
21 received a loan.

22 Q Were there any qualifications or conditions that you
23 had to have to qualify for those loans?

WARD & PAUL
Washington - Virginia - Maryland



1 A You had to be fulltime law enforcement and in need
2 of financial aid.

3 Q Were there any other obligations, requirements or
4 expectations for obtaining the grant, other than your partici-
5 pation in the curriculum?

6 A Other than repayment, no.

7 Q Were you acquainted while you were a student at
8 Kent State University, with Donald Swartzmiller?

9 A Yes.

10 Q Would you describe the circumstances under which you
11 came to know Mr. Swartzmiller?

12 A He was Chief of Police, I think, of the Campus
13 Police or Security at this time and I knew him just as that.
14 I maybe spoke with the may three or four times, the entire
15 time I was there.

16 Q Did you finish college at Kent State?

17 A No.

18 Q Did you finish college since leaving Kent State?

19 A No, I have not.

20 Q Any particular reason or is it that the rest of life
21 just caught up with you?

22 A I, until about a year ago, I didn't really see the
23 benefit of a college degree in my particular job, but then I

WARD & PAUL
Washington - Virginia - Maryland



1 found out I would get four points for a degree toward promotion
2 so it is now my intention to finish school.

3 Q Back to Mr. Swartzmiller, on the basis of the contacts
4 you had with Mr. Swartzmiller, have you informed any particular
5 impression of him?

6 A Not particularly. From just the contact I had, I really
7 didn't form any opinion. I just didn't have that much contact
8 with him, to form a thought or possible opinion of the man.

9 Q Do you have any perception of Mr. Swartzmiller's
10 perception of you?

11 A He made a couple of statements. I don't know whether
12 the press misinterpreted what he said or he made statements--
13 I don't even remember what they were, but in general, he said
14 certain things that I don't know where he could have gotten it,
15 other than trying to save his own hide. He had been accused of
16 one thing and he decided to explain it away and since then my op-
17 inion has come down a couple of points of him.

18 Q To be fair to you, let's talk about some of the
19 specific things Mr. Swartzmiller said about you, and get your
20 view on whether there is any general substance to them or your
21 reaction?

22 A Go ahead.

23 MR. FULTON: You are saying these things are said

WARD & PAUL
Washington - Virginia - Maryland



1 through a newspaper about him?

2 MR. ENGDahl: That is exactly right. These are news-
3 paper statements.

4 A I don't put any credence in newspapers one bit and
5 I wish newspapers had quality ink on them.

6 Q I understand that, but I want to get your reaction
7 on them anyway. There is a report in a newspaper and I don't
8 have the reference to it right now, but it is in my file here
9 somewhere, that Swartzmiller considered you; "Flighty, Badge
10 Happy, Gun Happy and very immature." Whether you have heard
11 that or read that report, what do you feel about it?

12 A He never made the statement to me and he never made
13 any indication whatsoever at the time, that those were his
14 feelings.

15 Q Another things that Swartzmiller is purported to have
16 said is that, "He had posted a notice on the bulletin board(
17 I don't know what bulletin board)--he posted a notice on the
18 bulletin board and ordered that Norman was unwelcome on campus,
19 sometime early in 1970."

20 A He is probably referring to the bulletin board in the
21 police headquarters and I had never seen that notice and I would
22 say I saw that bulletin board as much as anybody.

23 Q He is also reported to have said that if you came on

WARD & PAUL
Washington - Virginia - Maryland



1 campus, you were to be arrested for trespassing.

2 A That would be kind of difficult, since I was a
3 student.

4 Q Do you recall any incidents early in 1970, while you
5 were in school, involving you and guns on the campus, anykind
6 of firearm?

7 A Yes, one of the officers--I knew one of the patrolmen
8 or most of them on just about a first name basis and one of
9 them, I don't know which one, showed some interest in a particu-
10 lar weapon that I was trying to sell to make some money and I
11 asked if I could bring it by and we would decide on a date when
12 he would be available and I would be available and we met at a
13 supposedly secluded spot and I showed it to him and he said,
14 how much do you want for it and I told him the price and he
15 thought it was too much and we haggled back and forth and we
16 couldn't arrive at a figure that would be satisfactory to both
17 of us and that was the end of the deal. In the meantime, one
18 of the students who was big and boisterous, of the Black United
19 Students, had watched this transaction from the woods there
20 and reported it to someone, to Swartzmiller and Swartzmiller
21 told his officer, at the time, he did not want any personal
22 business being conducted while on the campus and he, Swartz-
23 miller, never spoke to me personally about it.

WARD & PAUL
Washington - Virginia - Maryland



1 Q What kind of firearm was that?

2 A It was either a shotgun or a rifle. It was a long
3 gun.

4 Q Swartzmiller is also purported to have said, that
5 you had been unseen on the campus for some period prior to
6 May 2, 1970?

7 A I suggest that Mr. Swartzmiller check the attendance
8 records for that time.

9 Q You are indicating you were indeed present at that
10 time?

11 A Yes.

12 Q Did you give me a date when you joined the Metropoli-
13 tan Police Force?

14 A August of 1970.

15 Q August of 1970?

16 A Yes.

17 Q Does the date of August 24, 1970, prod your recollec-
18 tion?

19 A Yes, I think that is correct.

20 Q How did you get the job here?

21 A Well they had a recruiter on campus and I don't
22 remember his name, but at the time the department was trying to
23 add 1000 men in about three or four months period and they got

WARD & PAUL
Washington - Virginia - Maryland



1 a whole bunch of money and said they were going to reduce
2 crime in D.C.

3 The department sent men everywhere. Southeast Asia,
4 Germany, all over the United States, trying to recruit people
5 for the department and one of the recruiters came up there and
6 gave a little talk and handed out a brochure. It said \$8500
7 a year to start and I had never heard of that much money and I
8 had become quite dissolutioned with the curriculum and the
9 school anyhow at the time, so I told him I was in fact interest-
10 ed and he said he could send me the details and for me to take
11 the civil service test and then you move from there.

12 Q Was it necessary, in connection with your application
13 for a position on the police force, to get letters of recommenda-
14 tion or references?

15 A Yes.

16 Q Do you recall what people you selected?

17 A I couldn't remember. The only one I could, I had
18 one friend, Joe Feit, that I know I put him down. I had known
19 him for a number of years and I put him down but whoelse, I
20 don't remember. It wasn't a letter, just name and address.

21 Q Might you have used a guy named Bruce Vanhorn?

22 A Oh, yes.

23 Q And might you have used Tom Kelly?

WARD & PAUL
Washington - Virginia - Maryland



1 A I don't remember but it is a good possibility.

2 Q Do you recall what motivated you to use these particu-

3 lar people as references?

4 A Because I knew them and I figured they would give me

5 a good reference.

6 Q Joe Fiet?

7 A Yes.

8 Q You say he had been a friend of yours for some time?

9 A Yes.

10 Q Do you know whether he still lives in Akron?

11 A I think he is, but I haven't heard from him for a

12 couple of years now.

13 Q What about Bruce Vanhorn?

14 A I believe so, yes.

15 Q Where did you know him?

16 A I met him while I was working for Arco Electronics.

17 He was a policeman in Akron and we became friends.

18 Q What was your acquaintance with Tom Kelly?

19 A - He was a detective or supervisor with the campus

20 police department.

21 Q Did you know him only in that capacity or how well

22 did you know him?

23 A I thought I knew him fairly well. I knew him in that

WARD & PAUL
Washington - Virginia - Maryland

1 capacity. I didn't drink with him or anything off duty.

2 Q Now let me direct your attention to a few days
3 surrounding May 4, 1970. Do you recall where you were on May 1,
4 1970?

5 A No, but I remember where I was on April 30, because
6 that was my birthday. After that, I don't know, day to day, I
7 couldn't tell you. On April 30th I was down here taking the
8 civil service test for the department and I either flew back
9 that night or a day or two later.

10 MR. BROWN: You took the test for what on April 30?

11 A Civil Service, here in D.C. I wanted to take it the
12 weekend before that but my wife wanted my sister-in-law to go
13 with us so they could look around the city so I delayed it a
14 week.

15 Q What year were you born?

16 A 49.

17 Q Did you say on April 30, you took the civil service
18 examination here in Washington, D.C.?

19 A Yes.

20 Q When you came to Washington for that exam, did you
21 come alone?

22 A No, I had my wife and my sister-in-law with me.

23 Q How long did you remain in Washington?

WARD & PAUL
Washington - Virginia - Maryland



1 A It was either one day or two days, I don't remember,
2 but maybe even three, because I know I wanted to look around and
3 see the city, because I probably would be working here.

4 Q Did you return to Akron with your wife and sister-in-
5 law?

6 A Yes.

7 Q What did you do, while you were in Washington, other
8 than take the civil service exam?

9 A Played tourist. Talked to a couple--we stayed in a
10 motel on New York Avenue and there were a couple of policemen
11 in there getting coffee and I told them I was here to take
12 the test and I wondered what it was like and they said don't
13 waste your time and that was it. Just played tourist, monument
14 and memorials. I did not secretly conspire with any Federal
15 Agency to do anything.

16 Q Where was that civil service exam administered?

17 A In the parking lot at RFK Stadium.

18 Q In the parking lot?

19 A In the parking lot. A real first class operation.
20 They had a trailer, a mobile recruiting trailer and this--
21 I went down to the recruiting section on Pennsylvania Avenue
22 S.E. and was told there was a recruiting trailer in the stadium
23 parking lot and gave me directions how to get over to the parking

WARD & PAUL

Washington - Virginia - Maryland



1 lot and I walked in and took the test.

2 Q When you returned to Akron, were there any particular
3 reason for your going at the time you did?

4 A Other than running out of money and probably school
5 starting back, there was no particular reason. We just left
6 when we got down here.

7 Q While you were in D.C., did you hear anything about
8 what had been going on at Kent?

9 A No, No, I didn't hear anything until I got back.

10 Q May 2nd was a Saturday. Do you recall whether you
11 were on the campus at anytime on May 2nd?

12 A What happened on the 2nd and I can probably tell you
13 better, if you will tell me what was going on?

14 Q The evening of the 2nd of May was the burning of the
15 ROTC building.

16 A Yes, that evening, then I must have got back Saturday
17 morning. Friday night, I think the students went down town and
18 tore up the bar area, but I'm not sure it was Friday. I don't
19 know. This is hazy now and I can't remember the day, but the
20 night of the ROTC building, I went up to the school to see
21 what was going on. I heard it was going to be touched.

22 Q Had you been up there earlier in the day?

23 A No, no it was dark when I was there .

WARD & PAUL
Washington - Virginia - Maryland



1 Q I will make another representation to you to get your
2 reaction. I will represent to you that Tom Kelly said he saw
3 you in front of the Kent State University administration building
4 sometime during the daylight hours.

5 A I can check with the airline and see what time I came
6 home, but it was dark when I went up there, when I arrived.

7 MR. BROWN: I thought you said you got back to town
8 on Friday?

9 A No, Friday was when I heard, when I got back, I heard
10 the kids tore up downtown. I am pretty sure it was Saturday.

11 I doubt whether it was Friday. I believe it was Saturday when
12 I did get back.

13 If you have an old calendar you can look and see what
14 day April 30th was, and then move from there.

15 MR. FULTON: May 1st was on Friday.

16 MR. BROWN: So it would have been on Thursday you came
17 to Washington?

18 A It was Thursday I arrived, yes. I know I stayed at
19 least one night. I stayed at a motel on New York Avenue. It
20 was one or two nights I stayed but I think it was one night I
21 stayed and then I came back that afternoon or evening.

22 Q Had you heard any rumours or had you heard any
23 information, prior to the fire at the ROTC building, to the

WARD & PAUL
Washington - Virginia - Maryland



1 effect the ROTC building was going to be burned?

2 A I don't remember.

3 Q Do you recall any rumours that it might possibly be
4 burned?

5 A I don't remember if there were.

6 Q I will represent to you again, that Tom Kelly has
7 indicated he has heard rumours earlier in the day, that the
8 ROTC building was going to be burned. I am just asking you
9 if you heard those rumours?

10 A I don't remember if I did before Thursday. At that
11 particular time, if I remember correctly, during that period
12 of time, it was during when demonstrations were going on and
13 there were rumours that everything was going to happen. You
14 know, somebody would start a rumour and everybody would repeat
15 it.

16 Q On the night the ROTC building was burned, were you
17 present at the ROTC site?

18 A Yes, I believe I was.

19 Q Had you been asked to take any photographs or perform
20 any other functions?

21 A Yes.

22 Q By whom had you been asked?

23 A I believe it was Tom Kelly.

WARD & PAUL
Washington - Virginia - Maryland



1 Q What were you asked to do?

2 A Just take pictures.

3 Q Do you recall how you were dressed at that time?

4 A No.

5 Q I assume you had your camera with you?

6 A Yes.

7 Q Did you have a gas mask?

8 A Yes, I believe I did.

9 Q Was that gas mask your own property?

10 A Yes, I owned it. It was my private property .

11 Q Can you tell us where you got it?

12 A I got it at a supply store.

13 Q What kind was it?

14 A I got it at Lake Erie Company. It was the old

15 fashioned type, the typical, two eye holes and the filtering

16 canister at the bottom of the mouthpiece.

17 Q Did you see anyone else on May 2nd or May 3rd or

18 May 4th, on campus, with a gas mask?

19 A Yes, the police.

20 Q The police had similar gas masks?

21 A Yes. The guardsmen had M-17 gas masks but the

22 police had the old fashioned masks.

23 Q The campus police or town police?

WARD & PAUL
Washington - Virginia - Maryland



1 A The campus police had the old fashioned gas mask. It
2 might have been city, because I didn't pay any attention to
3 who was out there.

4 Q Do you recall anything else on how you were dressed?

5 A No.

6 Q Do you recall if you had any kind of jacket on?

7 A I might have had. I had a couple of sports jackets
8 and this jacket and it is the same one.

9 Q On that night that the ROTC building burned, did you
10 see any national guardsmen carrying any type of automatic
11 weapons? --grease guns?

12 A I think they might have had M-3's but I can't be sure.
13 It was M-3's I have heard they had.

14 Q Can you describe an M-3?

15 A It is kind of hard to describe. It has a tubular
16 body with a straight stick magazine and has a very short drum
17 of three or four inches and there are different versions of
18 that. It is kind of hard--it looks like a grease gun from a
19 gas station.

20 Q On the night the ROTC building burned, could you
21 describe your activities around the ROTC building?

22 A Right now, I would like to have that Federal Grand
23 Jury transcript, because I had my mind thoroughly refreshed, at

WARD & PAUL
Washington - Virginia - Maryland

1 the time.

2 Q So would we.

3 A I think the only thing, there was a sit down blocking
4 the street, down by the Portage near the campus, at Lincoln
5 Street, I think it was. That was Friday night and at that point
6 I did take pictures of the demonstration and by the time I got
7 up there, I believe the building was torched.

8 Q Did you say Friday night?

9 A Friday night? Whatever night the building was torch-
10 ed.

11 Q The building was burned on Saturday night. Was there
12 a helicopter out on Saturday night?

13 A That is what gave me the illumination to take some
14 pictures of the people blocking the streets.

15 Q I believe there was a helicopter out that night.

16 A I am trying to pinpoint what happened.

17 Q I am going to ask the reporter to mark some photo-
18 graphs.

19 (Norman Deposition Exhibit
20 No. 1 was marked for
21 Identification.)

22 Q I have a number of photographs I am going to be using
23 from time to time, Burt and Charlie. Some of them I have made,

WARD & PAUL
Washington -- Virginia -- Maryland

1 with not Xerox, but SCM and I would like to retain the original
2 and mark the copy for the purpose of the deposition. The reason
3 is that most of these photographs, they belong to the Kent State
4 University police and they are not in my permanent custody. I
5 have them out on receipt so I have to return them to the police
6 department.

7 MR. BROWN: I don't have any problem.

8 MR. ENGDahl: I have some photos here later that
9 have not been copied and I assume they have a Xerox
10 here and I will do it then.

11 Q Mr. Norman, you are looking at the photograph, Norman
12 Exhibit 1. Can you identify the weapon being carried in the
13 photograph?

14 A That is an M-3 grease gun.

15 Q Can you identify a figure that appears to be yourself?

16 A Yes, those are my boots.

17 Q The boots the figure with the gas mask is wearing?

18 A Yes.

19 Q Is you?

20 A Yes.

21 Q And is that tye type of gas mask you were wearing?

22 A Yes.

23 Q Any other distinguishing features in that photograph,

WARD & PAUL
Washington - Virginia - Maryland

1 that would help you identify that as yourself?

2 A Other than that, no.

3 Q The figure is wearing a sports jacket. The photo-
4 graph about which I have just questioned Mr. Norman appeared
5 in a booklet prepared by the Akron Beacon Journal newspaper,
6 in celebrated or commerate their receiving the Putlizer for
7 their reporting of the Kent State incident. The photograph in
8 that booklet is not identified as to photographer. It is
9 identified in that booklet as to date, the date being May 2nd,
10 but I have no better authentication than that. This is a photo-
11 graph that appears in that booklet.

12 Mr. Norman, do you recall this scene and does it re-
13 fresh your recollection?

14 A Is that Saturday? No.

15 Q Yes, Saturday night?

16 A It might have been in the area of Portage and Lincoln
17 Streets that I mentioned earlier.

18 Q On May 3rd, which was Sunday, can you outline for us
19 your activities earlier that day, when you got up and so on?

20 A I would have to pinpoint it by knowing what else
21 happened that day. Then maybe I can tell you.

22 Q To the best of your recollection, did anyone inform
23 you that during Sunday May 3, that sometime that evening, some

WARD & PAUL
Washington - Virginia - Maryland



1 additional wooden buildings would be burned?

2 A It's--I don't know if somebody informed me or whether
3 I just heard it, but there was something about burning another
4 building and it was close to the Poly-Si building. There was
5 another old wooden structure that runs between the parking lot
6 and the Poly-Si building and there was something going on the
7 next day.

8 Q I will represent to you that there is a newspaper
9 article in the Akron Beacon Journal, bylined Micky Porter,
10 which represents that sometime between--sometime on May 3rd,
11 you learned from some sources, according to him, that between
12 7:30 and 9:00 p.m., some other wooden buildings would be
13 burned. Do you recall seeing that article?

14 A The name rings a bell but I don't remember it speci-
15 fically, no.

16 Q You don't know a Micky Porter?

17 A Yes, I talked to him, but I don't remember the article
18 itself.

19 Q Do you remember telling him that you learned other
20 wooden buildings would be burned?

21 A No, I don't remember that, but it is a good possi-
22 bility I did.

23 Q Did you have any kind of sources such as--

WARD & PAUL
Washington - Virginia - Maryland



1 A Yes.

2 Q Such as students from which such information could
3 be gained?

4 A Yes.

5 Q Would you describe those people?

6 A There were certain people that I had contact with, who
7 had, I don't know if you call it in or not, but they were per-
8 mitted to go to some of these meetings the radicals were having
9 and I would talk to them afterward and find out what was going
10 on.

11 Q Do you remember the names of some of those people?

12 A No.

13 Q Do you mean you don't know the names?

14 A I don't remember the names.

15 Q Try very hard?

16 A No, I--oh, another source I had was the student
17 union. You could sit there for ten minutes and find out quite
18 a bit from just sitting there and listening to it. Then, you
19 know, you could have been there in full uniform and found out
20 things. The radicals were not that sharp in that particular
21 case.

22 Q Do I understand you to say that you are not able to
23 recall names of sources as distinguished from not recalling or

WARD & PAUL
Washington - Virginia - Maryland



1 not knowing?

2 A No, no. It is not unwilling. I just don't remember
3 who they were.

4 Q Did you hear on May 3rd any information to the effect
5 that LSD was to be put in the city water?

6 A Oh, yes. That was popular. That was an old one. It
7 came before.

8 Q Can you pin that down as to source?

9 A No. No, I was--I found something out about police-
10 men in general, you know. This is working with some hind sight.
11 Anything that sounds good, something like that, is quote "good"
12 as far as we are concerned. You know, it will spread like wild-
13 fire and it can be from a misinterpreted overheard conversa-
14 tion and and that is a good source for a rumor to spread that
15 way. It keeps you from going to sleep while you are on stand-
16 by.

17 Q When you heard these rumors and information, from
18 whatever sources, did you pass that information on to anyone?

19 A If I did, it would probably have been Kelly or one
20 of the others, but I don't remember.

21 Q You do not have any specific information as to whe-
22 ther you did or did not on that?

23 A No. Something like that, you know, during the thing

WARD & PAUL
Washington - Virginia - Maryland



1 in Chicago and the demonstrations in Chicago and during the
2 national conventions in Miami and down here they talked about
3 it on May day, to put LSD in the water system is the oldest
4 thing in the world because the water becomes a neutralizer and
5 it doesn't work so it is no good.

6 Q On the day the day the ROTC building burned, did you
7 carry a weapon?

8 A Yes.

9 Q Would you describe that weapon?

10 A 38 caliber, five shot, Smith and Wesson.

11 Q Was that the only weapon that you owned at that time?

12 A No.

13 Q Where did you carry that weapon?

14 A Do you mean on my person?

15 Q Yes.

16 A On my left side, I think, in a holster.

17 Q A shoulder holster or waist?

18 A No, it is called a semi-shoulder rig.

19 Q That is Saturday, the day the ROTC building was
20 burned?

21 A Yes.

22 Q What about on Sunday? Did you carry a weapon?

23 A I might have. I don't remember.

1 Q I asked you if that was the only weapon you owned
2 and I don't recall your response?

3 A No. That was not the only weapon I owned.

4 Q Could you describe what other weapons you owned at
5 that time?

6 A I had a twelve gauge shotgun, a bird gun. Let's
7 see, an M-1 carbine and I think that was about it at the time.

8 Q Did you own any other hand guns at that time?

9 A I don't think-I had a Smith and Wesson model 19,
10 a .357 and I don't know whether it was at that time or after
11 this, but somewhere around that time.

12 MR. FULTON: That is .357?

13 A Right.

14 Q On Sunday evening, this is the evening after the ROTC
15 building burned, was your life threatened at anytime?

16 A I had received a phone call at my residence that
17 advised me to stay off campus unless you want something to
18 happen or words to that effect. This had happened a couple of
19 times before. It was no secret what I was doing up there and
20 when you have short hair and wearing an American Flag in your
21 lapel, you are somewhat conspicuous on that particular campus
22 and most of the time, it didn't bother me, but I could see
23 they were playing for real this time, so I took this a little

WARD & PAUL
Washington - Virginia - Maryland



1 more seriously.

2 Q What day was that?

3 A I think it was--that was either --it might have been
4 Saturday evening. The ROTC building burned on a Saturday. I
5 think it might have been on a Saturday evening. I can't place
6 the time but I think it might have been on Saturday evening.
7 I thought I could place the voice but I couldn't. I have had
8 other--I have had my tires cut and antennas broken off my car
9 and other damage done and other damage to my private vehicle.

10 Q You said a moment ago something to the effect, you
11 could tell they meant it this time?

12 A Yes.

13 Q Could you describe where that perception came from?

14 A It was just from the happenings at the time. I don't
15 think they had to call guardsmen up there before and it seemed
16 to me, at least, that things were a more serious state, from
17 the type of damage being done and the kids were out in force
18 and this was further reinforced by seeing the state of the
19 crowd, when I was observing them. It was particularly fren-
20 zied and the air was charged up, you could feel it.

21 Q You indicated it may have been Sunday evening or it
22 may have been Saturday evening, when you received this call?

23 A I can't remember if it was but it was during that

WARD & PAUL
Washington - Virginia - Maryland



1 period of time though.

2 Q You indicated you carried your 38 with you when you
3 went to the ROTC fire?

4 A Yes.

5 Q Prior to your going with the gun on your person, had
6 you received any threats on your life?

7 A I could say from time to time.

8 Q I would like to know when you received them?

9 A I am trying to remember whether it was Saturday night
10 or Sunday, prior to--I'm trying to set the date and I don't
11 know which one it was.

12 Q On May 4th, which was Monday, was there sometime on
13 that date that Tom Kelly asked you to photograph some activities?

14 A I believe so.

15 Q Could you describe the circumstances of that request?

16 A Well there had been information received, I guess by
17 the police department. Well it was common knowledge and they
18 were handing out flyers, that there was going to be a demonstra-
19 tion at noon, encouraging one and all to come and it was going
20 to be held in the Commons and they knew something. I believe
21 I talked to Tom or somebody from the department and they wanted
22 me to take some pictures of this.

23 Q And did you agree to take some pictures?

WARD & PAUL
Washington - Virginia - Maryland

1 A Yes.

2 Q What was the arrangement under which you were to take
3 the pictures? Were you to be paid?

4 A I took the pictures for free because I like to see
5 these people go to jail.

6 Q Did they provide your film or did you provide your
7 own film?

8 A No. Most of the time I did, but I think on this
9 particular occasion, they provided the film. Either they did
10 or the FBI did, one of the two.

11 Q Would you have, if you had been a law officer at that
12 time, would you have made arrests of these people? I am
13 curious why you said you would like to see these people go to
14 jail?

15 A Yes.

16 X Q Why?

17 A Because first of all, they were violating the law, as
18 far as I knew the law. When you start knocking down buildings
19 and burning buildings and throwing rocks at the police and you
20 are in a demonstration, as far as I am concerned, that is it.
21 You go to jail. You are interfering with the educational
22 process, if there was one at the time and I just didn't agree
23 with the whole concept. The whole reason I did this thing was

WARD & PAUL
Washington - Virginia - Maryland



1 because I didn't hold sentiment with the demonstrations and all
2 that. I didn't have any use for it.

3 Q Did you carry some identifying credentials of any kind +
4 on May 4th?

5 A Yes, I think I had a pass I had gotten either from--
6 I got it--I remember where I got it. It was at the counter where
7 we pay tuition, that is where I got it.

8 Q That is in the administration building?

9 A Yes.

10 Q Do you know from whom you got the pass?

11 A It was a university employee.

12 Q Did you at any time have a card or pass with some
13 kind of press credentials issued to you by a national guardsman?

14 A No, I don't think it was by a guardsman. I think by
15 the time Monday arrived, they had pretty much controlled every-
16 thing, but I think it was University News Service or something
17 like that on it and that was it.

18 Q There is a guardsman named Delaney who was a non
19 commissioned officer, press or public relations officer, who
20 has testified on deposition, that he issued you a press pass.
21 Do you remember that?

22 A Delaney sounds familiar but I think I read it some-
23 where in a newspaper. He could have been the man that issued it,

WARD & PAUL
Washington - Virginia - Maryland



1 but I don't remember who he was.

2 Q Were you represented to anyone as taking photos for
3 the university to get a press pass?

4 A I don't recall. I just know that or I remember that
5 one of the guys in the department, either Tom or soment or the
6 FBI for somebody said, you know, go down there and pick one up
7 down at the administration building at the tuition counter,
8 because at the they they had started forming lines and they
9 wouldn't let people through the lines unless they were press
10 or somebody working for the university.

11 Q Do you recall being represented to anyone as working
12 for the FBI for purposes of getting any credentials?

13 A I see what you are getting at and I don't recall. I
14 think the newspapers had something that said the FBI said give
15 this guy a press pass, and if that happened, I don't remember,
16 but I doubt very seriously that it did.

17 Q With regard to the assembly at the Commons, at noon
18 approximately--on May 4th, were you present that day?

19 A Not at the very beginning of it. There were classes
20 that day and I went to my classes and then they started ringing
21 the bell or whatever it was down there and by the time I had
22 gotten out of my classes, I think I was in the Poly-Si building,
23 I walked over there and there were people already starting to

WARD & PAUL
Washington - Virginia - Maryland

1 gather.to gather so I wasn't there right at the beginning.

2 Q Did you recognize the participants in the rally?

3 A I did, but I couldn't name names now. There was a cer-
4 tain group on campus that always, if anything was going on,
5 they always would be there.

6 Q So you recognized some familiar faces?

7 A Some familiar faces.

8 Q Were there a significant number of people who you
9 didn't recognize?

10 A Oh, sure.

11 Q Did that surprise you in any way?

12 A Well the group down by the--I don't know whether they
13 had a stand down there or platform or what it was, that particu-
14 lar group down there, usually you had this one group that always
15 was at everything and then they had some other people with them
16 that I hadn't seen before. It surprised me at the time. I won-
17 dered--they could have come from Akron U or Oberlin or some of
18 the other schools. They had a pretty active crowd down there
19 at some of the other schools. They might have come up to
20 help things out a little bit.

21 Q Did you have any particular concern with demonstrat-
22 ing groups or disident groups? What I mean, did you concern
23 yourself with radicals groups as something you tried to keep up

WARD & PAUL
Washington - Virginia - Maryland



1 on or faces you tried to be familiar with or tactics they
2 tried to follow?

3 A Yes, there wasn't a hard core effort because I was
4 working my way through school but it was easy to keep up with
5 because they were very well publicized.

6 Q What I am getting at is the degree to which you would
7 have expected to recognize the core group?

8 A Yes.

9 Q And whether you were suprised if you recognized or
10 didn't recognize many of them?

11 A I think I knew them to that extent, yes.

12 Q I am going to show you some photographs soon and let
13 you do that.

14 A Okay. Also I have the period of time too. I might
15 have known them at the time and forgotten them now. It has
16 been a long time.

17 Q That is a problem we are very familiar with.

18 ~~X~~ Could you describe the activities on the Commons when
19 you first arrived?

20 A They were ringing the bell, somebody was and asking
21 people to gather round or something to that effect. Everything
22 I say about any of these activities, it has been a great deal
23 of time and a lot of stuff, I could have read in the newspaper

WARD & PAUL

Washington - Virginia - Maryland



1 and now think it is fact and with this Grand Jury business, I
2 read a lot of information at that time. That could also be
3 confusing and be hearsay.

4 Q Do you recall where you were standing as you observed
5 the crowd?

6 A I think it was on the -- do you have a map?

7 Q Let's mark this as Norman Deposition Exhibit No. 2.

8 (Norman Deposition Exhibit No. 2
9 was marked for Identification.)

10 A I would say the western side of the Commons, this
11 area in here because I saw some pictures of me taking pictures,
12 of myself.

13 (Norman Deposition Exhibit's
14 3 through 7 were marked for
15 Identification.)

16 Q These are photos that I have not made Xerox copies
17 of so you can mark them after I get the Xerox copies.

18 I have five prints of photographs which the reporter
19 also marked, as Norman Exhibit 3, 4, 5, 6 and 7. We will put
20 photo copies of these pictures in the back of the deposition.
21 For the purpose of our work here, Mr. Norman I want you to keep
22 them in order and I will ask you some questions about them.

23 I would like you to look at them first.

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Okay.

Q As to photograph number one, which is number three of that series, which is Norman Exhibit 3, can you identify a person that appears to be yourself?

A Yes.

Q Can you just approximately describe what that photo is?

A That is me upper center.

Q Will you mark that on the photograph, where you are located?

A Yes., (marking with an X)

Q Likewise on the next photograph?

A Okay.

Q That was Exhibit No. 4?

A Yes.

Q Standing once again?

A Yes.

Q And in Exhibit Norman 5?

A Standing again on the left side.

Q Exhibit Norman 6?

A In center, left.

Q And in Norman number 7?

A With the camera standing.

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q Okay.

MR. BROWN: Who did you say took these?

MR. ENGDahl: I didn't. For the record, I will re-
present that these are photograph copies of miscellaneous
scenes from various photographers, that have been
accumulated during the course of discovery and as far
as I know, each of you have copies of all of these
photographs.

MR. FULTON: I can assure you that we do.

MR. ENGDahl: In all probability, they are either from
the Kent State police files or from the Highway Patrol
files.

Q Now some specific questions and I will let you keep
the original photographs while I ask you to mark the copies.
In the photograph Norman 3, can you bring that over to the table
here?

A Yes.

Q I was going to ask you to identify individuals if you
can or cannot recognize in this picture?

A No, and the same on the next one. (Norman 4.)
The same in the next one. (Norman 5.) and the next and the
next one. I can't identify the people in the photographs.
(Norman 6 and 7)

WARD & PAUL
Washington - Virginia - Maryland



1 Q In the photograph that has been marked Norman Exhibit
2 5, I ask you whether you recognize the woman in front of the
3 crowd, walking across in front of the crowd, to whom I am point-
4 ing?

5 A No. No, I--it is too hazy, too small.

6 Q On the same photograph, Norman Exhibit No. 5, there
7 is an individual numbered 250 on the back in the photograph.
8 Do you know who that person is?

9 A I don't recognize anybody there.

10 Q In Norman Exhibit No. 6, the individual who you have
11 identified as yourself, standing with two other persons, are
12 you able to tell us who either of those individuals is?

13 A The person on the far right, I don't have any idea.
14 The person in the center, might have worked for the yearbook.
15 It is someone I had seen before.

16 Q Are you able to recall his name?

17 A No, but I think he worked for the yearbook though.

18 Q With regards to Norman Exhibit No. 7, from your
19 recollection, can you say if you --if this photograph, if the
20 scene which the photographs depicts, was before or after the
21 national guard, did the tear gassing on the Commons?

22 A This would have to be after.

23 Q Why do you say after?

WARD & PAUL
Washington - Virginia - Maryland

1 A Because they have handkerchiefs covering their faces.
2 Either they have used it or they were getting ready to. I think
3 they were using pop guns at the time.

4 Q Pop- what?

5 A Popums. You hit it against the rifle butt or something.
6 It is a tear gas launcher. You hit against the butt and it
7 projectiles out and and those things just go out into the crowd
8 and get right to them.

9 Q Can you identify from the photographs where this
10 scene is located?

11 A According to the map, it would be in the area of
12 Taylor Hall, probably a little west of the center, right around
13 this area here.

14 Q Could you describe that in words?

15 A Stophor Hall parking lot, I would say is--this is
16 northeast of the Stophor Hall parking lot.

17 Q At the time that picture was taken, had the students
18 or the assembly on the Commons been ordered to disburse?

19 A I believe so.

20 Q Was there any particular reason why you did not leave
21 that area?

22 A I was taking pictures of what was to come.

23 Q Of what?

WARD & PAUL
Washington - Virginia - Maryland



1 A Of what was to come. You know, they warned you to
2 disburse. I believe they were using a helicopter saying you
3 will disburse and all that and then they--many of the students
4 gave indications they had no intention of doing so.

5 Q Do you recall a jeep being used to carry that
6 message?

7 A Now that you mention it, I think they used a jeep
8 with a P.A. system and drove around for awhile. It might have
9 been a jeep. I thought it was a helicopter, but it might have
10 been a jeep.

11 Q Do you, look very carefully and I recognize this is
12 not a very good quality photograph, but are there individuals
13 in that photograph, about who you can say with any certainty,
14 that you do not recognize them as being familiar to you?

15 A That girl rings a, the girl holding the white handker-
16 chief, she looks familiar. That is about all I can say about
17 her.

18 MR. BROWN: His question was, is there any of them you
19 do not recognize?

20 A Oh, all of them, none of them look familiar except
21 this girl. She does look familiar.

22 Q You are saying none of them appear to be people you
23 were familiar with at that time ?

WARD & PAUL
Washington - Virginia - Maryland



1 A Right.

2 Q Are you able to say with certainty that the identifiable
3 people in the photograph, were ones with whom you were not famil-
4 iar at that time or is that impossible to say that?

5 A It is not due to the quality of the print but is due
6 to time. I don't remember.

7 Q In this same photograph, Norman Exhibit No. 7,
8 could you describe the clothes you were wearing?

9 A Slacks, black boots and a sports jacket and a shirt
10 of some kind.

11 Q There appears to be a bag or some article around your
12 shoulder hanging down to your side?

13 A Yes, a tear gas mask bag.

14 Q Could you carry anything in that case other than the
15 tear gas mask?

16 A No, it was a tight fit. You couldn't carry nothing
17 else in it or it is going to spill out.

18 Q I don't mean tear gas, other than that?

19 A No.

20 Q You have a camera there?

21 A Yes.

22 Q There appears to be something in your pocket?

23 A Film probably.

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q And from your prior testimony, I believe you said you had a handgun on your person?

A Right about here.

Q Where would that have been?

A Right about here.

Q Underneath your left arm in a holster?

A Right.

MR. BROWN: In any of those pictures, is your handgun out of the holster?

A No.

(Norman Exhibit No. 8 was marked for identification.)

Q Norman Deposition No. 8 has been marked by the reporter for identification, and Number 9. I would like you to tell me specifically with regard to one person, the individual who is easily identifiable with the cap. Do you recognize that as a person you knew to be a student during May of 1970?

A I just don't remember.

Q And Plaintiff's Exhibit No. 9, which she marked, is a front face photograph of the person with the cap. Are you able to identify him from either of those photographs, as a person you knew before?

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A No.

Q Are you able to say with certainty that he was a person that you had not seen prior to May of 1970?

A Yes. Who is he?

Q He hasn't been identified. Would you mark these next photographs as Norman Deposition Exhibit's 10 through 28?

(Norman Deposition Exhibits No.'s
10 through 28, for Identification)

Looking at these photographs, do you recall them as being photographs you have seen before?

A Yes.

Q Do you recall them as scenes which you witnessed?

A Not all of them.

Q Are you able to tell us whether these are part of your photographs?

A I could not say if they were or not.

Q Are you able to say if they are photographs that you took?

A No.

Q I have already represented on the record that these photographs were obtained from the Kent State University files but they were not represented to me as your photographs.

A There were certain photographs which I had taken

WARD & PAUL
Washington - Virginia - Maryland



1 that I have seen since then but they were at a different part
2 of the campus at a different time.

3 Q Mr. Norman, leaving the photographs now, can you
4 describe where you were located, at the time the National Guard
5 moved out from the ROTC ruins place, to the Commons?

6 A I would say in the same area of the Stopher Hall
7 parking lot

8 Q I would like you to understand that anything you may
9 mark on this map as a location is approximate. Will you use
10 my red pen and mark approximately where you were at the time
11 the Guard moved out from the ROTC area, with a number 1.

12 A Here.

13 Q From the time the Guard began moving out until they
14 had cleared the crowd from the area at the bell on the Commons,
15 had you thrown any objects at anyone?

16 A No.

17 Q Can you describe your movements from the time the
18 Guard began to move out, until the Guard reached the sight?

19 A Yes, I'll try.

20 Q Can you describe your movements during that time?

21 A I really don't recall but to the best of my recollec-
22 tion, I think when the Guard moved out from the area of the
23 ROTC building, moving in an easterly direction,, I stayed at Point

WARD & PAUL
Washington -- Virginia - Maryland



1 No. 1, until they reached more or less--I was in this close
2 proximity. I don't remember if they went between Taylor and
3 Prentice or Taylor and Johnson. I don't remember which side
4 they went.

5 MR. BROWN: Show me where ROTC is?

6 A ROTC is here and I think they moved up this way,
7 and then I don't know whether they split up or what, but I
8 either went this way or around this way. I don't remember
9 which. I do remember being in their close proximity in this
10 area down here near the practice field area. I don't remember
11 the route I took.

12 Q Once the Guard had cleared the Commons area and
13 moved down toward the practice field, was there anytime that
14 you can recall, you were in the area, Prentice Hall Parking
15 lot, in that area?

16 A No, no, I don't believe so. The only thing I remember
17 about the practice field, they were throwing lots of rocks.

18 Q Who?

19 A The demonstrators, in this area here. They tore
20 a hole in the fence in this area here, toward the bottom left
21 and then a lot of them escaped in this hole in the fence and
22 then began throwing more rocks, but that is the only thing I
23 remember.

WARD & PAUL
Washington - Virginia - Maryland



1 Q I am going to show you some more photographs. The
2 first is marked Norman Exhibit No. 29. At the right margin of
3 that photograph, behind the sign, is an individual wearing a
4 gas mask similar to that you were wearing in other photographs.

5 Could that be a photograph of you?

6 A I don't know. If he is wearing a short sports jacket,
7 I would say yes. I can't tell whether he is wearing a long
8 coat or a short coat. I cannot say whether it is or isn't.

9 Q Now that individual is standing in the parking area
10 at the front of Prentice Hall?

11 A Yes. (Norman Exhibit's 29 to 34
12 were marked for Identification.

13 Q Are you able to testify with certainty as to whether
14 you were at that spot on May 4th?

15 A Is this Taylor Hall behind here? I am trying to
16 picture where it is exactly.

17 Q I will represent to you, from the best of my know-
18 ledge, that this view was taken down the open area between the
19 two parking lines, and it is my understanding, at the west end
20 of the Prentice Hall parking lot, looking toward Midway Drive.

21 A Okay.

22 Q This side would be Midway.

23 A I don't remember the parking lot having an edge like
that. I don't remember this. If this is true, Tri-Towers should

WARD & PAUL
Washington - Virginia - Maryland

1 be up here somewhere.

2 Q Tri-Towers is down here. The question is whether you
3 are able to say with certainty whether that individual is not
4 you?

5 A No, I am not.

6 Q You are not able to say with certainty, either that
7 it is or that it isn't?

8 A No, I am not.

9 Q Here is another series of photographs taken while
10 the National Guard was on the practice field and they are
11 Norman Plaintiff's Exhibit 30 through 35. I will ask you to
12 look at those and see if you can see your self and if you can
13 identify yourself?

14 A In number 30, I would say to the left of the right
15 center.

16 Q Let's use the copies and mark it with a circle.

17 A Okay.

18 Q And on Exhibit No. 29, would you circle the individual
19 about whom I was asking you the question, if you could identify
20 that as yourself?

21 A Yes.

22 Q Now on Exhibit 31, can you identify anyone as yourself?

23 A I am pretty sure this is me. I would say, from my

WARD & PAUL
Washington -- Virginia -- Maryland



1 knowledge and from my recollection, that is me.

2 Q Would you indicate the person you are referring to
3 and what you mean by from your knowledge?

4 A From the other photographs, from where I was at the
5 time and from my recollection, I would assume it to be me.

6 Q Alright what about Exhibit No. 32?

7 A You will have to give me a hint on this one. I
8 assume, from what I said before, that to be me.

9 Q That is you you are circling on the photograph?

10 A Yes.

11 Q What leads you to say that is you?

12 A From prior recollections, the pictures, the manner
13 of dress and relative position of everything that is going on.

14 Q And likewise, Exhibit's 33 and 34?

15 A I would assume that to me me. No. 34 is just a
16 different exposure.

17 Q I am going to represent to you, that we have one
18 witness, who saw you in the Prentice Hall parking lot and saw
19 you then walk to the Guard on the practice field, at a time
20 prior to the time that any of the guardsmen knelt with their
21 weapons, and that after you arrived on the practice field, some
22 of the guardsmen formed a semicircle shape around you or you
23 were more or less the center of that group. Do you have any

WARD & PAUL
Washington - Virginia - Maryland



1 recollection that either confirms or reposes that?

2 A The initial portion of the---

3 MR. FULTON: Objection to the form of the question.

4 A --the initial portion of the statement, I do not
5 recollect, the first part of the statement about me being in
6 the parking lot, I don't have any recollection of that. I don't
7 deny or confirm.

8 The second part, about being in a semi circle, I can
9 see from the photographs, there is what appears to be a semi-
10 circle, and I don't remember it, but obviously from the photo-
11 graph, I am. I don't remember it.

12 Q At that time or at any other time, do you recall, while
13 you were on the practice field, any period of conversation taking
14 place among people on the practice field?

15 A Not, that I can recall.

16 Q You have no present recollection whether such con-
17 versations occurred or if you don't recall?

18 A I just don't recall, even if they did, I don't recall.

19 Q Did you see any troops on the practice field, assume
20 a kneeling position at any point in time?

21 A Not that I recall.

22 Q Do you recall any orders given to kneel or take any
23 stance?

WARD & PAUL
Washington - Virginia - Maryland



1 A No, I do not.

2 Q Why were you on the practice field?

3 A Safety.

4 Q What?

5 A Safety.

6 Q Why did you feel that safety there?

7 A There were plenty of rocks being thrown and the crowd
8 was getting ugly and I thought there was safety for awhile.

9 Q Did you have any conversations with anyone, while
10 you were on the practice field?

11 A I recall vaguely something about people commenting
12 like watch out for the rocks or here comes one or something like
13 that, at one point in time that that is it.

14 Q In the photograph Norman Plaintiff's Exhibit No. 31,
15 shows an individual that you have described as yourself, in
16 what appears to be conversation with another individual. Do
17 you have any recollection of that?

18 A No, I don't.

19 Q From looking at that photograph, do you know who it
20 might be?

21 A No.

22 Q Can you recall whether you did or did not have any
23 conversation with any of the National Guard, on the practice field?

WARD & PAUL
Washington - Virginia - Maryland



1 A Other than something about watch out for the rocks
2 or here they come or comments like that, nothing. Who is this
3 guy? He looks like he has on a fatigue hat rather than a helmet.

4 Q Are you --

5 A There was also, at one time on the practice field and
6 I don't know how many more pictures you have, but at one time
7 on the practice field, there were a couple more photographers
8 there too and they might have said something to the effect, it
9 is getting a little warm here or lets move on out or something
10 like that.

11 Q Do you know who those other photographers were?

12 A No, but I don't think they were student photographers.

13 Q At that time, on May 4th, 1970, were you acquainted
14 with Captain Mortley?

15 A No.

16 Q Of the National Guard?

17 A No.

18 Q Capt. Serp?

19 A No.

20 Q Or Harry Jones?

21 A I didn't know any of the guardsmen at all.

22 Q Did you take any photographs, while you were on the
23 practice field?

WARD & PAUL
Washington - Virginia - Maryland



1 A Yes.

2 Q Do you know where those photographs are now?

3 A The last time I saw them was a couple of days after
4 the shooting, somebody who represented themselves as being in
5 Justice, F.B.I. or some federal agency, took the photographs
6 or showed me some photographs that were of this area of the
7 practice field and he asked me if I recognized them and I said
8 yes that I took them. He said well, they are really pretty
9 lousy, we can't use them so that is the only time I have ever
10 seen the set.

11 Q Other than--

12 A They were proof sheets, not photographs.

13 Q Other than that occasion when you saw the proof sheets,
14 have you ever seen prints or proof sheets, of the photographs
15 you took?

16 A I think at the grand jury, they has some pictures
17 they thought I had taken or I thought I had taken, they showed
18 me and they might have been. I wasn't positive about not recog-
19 nizing them, because they looked familiar to me, but I don't
20 know for sure if I could identify them or not.

21 Q Because of what you have just said, I take it you
22 do not have in your possession any photographs?

23 A No, they took the film from me that afternoon.

WARD & PAUL

Washington - Virginia - Maryland

1 Q Who took the film?

2 A I think it was either Tom Kelly or someone else. At
3 the time, they had a lot of Federal people in there, if I
4 remember correctly, in plain clothes. I didn't ask them for
5 any identification and they didn't show me any. I gave it
6 to them or somebody in the office there. There were a lot of
7 people that I didn't know, from other agencies there.

8 Q Did you at anytime leave the vicinity of the troops
9 on the practice field, prior to the time they themselves left
10 the practice field?

11 A Yes. I believe I had this conversation with some
12 other photographers or other persons, but they were not guards-
13 men and we decided things were getting a little warm there
14 and the Guard was doing alright for themselves and I think we
15 moved then to this area here.

16 Q Toward the south fence part of the practice field?

17 A Right and moved from the area, in a westerly direc-
18 tion, to the trees and a little behind Taylor Hall and back
19 here and in this area here.

20 Q You moved in a westerly direction, across the roadway?

21 A Yes. There are a lot of trees in this area and then
22 to this area here.

23 Q This has reference now to the time, before the Guard

WARD & PAUL
Washington - Virginia - Maryland



1 left the practice field and as they began to ascend the hill.
2 During that period of time, you were moving across the road
3 and in a westerly direction?

4 A Yes.

5 Q By the time the Guard reached the crest of the hill,
6 had you yet crossed the sidewalk?

7 A No, I had not.

8 Q By the time the Guard reached the crest of the hill
9 where the shooting occurred, had you crossed the sidewalk?

10 A No, no.

11 Q During the time of the ascent, in -- let me include
12 the time on the practice field and the time of the Guards
13 ascent, did you at anytime throw any objects?

14 A From here, I did.

15 Q From on the practice field?

16 A Yes.

17 Q What did you throw?

18 A Rocks that had been thrown, I threw them back.

19 Q Did you throw anything other than rocks?

20 A No.

21 Q Do you recall approximately how many rocks you
22 threw?

23 A Two or three, I can't recall, something like that.

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q At this time, you were how close to the guardsmen?

A As the picture indicated, within a few feet.

Q Did you see anyone other than yourself throw rocks from the practice field?

A No, not that I recall.

Q Were any guardsmen throwing rocks?

A Not that I recall.

Q Why did you throw rocks?

A As I recall, they were thrown at me and I got tired of it and the Guard they say had been ordered not to do anything, and I didn't feel like it and I grabbed some up and threw them back.

Q At the time the firing occurred, are you able to indicate on this map, approximately where you were located?

A I would say generally in this area here. No, --

Q Let's leave that on the map. You put a circle around the number 2?

A Yes.

Q Will you describe to me what that represents?

A That represents the practice field.

Q Were you at some point approximately where you put the 2?

A At one point, when the guardsmen were down here being

WARD & PAUL
Washington - Virginia - Maryland

1 stoned, yes.

2 Q Now, put the number 3 and circle it, approximately
3 where you were, as best you can recall, when the firing occurred?

4 A Right here. (Indicating with a 3.)

5 Q Are you able to testify, not from the maps, but from
6 your own recollection, how far you were from the Guard, at
7 that time?

8 A To my recollection, I remember the Guard being over
9 this way, more away from the area marked shelter, being over
10 this way further. That is the way I remember it.

11 Q What direction?

12 A To the east. This was the same thing, at the grand
13 jury. It showed the Guard here and had photographs to prove
14 it and that is something I don't remember. I remember them
15 being here. I would say that distance is 200' or 250', some-
16 thing like that.

17 Q Would you describe for us your recollection of what
18 happened, from a few seconds before and then throughout the
19 period of the firing?

20 A This is very difficult, because it is hazy. I have
21 read things in newspapers and talked to other people and seen
22 T.V. and I'm not sure which is which.

23 MR. BROWN: We don't know or want to know what you can

WARD & PAUL
Washington - Virginia - Maryland



1 reconstruct from what you have read. We want to know what you
2 know, at that time?

3 A That is very difficult to do that, because of the
4 passage of time.

5 Q I think you ought to tell us what you think you re-
6 call and put whatever qualification you feel or disclaimers
7 you feel is necessary?

8 A Right. At this point, it seems to me, I was at this
9 spot for awhile, number 3, and things seemed to, at least from
10 where I was, things seemed to quiet down a little bit and the
11 guardsmen were no longer on the practice field and I assumed
12 they had moved in a northerly direction away from the practice
13 field and there were several people standing around but weren't
14 actively engaged in a demonstration, and if I remember correctly
15 there were some students in the area of Taylor Hall or I could
16 hear noise coming from up there and I assumed, they were throw-
17 ing things or I assumed they were, but I don't know. If you
18 asked me today if I saw students throwing things, I don't know,
19 but some photographs I have seen, yes. Then at one point in
20 time, it sounded like a pop, fire cracker, gun, somesort of noise
21 followed immediately by a lot of shooting and the first couple
22 of shots and it took me a couple of seconds to realize they
23 were in fact shots, and then I heard at least one round go over

WARD & PAUL
Washington - Virginia - Maryland

1 the top of my head and it sounded like I heard it smack into
2 the tree near where I was. I thought I heard it smack into
3 the tree and then it stopped rather suddenly. It was a full
4 cascade of fire.

5 Q What did you do when the firing occurred?

6 A Initially it took me a fraction of a second to realize
7 what the heck was going on and I hit the ground. I dropped
8 down.

9 Q Do I understand that you assumed your position
10 approximately at Number 3, before the Guard started to leave
11 the practice field?

12 A Yes, either I moved away from Point 2 to Point 3,
13 either because they were leaving or because things were getting
14 warm, so to speak. I just don't remember exactly. I think while
15 I was at point 3, they were still on the practice field.

16 Q Did you follow the Guard up the hill?

17 A No.

18 Q I am going to present to you certain accounts of your
19 activities at about this time and ask you to --

20 (Whereupon a short break was taken at request of
21 Mr. Fulton to change plane reservations.)

22 RESUMING: 4:00 p.m.

23 BY MR. ENGDAHL:

WARD & PAUL
Washington - Virginia - Maryland

1 (Norman Deposition Exhibit No. 35
2 was marked for Identification)

3 Q The copy of the subpoena you received for this deposi-
4 tion has been marked as Exhibit No. 35. That subpoena calls
5 for you to bring with you all personal memorandum and other
6 materials in your personal possession or remaining in your
7 custody, surrounding the events of May 1 through 5, 1970. Do
8 you have any such memorandum or materials in your possession?

9 A No. The only thing I thought of is the camera that
10 I had, but it is pretty well busted up. I didn't know whether
11 you wanted me to bring it or not.

12 Q Before we took a short break, I said I was going to
13 read to you and these are not verbatim quotations, but these
14 are my representations of the substance of what some people
15 have said about the events that involved you, at or about
16 the time we have been talking about and I want your reactions
17 to these statements, whether they may be true or not.

18 The first is the substance of any article by Mickey
19 Porter in the Akron Beacon Journal, which reports to represent
20 things you told to him.

21 A Alright.

22 Q According to that article, you indicated that when
23 the Guard got to the crest of the hill, the students formed a

WARD & PAUL
Washington - Virginia - Maryland

1 horseshoe around the guard, approximately 35 yards from the
2 guard and about 1000 students and about 40 guardsmen and at
3 this time, the students pelted the guard with baseball size
4 rocks, pop bottles and beer bottles and after a few minutes of
5 sustained rock throwing, during which some of the guardsmen were
6 knocked down, the firing occurred. The first shot being fired
7 from a top or to the right of Taylor Hall.

8 Now, do you recall that accounting as anything you
9 have given to Mr. Porter or anyone else, that would correspond
10 to your present recollection?

11 A Yes, and no.

12 Q What do you mean?

13 A Yes, I remember when I talked to him, to Mr. Porter,
14 and I, you know, as you say it now, I don't remember saying
15 that but again I don't think he would lie because I used to read
16 his column, but remembering now, I don't remember now the things
17 happening that way.

18 Q You don't remember, at the present time, you do not
19 have any present perception of these facts occurring?

20 A No.

21 Q In that same article by Mr. Porter, he represents
22 that you told him that the first student who was shot deserved
23 it. Do you recall whether you made that statement and the event

WARD & PAUL
Washington - Virginia - Maryland

1 or what made you say it?

2 A I really don't remember.

3 Q You don't remember making it or?

4 A I don't remember making it. I am not saying that I
5 didn't but I don't remember making it and what that had to do
6 with it, I don't know.

7 Q Do you have any present recollections of who or where
8 the first person or persons to be shot were located?

9 A Before the grand jury, I had a general idea but I
10 found I was wrong.

11 Q I understand that your present perception of that
12 earlier recollection is wrong, but would you tell us what that
13 earlier recollection was?

14 A On the may, I thought the demonstrators that were
15 shot were in the area that was southwest of the Taylor Hall and
16 I later discovered they were in the area of the parking lot,
17 and I might be mistaken again. I don't know.

18 Q What I was after was your earlier recollection which
19 you now feel to be wrong?

20 A Yes.

21 Q Did you take any photographs at or near the time of
22 the shooting?

23 A No.

WARD & PAUL
Washington - Virginia - Maryland

1 A No.

2 Q On May 4th, was there anytime when you were beaten
3 or attacked by any persons?

4 A Yes.

5 Q Could you describe that?

6 A We want to go back to after the shooting. I will start
7 there and then work my way up. After the firing was complete,
8 there was mas confusion. People were running, screaming, but
9 not where I was. I was still at Point 3, just kind of watching
10 trying to figure what was going on and I have a hazy recollection,
11 I know, I could see people in this area running around, yelling
12 and for some reason and then I also thought I heard from the
13 area of Johnson Hall, some yelling over there to. I just it
14 was an echo and I went over that way to see what that was and
15 there was no group over there. Just a few people walking and
16 milling around and so I moved from Point 3 on the may towards
17 Point 1, as I had indicated earlier and just started walking in
18 that direction.

19 When I, I guess it was at Point 4, I will mark, as
20 best I can remember, was near the sidewalk between Johnson and
21 Taylor Hall, to the northwest of the sidewalk. In other words,
22 I was just walking. I thought I heard something up here in
23 the Johnson Hall area and I was going to go back down to the

WARD & PAUL
Washington - Virginia - Maryland



1 police station to see what people were doing down there.

2 The people who were walking around then were relatively
3 calm and then somebody, who I don't know, said there is the pig,
4 that is the guy, he is the police or some words to that effect
5 and I didn't pay any attention to it but then he started running
6 towards me, whereas another, other people joined him and they
7 started chasing me and they caught up with me and knocked me to
8 the ground and I remember somebody said, either stick the pig,
9 knife the pig or words that they were going to do bodily harm
10 to me and they were on top of me, but you know, so I drew my
11 weapon and this guy who was closest to me, I hit him on the
12 side of the head with the barrel and knocked him off and then
13 everybody backed up right away just like that and I holstered
14 the weapon and I saw policemen and guardsmen down here by the
15 burned out ROTC building and that looked like help and in the
16 meanwhile there were more and more people coming and I got
17 scared so I ran down there because I had the whole contingent
18 chasing me.

19 Q I have other accounts to bounce off to you and I
20 think, to be perfectly fair, I should tell you that there are
21 prior depositions we have taken, and there are at least two
22 people who say that an individual, who they have described as
23 atired the way you were also, and they have designated you by

WARD & PAUL
Washington - Virginia - Maryland



1 name, at least two people say that they saw you standing to
2 the south, which would be to the left of the Guard, which would
3 be to the south of the Guard at the time of the shooting and
4 at least two people say they saw you fire in the direction of
5 the parking lot. At least four witnesses say they heard you
6 say that you fired and at least four others say they heard Tom
7 Kelly say that your gun had been fired and at least two others
8 say that either Kelly or some other KSU officers told them
9 that Norman was believed to have shot someone.

10 Now in fairness to you, I wanted to ask you what--

11 A I have heard most of this, at one time or another,
12 before.

13 Q One witness now and this is another account, said
14 essentially that he observed Norman pointing his gun at a
15 person who was lying motionless on the ground and then this
16 witness hollered at Norman and Norman saw the witness and
17 started to run up the hill towards the Pagoda and then another
18 person said he joined this witness and the two of them yelled
19 to other people on the Commons side of the hill, to stop
20 Norman and four or five persons blocked Norman's path and
21 then Norman pulled a gun on them and then Norman ran into
22 the crowd and this person and another person saw Norman in
23 the crowd and continued their chase and then Norman ran to the

WARD & PAUL
Washington - Virginia - Maryland



1 Guard by the ROTC building, with his gas mask off.

2 I would like your comment on that?

3 A There are a lot of mistaken people.

4 Q Could you indicate specifically what point --

5 A Number one, I didn't take my gas mask off. Somebody
6 took it off for me.

7 Q Where did that occur?

8 A At point number 4. This is to the best of my recollec-
9 tion, but as far as standing over somebody with a smoking barrel
10 and all that, is --

11 Q There was no reference to a smoking barrel.

12 A Well that is what it sounds like, you know. It
13 sounds like I was standing carving a notch on the barrel, I
14 don't know, or something to that effect. I drew the weapon one
15 time and that was as I indicated earlier.

16 Q That was approximately at Point 4?

17 A Yes, and then to use it as a club, more than anything
18 else or a pistol.

19 Q Did you at anytime have the weapon in your hand
20 standing over or near some one who was lying on the ground
21 motionless?

22 A No.

23 Q You indicated, I believe that some individuals did

WARD & PAUL

Washington - Virginia - Maryland



1 chase you?

2 A Yes, at Point 4.

3 Q Had you or after you left Point 4, did you go directly
4 down to the ROTC building?

5 A Yes, running as fast as I could.

6 Q Here is another statement I want to read to you.
7 According to this other witness, about thirty seconds after the
8 Guard ceased firing, Norman waled quickly toward the Guard,
9 in the shelters area, without his gas mask and then this witness
10 lunged at Norman and Norman ducked and drew his pistol and
11 poked him, this witness in the face with it and then raised
12 the gun and brought it down and struck this witness in the
13 face with the barrel and at that point, Norman slowly and
14 cautiously retreated, holding the gun and then broke into a
15 run toward the Guard at the ROTC building.

16 A That is closer than most of them but it still isn't
17 right. To the best of my recollection, I hit the guy one
18 time and that was it for him.

19 I was walking towards, when he said I was running
20 toward the Guard, I agree with that, but it wasn't thirty
21 seconds. It was a longer period of time, but immediate.

22 Q When you reached Point 4, as you have indicated on
23 the map, were the guardsmen in the Pagoda or shelter area, who

WARD & PAUL
Washington - Virginia - Maryland



1 had been in the Pagoda or shelter area, during the firing, still
2 there?

3 A No. I don't remember seeing them there. I am sure
4 if they were there, I would have seen them.

5 Q Do you have any recollection of them having moving
6 from there or do you have any recollection of, at the time you
7 were at Point 4, being aware at that time where the Guard was?

8 A No, I have no recollection.

9 Q Now on May 5th, after the campus was closed, were
10 you on campus?

11 A Yes.

12 Q You were allowed to enter on May 5th?

13 A Yes, I had permission.

14 Q Where did you get permission?

15 A They wanted statements from me.

16 Q What did you do while you were on campus?

17 A I went up to the, I think it was the administration
18 building, Some police had said we will talk to you tomorrow.
19 I went in there and when I parked, I think it was closed be-
20 cause everything was closed down and I went to the administra-
21 tion building.

22 Q Did you take any photographs?

23 A No, the photos I had taken were on Monday the 4th.

WARD & PAUL
Washington - Virginia - Maryland

1 Q On the afternoon of Monday the 4th?

2 A Right.

3 Q Have you ever heard of General Delcorso, the adjutant
4 general, who made a statement to the effect that Mr. Norman
5 fired four shots at the crowd in self defense?

6 A I think I have heard that statement.

7 Q Three more photographs.

8 (Norman Deposition Exhibit No.
9 36, 37 and 38 were marked for
10 identification.)

11 Mr. Norman I am showing you three photographs which
12 have been numbered Norman Plaintiff's Exhibit 36, 37 and 38,
13 do you see yourself in these photographs?

14 A Yes.

15 Q Can you describe your self?

16 A In No. 38, center holding a gas mask in left hand.
17 In 37, with the camera, left side of the photograph. In 36,
18 the only civilian in the picture.

19 Q Can you describe to us what was occurring in those
20 photographs?

21 A If I remember correctly, this was after I ran off
22 the hill and stopped at the --- line here where the Guard
23 is and they stopped me and I made the statement something to the

WARD & PAUL
Washington - Virginia - Maryland

1 effect, I am a good guy. I don't know what the statement was
2 but I wanted them to get funny about things and then a campus
3 policeman came up and wanted to talk to me and then another
4 man from the campus came up. I was met by several people and
5 they said lets go inside and talk it over.

6 Q Do you remember anything else that was said at that
7 time?

8 A Not right now.

9 Q Have you ever said that Tom Kelly made a statement
10 to you, something like, let's put one over on the professor and
11 I will say the gun had been fired?

12 A Not that I recall.

13 Q You do not recall having said he, Kelly, said some-
14 thing like that?

15 A No, not that I remember.

16 Q Do you recall him saying anything at all like that?

17 A Not to the best of my recollection. Something like
18 that would stick out in my mind and right now, I don't remember.

19 Q Have you ever read or heard of a report that Capt.
20 Martin advised the FBI that they found a small caliber bullet
21 in a window frame in a window at Taylor Hall?

22 A No, I never heard that. If it was mine, it would have
23 been 110 grain and it would have been a hollow point and

WARD & PAUL
Washington - Virginia - Maryland

1 half jacket super val bullet.

2 Q I have what purports to be your interview by the FBI
3 Norman Exhibit 39.

4 (Norman Deposition Exhibit No. 39 was
5 marked for Identification.)

6 Mr. Norman I have shown you what purports to be notes
7 of an interview taken by the FBI on May 10, 1970, and will give
8 you an opportunity to read this.

9 A Okay.

10 Q Is the account given in this document an accurate
11 account of the circumstances, to the best of your recollection?

12 A The major things, but I had forgotten about the
13 figure that was on the ground, until this reminded me , who was
14 overcome by gas or something.

15 Q Where was this figure?

16 A Somewhere between Point 3 and 4, closer to Point
17 4 than to Point 3.

18 Q Can you tell me about that?

19 A Just going by that, it brings back to mind that I
20 saw somebody who was on the ground and I stopped and asked him
21 if he was okay or something like that and he said yes. He had
22 mucous or something coming out of his nose or somewhere and
23 I proceeded onward.

WARD & PAUL
Washington - Virginia - Maryland

1 Q In this account at some point you say a white male
2 approximately 20 years of age grabbed your camera and started
3 pulling on it?

4 A I thought it was my gas mask, but maybe it was the
5 camera.

6 Q Where did this occur?

7 A At Point 4.

8 Q The incident you just described?

9 A Yes.

10 Q Did you see anyone pull a knife?

11 A No, I actually never saw a knife.

12 Q Was there something that caused you to believe there
13 was a knife?

14 A Yes, something to the effect, stab the pig or words
15 to that effect.

16 Q And at about this time you did take out your weapon?

17 A Yes.

18 Q Was it in your pocket?

19 A No, holster.

20 Q A couple brief questions about the ^{gas}/mask. I asked
21 you before to describe it but I didn't ask you when you
22 purchased it?

23 A It was sometime prior to this. I had it for awhile.

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q Sometime prior, could it have been a month?

A More than a month.

Q With regard to your handgun, you did carry a gun with you on May 4th?

A Yes.

Q For what purpose?

A Protection.

Q Did you have any particular reason to believe you would need a handgun?

A For protection. The way things were heating up, and continued to heat up and the way things were going in general.

Q Did you have any legal permission or authority to carry a gun?

A Not at the time.

Q Did you have it concealed?

A Yes.

Q What was your understanding at that time about carrying a handgun?

A Well, I thought at the time I was covered by the bond from Security Guard and at a later date and I don't remember who told me, I found it was not covered up to that point.

Q You also said you carried the handgun on May 2nd, and May 3rd. May 2nd would have been at the ROTC fire?

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Yes.

Q And then on May 3rd?

A Yes.

Q Was the gun that you had on May 3rd the same gun you had with you on May 4th?

A Yes, sir.

Q Was the weapon loaded at all times?

A Yes, it was.

Q You did have a bond you say for the Blossom Music Center job?

A Right.

Q Elaborating in what you said earlier, you did not know at the time, the limitations on that bond?

A I thought it was from June to June, June the previous year until June of 1970 and I was under the assumption that is when it was.

Q Were you aware of the fact, at that time, that the bond covered you was authorized by some policy agency to carry a weapon?

A I thought it was that. The North Hampton Township, they are the ones that ran the whole security setup for this job and I assumed it was with their endorsement, so to speak.

Q Where did you get the gun you were carrying on May 4th?

WARD & PAUL
Washington - Virginia - Maryland

1 A I had bought it from an Akron policeman.

2 Q When had you bought it?

3 A I traded for it.

4 Q When was that?

5 A Several months before May.

6 Q Was that a person to person deal?

7 A Yes.

8 Q Have you at anytime told an agent of the Ohio Bureau
9 of Investigation, during their investigation, that you purchased
10 that gun about a year earlier than May 4, 1970?

11 A I don't remember making that statement.

12 Q Whether or not you made that statement, was that a
13 fact?

14 A No.

15 Q I asked you much earlier to describe your acquaintance
16 with Mr. VanHorn and you said you met him in connection with your
17 job at the Blossom Store?

18 A Yes.

19 Q Can you describe your acquaintance with him?

20 A Other than he was a friend, no.

21 Q Did you know a man named Joe Wilder, in connection
22 with your job at the Blossom?

23 A I don't recall. It doesn't ring a bell, but I might

WARD & PAUL
Washington - Virginia - Maryland

1 have.

2 Q Have you ever been commissioned by any police agency,
3 prior to May 15, 1970, to carry a weapon?

4 A No.

5 Q Did any police authority know you were carrying a
6 weapon on May 4th, 1970?

7 A Officially, no.

8 Q How about unofficially?

9 A Unofficially, I would say yes.

10 Q Who knew you had the gun?

11 A I think anybody specifically. I think it was general
12 knowledge.

13 Q Do you think Tom Kelly knew you had a gun?

14 A It is a good possibility, I would say yes.

15 Q Did anyone else on the campus police force, other
16 than Tom Kelly know you were carrying a gun?

17 A Yes, several of the officers. I don't remember their
18 names.

19 Q Why do you think they knew you had a gun?

20 A Oh, just from conversations we might have had or
21 I might have indicated at one time or another, that I had it with
22 me.

23 Q Was that indication one that was given on one of those

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

three days?

A I can't remember now.

Q Were there other times, while you were a student at Kent State University, that you carried a weapon?

A Yes.

Q When?

A There was no particular circumstances, going to and from classes and I might have had it in the car or something and maybe not that particular one. There might have been a shot gun in the car or something, that I used to shoot clay pigeons or something like that and I had it in the car.

Q You have described the gun you were carrying on May 4, as a 38 caliber Smith and Wesson, five shot revolver.

A Yes.

Q Can you give me any further description?

A It was nickle plate, I believe it had a trigger shoe on it and the grip was brown.. I might have had a grip adaptor on it.

MRS. BUSSELL: A what?

A A grip adaptor, I might have had that.

Q Do you recall the model number?

A it was a 36 or a 37.

Q how long was the ?

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Two inches.

Q Do you recall the serial number?

A No.

Q Do you think you would recognize the serial number if I read it off to you?

A No.

Q Do you know where that gun is now?

A I think the justice department still has it.

Q How did it come into their possession, do you know?

A I don't know.

Q How did it get out of your possession?

A It got out of my possession when the campus police took it from me.

Q How far can you trace the chain of custody?

A That is it.

Q Did you fire any weapon on May 4th, 1970?

A No.

Q Did you ever say that you fired any weapon on May 4th, 1970?

A No.

Q Did you ever say that you might have?

A No.

Q Were you subjected to a paraffin test to see whether

WARD & PAUL
Washington - Virginia - Maryland

1 or not you had fired a gun on May 4th?

2 A No.

3 Q Do you have any reason to believe there was lint in
4 the barrel of the gun you had that day?

5 A That is a good possibility that there was.

6 Q When did you load that weapon?

7 A Possibly two months before.

8 Q What kind of ammunition did you have in it?

9 A Three rounds super vel, 110 grain, half jacket, hollow
10 point ammunition. One round amour Piercing and one round of
11 158 grain full cap jacket tracer round.

12 Q Any particular reason why you had that particular
13 configuration?

14 A The first three shots is what normally other police-
15 men carry. The first three shots are antipersonnel rounds, but
16 they say on occasion if a car tries to run you down, if he is
17 coming at you, then the AP round will go through the glass and
18 hollow points won't do the job. They would hit and drop down
19 to the ground.

20 If he got by you and you still want to fire at him
21 you could put the AP round through the gas tank and follow with
22 a tracer and definitely stop him.

23 Q Did you anticipate any of those problems with respect

WARD & PAUL
Washington - Virginia - Maryland

1 to carrying the gun on May 2nd and May 3rd?

2 A I thought it was a possibility, yes.

3 Q Did you routinely, when you carried the weapon, did you
4 routinely carry that configuration of ammunition?

5 A Yes.

6 Q Do you recall that the--whether you told federal or
7 local investigators, that on May 4, 1970, you had four hollow
8 point and one steel jacketed rounds?

9 A No.

10 Q Do you recall not telling them that?

11 A No, I just don't recall, but I am pretty sure that was
12 the configuration I had in there.

13 Q Do you recall making any statements, whether to the
14 federal or local police, what kind of ammunition you had in
15 the gun you were carrying?

16 A Yes, and I told them when they asked me what kind
17 it was. I am so sure of the configuration, because that is a
18 normal configuration.

19 Q Are you aware of any testimony by either Tom Kelly
20 or Jack Crawford of the KSU police, to the effect that the
21 weapon you were carrying had lead ball bullets?

22 A No.

23 Q Would they be mistaken if they made that statement?

WARD & PAUL
Washington - Virginia - Maryland

1 A They were mistaken or were misquoted. There are
2 many policemen who don't know which end of the gun the bullet
3 comes out of. They wouldn't know a tracer from a--

4 Q I hope that is an exaggeration.

5 A No, I would say it is quite common for a policeman
6 to know nothing about guns. They see five bullets and it is
7 five bullets.

8 Q Have you ever seen the gun in question, since it was
9 taken from you, at the ROTC line?

10 A No.

11 Q Do you know for a fact that the gun which other
12 people have referred to is in fact the same gun that you were
13 carrying?

14 A I don't know it for a fact.

15 Q Do you know what kind of ammunition the KSU police
16 carry in their pistols or were carrying, at the time?

17 A Just guessing, I would think 158 grain. No, it
18 wasn't. I think they had switched over to Super-Vel at that
19 time. I believe that is right.

20 Q Are you acquainted with a man named Joe Butano?

21 A Rings a bell, but I can't place him.

22 Q Mr. Butano is or was a sound man with NBC.

23 A Yes.

WARD & PAUL
Washington - Virginia - Maryland

1 Q Do you know him?

2 A Yes, I remember him now. Him and a guy named Delaney.

3 Q Had you been acquainted with Mr. Butano or the NBC
4 crew, prior to May 2, 3 and 4th, 1970?

5 A Yes. I don't remember actually. I know that I had
6 seen them a couple of times during that period but I don't re-
7 member whether I had met them before or met them at that time.

8 Q Do you have any specific recollection of previous
9 contact with him?

10 A No, no specific recollection.

11 Q Let me prod your memory a little bit. Do you recall
12 during previous demonstrations or similar incidents where you
13 and he may have been present? Do you recall any such previous
14 incidents?

15 A It is possible, but as I said, I don't recall
16 specifically.

17 Q Let me represent to you, as I have done several times
18 before, that Mr. Butano has said that he saw you on various
19 occasions and on those occasions you had a handgun?

20 Is it true that on previous occasions, when there were
21 demonstrations, that you had a handgun on your person?

22 A Yes.

23 Q Now on May 3, 1970, do you recall at any time, being

WARD & PAUL
Washington - Virginia - Maryland



1 in or near the automobile that the NBC crew was using to carry
2 equipment?

3 A Yes, because I called my wife from their parked car.

4 Q Were any other members of the crew there?

5 A I think Delaney was one of them. I think there were
6 three or four of them and DeBrine was one. The first name was
7 Fred, I remember that.

8 Q Does the name George Gomez ring a bell with you?

9 A Yes.

10 Q What bell does it ring?

11 A I think he was on the NBC crew.

12 Q Do you remember Robert Hoyles?

13 A No.

14 Q You do recall being at their car, at sometime, during
15 which other members of the crew were there?

16 A Yes.

17 Q Do you remember showing them the firearm you were
18 carrying?

19 A No

20 Q Do you remember discussing the firearm with them
21 at that time?

22 A No.

23 Q Can you describe for me the 357 Magnum that you

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

possessed?

A That was a model 19, 4" barrel with a K frame, blue in color and blue grip, the Magnum grip they call it.

Q Was that a five or a six shot?

A Six shot.

Q What kind of ammunition was in that gun. Before that, I think I asked you if you recall showing any weapons to the NBC crew and you said no.

Specifically I will ask you did you have the 357 Magnum with you on that day?

A I very seriously doubt it.

Q What configuration of ammunition would you normally carry in that pistol?

A I don't know. I very rarely--that think was heavy to haul around. I really don't know if I had it before that or if I purchased it after.

Q Did you ever have that particular weapon with you on any other occasion?

A Not that I can recall. I don't remember whether I had it before or after this series of events, but I think it was after.

Q So you don't know whether you actually possessed it at that time?

WARD & PAUL
Washington - Virginia - Maryland

1 A At that time, I don't remember.

2 Q Just a couple more questions along that line. There
3 is a witness who represents himself to the FBI as standing on
4 the roof of Johnson Hall when you were by the guardsmen and
5 the pistol was taken from you?

6 A Yes.

7 Q Who has represented to the FBI that he saw an indivi-
8 dual who was atired as you say you were, doing things similar
9 to what you have described, who at one point had in his hand
10 a pistol, black in color, not nickle plate.

11 A Yes.

12 Q Might it have been possible that person he observed
13 could have been you?

14 A I know what you are getting at and he is wrong.

15 Q That wasn't a very clear question. Your testimony
16 is, that you at no time had a dark pistol?

17 A Not that I recall.

18 Q The other thing I wanted to get at, in the statement
19 is --we earlier marked this as Norman Defendant's Exhibit No. 39,
20 is the statement of the FBI agent who took a statement from
21 you; "That Mr. Norman stated he had a Smith and Wesson, 38
22 caliber 2" barrel revolver in his pocket."

23 Now is it your present recollection that you had that

WARD & PAUL
Washington - Virginia - Maryland

1 pistol in your pocket?

2 A It was in a holster.

3 Q Is it possible that you had, not is it possible, but
4 is it true, that you had the 357 Magnum, on your side in the
5 holster and the nickle plate 38 caliber pistol in your pocket?

6 A No, I couldn't have walked.

7 Q Have you ever--what was your relationship, on or
8 about May 4th, 1970, to the KSU police?

9 A I was taking pictures for them.

10 Q We have already gone into that relationship. What
11 was your relationship, at the same time, to the Federal Bureau
12 of Investigation?

13 A It was my understanding that they also got film, that
14 I got film from them. It is my understanding that they also
15 received prints of the stuff the campus police got from me.

16 Q Who would they have gotten it from?

17 A Someone within the police department probably or
18 one of the other investigators.

19 Q Was it your understanding that that is specifically
20 what was to occur, with regard to the pictures you were taking
21 on or about May 4th, 1970?

22 A Not specifically, just generally.

23 Q Including previous pictures?

WARD & PAUL

Washington - Virginia - Maryland



1 A Yes.

2 Q What was your acquaintance or relationship with
3 William Chapin?

4 A I --William Chapin, I knew the guy. I know the name
5 and he was an agent and specifically, I can't remember but I
6 had contact with him.

7 Q The name is familiar but you don't recall him?

8 A Yes.

9 Q Have you ever worked for any newspaper?

10 A Yes.

11 Q Who?

12 A The Akron Beacon Journal.

13 Q When?

14 A On a very very freelance basis, but I submitted some
15 stuff I took at other demonstrations and they accepted, publish-
16 ed and paid.

17 Q Was that a one shot deal?

18 A Yes, a one shot deal.

19 Q Were there any other newspapers?

20 A I did some work for the University Yearbook.

21 Q Have you ever represented yourself as working for
22 any newspaper?

23 A Not to my knowledge.

WARD & PAUL
Washington - Virginia - Maryland



1 Q Do you know anything about the relationship of
2 the KSU police with the U. S. Army intelligence?

3 A No.

4 Q Have you ever had any contact or any working relation-
5 ship of your own with any other government agency?

6 A Other than what I have mentioned already?

7 Q Yes, and excluding that you have already told us
8 about?

9 A The North Hampton township security police, the
10 FBI, the Campus Security, that was about it, other than coming
11 in contact with other people.

12 Q Have you ever worked for or reported to any House
13 investigation, House Internal Security Sub Committee?

14 A I gave a statement, I don't even know who it was,
15 some congressman, I don't know who.

16 Q Was that more than a year ago?

17 A From which date?

18 Q Prior to May 4, 1970?

19 A No, no. I think it was Edwards, I think.

20 Q Have you ever been arrested?

21 A No.

22 Q Have you ever been questioned by any law enforcement
23 authorities, with regard to impersonating an officer, at anytime?

WARD & PAUL
Washington - Virginia - Maryland



1 A At one time and I don't think it was that, I don't
2 remember the details, but somebody asked me something and I
3 remember very little about it, before 1970, but I don't re-
4 member when.

5 Q Do you have any specific recollection about any of
6 the details?

7 A No, somebody said I pulled a machinegun on somebody
8 and which of course wasn't true.

9 Q Was there an investigation or were you interrogated
10 by police officers?

11 A Yes.

12 Q In Akron or Canton?

13 A I think it was in Summit County.

14 Q Have you ever impersonated a law enforcement officer?

15 A No.

16 Q And have you ever been arrested, not arrested, but
17 have you been questioned, other than the incident you just
18 described, in connection with a concealed weapons charge or a
19 possible concealed weapons charge?

20 A No.

21 Q Your answer to that is no?

22 A No. Not that I can remember.

23 Q You would remember that, wouldn't you?

WARD & PAUL
Washington - Virginia - Maryland



1 A Yes.

2 Q To the best of your recollection, when was the first
3 time you worked in any fashion for Tom Kelly or the Kent State
4 University police?

5 A I honestly couldn't say. It was well prior to
6 1970. I couldn't give you the time or the month. I think one
7 of the first things, we never actually set down and said, well
8 you are going to take pictures for us and I said well I will
9 do it for nothing. It was just the thing of my initial offer
10 I had taken some shots of one of the buildings and offered it
11 to them and I said I have some shots here and they said okay.

12 Q Were you working in any capacity for the campus police
13 when Rubin was on campus?

14 A I don't recall when that was.

15 Q That was earlier in the spring of 1970?

16 A Yes, I know that.

17 Q Do you know a man named Howard Emmer?

18 A Oh, Howie Emmer, he is one of the campus radical
19 crowd.

20 Q How far back, were your observations of Mr. Emmer?

21 A Ever since I can remember. Everytime there was
22 anything to do on campus, he was always one of the campus local
23 instigators and he went to all of them.

WARD & PAUL
Washington - Virginia - Maryland

1 Q Did you perform any functions with respect to ob-
2 servations of Mr. Emmer?

3 A Nothing in specific. I went to court in one case on
4 an assault charge one of the policeman or he was a defendant
5 in an assault on a policeman charge and I testified about what
6 his actions were. I don't remember if it was him, but it was
7 a student who was charged, but I don't remember. I think it
8 was prior to May 70.

9 Q Mr. Kelly of the campus police, has represented that
10 Mr. Norman always said he was working for higher people.
11 Can you make an observation on that?

12 A Well, I have no knowledge of that.

13 Q Mr. Kelly has also said that he, Kelly, thinks that
14 Norman is working for the FBI on a much more regular basis
15 than what the FBI has reported.

16 Now, is it true, not that Mr. Kelly said that--

17 A Right.

18 Q --is it true or not true, that you were working for
19 the FBI on a more or less regular basis?

20 A Well, there was one occasion--well, not on a regular
21 basis. There was an occasion when I did something before for
22 them that had to do with the Nazi---the American Nazi Party.
23 and they were going to have a meeting in Spottsylvania County Vir-

WARD & PAUL
Washington -- Virginia - Maryland



1 ginia where they had a secret firing range and I went along
2 with them and played bad guy for awhile and reported back to
3 the FBI.

4 Q Who did you report back to?

5 A To the FBI, that was just a one time thing. I didn't
6 make any money on it. I just got my expenses, type of thing.

7 Q To whom did you report?

8 A It might have been to Chappin, or Peterson in the
9 office, but I don't recall specifically who it was.

10 Q Do you recall making the statement to the Kent State
11 University Police, saying that you worked for Mr. William
12 Chappin?

13 A No.

14 Q Do you know a man named Scott Clason?

15 A No.

16 Q Do you know a person named Freddie the Freeloader?

17 A I know a lot of those, only from what I have seen on
18 T.V.

19 Q I understand the relationship that you had for taking
20 photographers and getting film from the campus police. With
21 whom did you deal, Kelly?

22 A Usually Tom.

23 Q Were other people aware of or involved in the relation-

WARD & PAUL
Washington - Virginia - Maryland



1 ship?

2 A Aware of, everybody on the campus. Involved in,
3 noone that I remember specifically.

4 Q Prior to the shooting on May 4, 1970, did you know
5 William Schroder?

6 A No. I knew none of the people who got shot or hurt,
7 not to my knowledge, I didn't.

8 Q How about Doug Wrenthouse?

9 A No.

10 Q Tom Grace?

11 A Not to my knowledge. Wasn't there a Krause?

12 Q Allison Krause?

13 A No.

14 Q Sandy Scheuer?

15 A No.

16 Q Any of the other people that have been published as
17 having been shot, did you know any of them?

18 A No, not that I can recall.

19 Q Have you from time to time seen photographs of
20 individuals who were shot?

21 A Yes.

22 Q Do you recall, in any of those photographs, faces that
23 you know, from your knowledge?

WARD & PAUL
Washington - Virginia - Maryland



1 Q And is that an accurate reporting of your conversa-
2 tion with the Highway Patrol officer on that date?

3 A Yes.

4 Q I am going to take you through a few passages of that
5 report quickly.

6 In that interview you reportedly told the Highway
7 Patrol Officer that you were taking pictures freelance for
8 the campus police and people of higher office who were getting
9 hold of these pictures for prosecution purposes. Do you recall
10 what your reference to people of higher offices were?

11 A Probably the Bureau.

12 Q The Bureau being, the Federal Bureau of Investiga-
13 tion?

14 A The FBI.

15 Q The questioning officer asked you for what reason
16 personally were you taking these pictures and your answer was
17 that the Agency was giving me film.

18 What Agency?

19 A The FBI, that is what I--I don't know where he got--
20 I don't know whether I said Agency or what. It was not the
21 other Agency the CIA, the company--

22 Q The company?

23 A The CIA.

WARD & PAUL
Washington - Virginia - Maryland



1 Q Was there anytime in fact when the FBI did give you
2 film?

3 A Yes.

4 Q Can you describe those circumstances?

5 A No, other than they did from time to time.

6 Q Prior to May 4, 1970?

7 A I don't remember. During that time, I will say,
8 prior to May 2, somewhere around there, I remember specifically
9 they gave it to me or they gave it to the campus police to
10 give to me or something along that line, Tri-X film.

11 Q Was there ever a time when you received film directly
12 from anyone other than the campus police?

13 A I think at one time the Bureau, if I remember correctly,
14 the Bureau did supply me with film.

15 Q Do you remember who at the Bureau did supply the
16 film?

17 A No.

18 Q Was this on or about the weekend of May 4th?

19 A Yes, best I can remember.

20 Q You were also asked how long this arrangement had
21 taken place and you responded since about April 12, or 14th,
22 1970, when Mr. Rubin was on campus.

23 Then your next sentence was, that I have been shooting

WARD & PAUL
Washington - Virginia - Maryland



1 pictures for the campus police for about two years.

2 Had you been taking pictures for some other agency,
3 other than the campus police, for the period from April 12, 14,
4 1970?

5 A No, not that I remember. It was pretty much all for
6 the campus police.

7 Q At or after the time Jerry Rubin was on campus, were
8 there any occasions when you were taking pictures for an agency
9 other than the campus police?

10 A Not to my knowledge.

11 Q Can you explain the discrepancy in your response to
12 the Ohio Highway Patrol and now?

13 A I don't know. I just don't remember April 12, 13,
14 the time is probably significant. I just don't remember it
15 now.

16 Q It seems to infer the meaning that you had been taking
17 pictures for the campus police for about two years and for some
18 other agency for a much shorter period of time.

19 A That is the gist I get of it.

20 Q Does that conform with your present recollection?

21 A Yes, I knew, the FBI had the impression or I had
22 the impression the Bureau was getting the photographs.

23 Q And was that your impression for several weeks preced-

WARD & PAUL
Washington - Virginia - Maryland



1 ing May 4, 1970, was that any different from what your earlier
2 impression was?

3 A No.

4 Q In other words, was it your impression that the FBI
5 had only recently become interested?

6 A Yes, that was the impression I had.

7 Q During that period from early April until early May
8 1970, had you had any conversation with the FBI?

9 A I might have but I don't remember now.

10 Q The Highway Patrol investigator then asked you,
11 where are the films that you took on that May 4th date, and
12 your reply, in the hands of this particular agency. Do you
13 recall who that agency was?

14 A Probably the Bureau.

15 Q The Bureau being the FBI?

16 A Yes.

17 Q Did you know for a fact that they were in that situa-
18 tion?

19 A Not that I can remember.

20 Q What led you to believe they were in the hands of the
21 Agency?

22 A It was just the impression I got, because I remember
23 now, that was the impression I had, that they were getting the

WARD & PAUL
Washington - Virginia - Maryland



1 films, just general conversation.

2 Q Do you recall any specifics that might have led you
3 to believe that?

4 A No.

5 Q Now your discussion with the Highway Patrol officer
6 about what happened at about the time you concluded the state-
7 ment; "We were being stoned from at least two directions but
8 it seemed the main direction was from the west, which was the
9 grassy area south of Taylor Hall." Does that conform to your
10 present recollection?

11 A I really don't remember right now. At the time on
12 May 4th, the thing I remember right now with respect to the
13 practice field were the rocks and other than that, I don't have
14 any specific recollection.

15 Q A little later in that interview with the Highway
16 Patrol, you said; "I heard what seemed to be either a small
17 arms weapon report or a firecracker possible. Right after
18 that the Guard opened up. I hit the dirt because I heard the
19 sound of bullets going over my head."

20 Does that conform to your present recollection?

21 A Right.

22 Q Did you hear the one unidentifiable report before the
23 Guard opened up, that you assumed was a small arms or firecracker?

WARD & PAUL
Washington - Virginia - Maryland



1 A Yes, even thinking now, it seems that there was one
2 report of some kind and then the mass of shots.

3 Q Were you watching the Guard at the time you heard
4 the first report?

5 A I don't remember right now. Looking over the state-
6 ment, I said that I was, but right now, I don't remember.

7 Q Do you recall seeing anyone among the National Guard
8 troops, with any weapons other than the M-1 rifles?

9 A Not that I recall, at that time, but I have seen
10 pictures since that time that I thought was a 45.

11 Q But based on your recollection of what you were
12 aware of at the time, do you recall seeing anything other than
13 the M-1's on the Guard?

14 A Not right now, I don't recall.

15 Q Did you in fact tell the Highway Patrol that the
16 Smith Wesson Model 36 or 38 caliber, that you described earlier,
17 was loaded with four rounds of Super-Vel and one Armor-Piercing
18 round?

19 A He might have been mistaken about what I said or
20 I might have been mistaken in what I said, but I don't remember
21 that being the configuration.

22 Q Do you recall telling the Highway Patrol that you saw
23 one person in the Guard Line, toward the front center of the

WARD & PAUL
Washington - Virginia - Maryland



1 Guard Line with a handgun?

2 A No, I don't recall.

3 Q You don't remember?

4 A No, I don't remember.

5 Q Do you recall telling the Highway Patrol Investiga-
6 tors that the actions of that particular person with the handgun
7 was what caused you to hit the dirt?

8 A I am reading this, but I don't recall--I remember I
9 gave a statement, but I don't recollect this.

10 Q The real question is does this refresh your recollection?

11 A No.

12 Q Just a handfull of random cleanup questions and then
13 I will be finished.

14 MR. FULTON: Are you going to quit leading him now?

15 MR. ENGDahl: Yes.

16 Q When did you leave the campus on May 4th?

17 A That evening.

18 Q Where did you go then?

19 A Home.

20 Q How did you get home?

21 A I caught a ride with somebody. I don't recall who.

22 Q Do you recall who?

23 A No, because my wife had taken the car home and I

WARD & PAUL
Washington - Virginia - Maryland



1 know I didn't take a taxi or bus or anything. I caught a ride
2 with somebody and I don't know exactly who it was.

3 Q In your statement to the Highway Patrol, you said
4 some general from the Ohio National Guard gave you a ride home?
5 Do you remember giving that statement?

6 A No. I don't remember if it was a general. I think
7 I would remember it.

8 Q What about a Colonel?

9 A No.

10 Q Do you recall meeting a Col. Spaine?

11 A No.

12 Q Did you ever carry a handgun to class?

13 A Yes.

14 Q When?

15 A Specifically, I can't remember.

16 Q Was that on more than one occasion?

17 A Yes.

18 Q Would you say it was frequently?

19 A No.

20 Q At anytime while you were a student at KSU, did you
21 do any undercover work for any law enforcement agency?

22 A No, not that I can remember. Nothing for the campus
23 police. I got thrown out of many meetings. This Bernadine Dorn,

WARD & PAUL
Washington - Virginia - Maryland



1 the one that was wanted by the Bureau for a long time, she came
2 up there and I tried to go to the meeting and they threw me
3 out.

4 Q Have you ever posed on campus as a photographer for
5 the television station WKYC?

6 A No.

7 Q How old were you in the spring of 1970?

8 A I was twenty during the beginning period and twenty-
9 one after April 30th.

10 Q Are you acquainted with a man named James Luty?

11 A No.

12 Q Do you recall the FBI in May of 1970?

13 A I remember that I was interviewed, but that was it.

14 Q Do you recall when?

15 A It was close to May 4th, but I don't remember exactly
16 the date.

17 MR. ENGDahl: No further questions.

18 CROSS EXAMINATION

19 BY MR. BROWN:

20 Q Mr. Norman, as you know I am Charles Brown and Mr.
21 Fulton and I represent the defendants and I also have a few
22 questions.

23 Q When did you start to school at Kent State?

WARD & PAUL
Washington - Virginia - Maryland



1 A After High School.

2 Q What year?

3 A 1967, I believe.

4 Q Did you go to school continuously?

5 A One quarter, I dropped out for one quarter, but other
6 than that, no.

7 Q What year would you have been in May of 1970?

8 A My Junior year.

9 Q You never did graduate?

10 A No.

11 Q What was your reason for that?

12 A I took a job in Washington.

13 Q How many quarters would you have to go through to
14 get your degree?

15 A Three or four, I don't recall, but I haven't added
16 anything to it since then. I guess three or four quarters.

17 Q And your major was in Law Enforcement?

18 A Yes.

19 Q Was there any other reason you left Kent at the time
20 you did?

21 A Well that --I was just fed up. I went to summer
22 school right after the shooting, I went the summer session to
23 pick up three more credits, summer of 1970.

WARD & PAUL
Washington - Virginia - Maryland



1 I was trying to round off my hours. Afterwards, I was fed up
2 with the scholastic community as a whole and I had a good job
3 opportunity to make some good money and I just decided to quit
4 and come to Washington.

5 Q Did the events in which you were involved have any-
6 thing to do with your leaving?

7 A Oh, sure. I wouldn't say it was the main reason but
8 I would say it was one of a number of reasons.

9 Q What was that reason, when you say a number of
10 reasons?

11 A Well, by that time, I had accumulated a certain amount
12 of notoriety and I just figured it would be uncomfortable to
13 stay there, but when I took the summer class afterwards, no-
14 body recognized me in class.

15 Q After Kent State, were you threatened or harrassed?

16 A Not really.

17 Q Did you continueto carry a weapon?

18 A No, not until I got here.

19 Q When you came here, that was in August 1970?

20 A Yes.

21 Q You say you are married, do you have children?

22 A No.

23 Q Is your wife employed?

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A No.

Q Has she been employed since Kent State?

A Nothing reportable.

Q You were working your way through school, right?

A Yes.

Q How were you doing it?

A Selling electronic components for Arco Electronics.

Q Were you also engaged in security work?

A Yes, for a short time.

Q What year was that?

A Either 1968 or 1969, I don't know which.

Q You indicated you had some kind of bond in connection with your weapon?

A That is correct.

Q That bond would not be effective as of 1970, if you were no longer engaged in security work, would it?

A It was within a year of June of 1970, so it was during the summer of 1969.

Q Your testimony is that it had been roughly a year prior to the shooting at Kent State, that you were involved in security work, is that correct?

A Roughly, yes.

Q Did you have any other income, other than this electro-

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

nic selling?

A I had the LEAA loan from Justice to assist me.

Q Is that from the Justice Department?

A Yes.

Q Did you obtain that from the beginning?

A No, I think it was the year before.

Q What brought that about?

A I needed money to finish school.

Q Could anybody get a loan from the Justice Department?

A You had to be a law enforcement major and once you terminated your education, then you had--if you didn't want to have to repay the loan in cash, then you worked it off. That is what I thought, at the rate of 25% per year, or your credit was 25% per year for work in corrections or something related to law enforcement.

Q Did the FBI assist you in getting your job in Washington?

A No.

Q Did any law enforcement agency assist you in getting your job in Washington?

A No, in fact very few people knew I was coming down here to take the test or knew I was going.

Q You indicated you had been at a number of things in

WARD & PAUL
Washington - Virginia - Maryland



1 the past, a number of meetings, where various groups had demon-
2 strated, is that right?

3 A Right.

4 Q Over what period of time had you attended these
5 campus demonstrations?

6 A I really don't remember but it had been sometime be-
7 fore May, but the exact time, I don't remember.

8 Q Did it go back to 1969?

9 A I would say, yes.

10 Q Back before that?

11 A I don't think so. Rubin is the first thing I really
12 remember or that comes to mind, and I don't recall before that.

13 Q Why did you go to these meetings?

14 A Basically to see what I could find out, to take
15 pictures.

16 Q At whose auspices or direction did you go?

17 A Nobody, initially but my own and then one incident
18 occurred and I took a picture and I offered it to Kelly.

19 Q Kelly being who?

20 A He was an investigator for the campus police.

21 Q Does he wear a uniform?

22 A Not usually, I saw him in a uniform a couple of times
23 but usually it is regular clothes.

WARD & PAUL
Washington - Virginia - Maryland



1

Q Did you approach him or did he approach you?

2

A I approached him.

3

Q Did you offer to sell him the photographs?

4

A No.

5

Q Did you in fact give them to him?

6

A Yes.

7

Q Were you ever employed by the security people at the

8

university?

9

A Employed, no.

10

Q And your relationship with them, insofar as taking

11

photographs, had been for a period of several months prior to

12

May 4th?

13

A Yes, I would say so.

14

Q When did your relationship with the FBI, whatever it

15

might have been, began?

16

A This was, I would say--I don't know, I would have to-

17

I don't remember when I did this Nazi party thing.

18

Q When was that?

19

A I think it was that spring or possibly the summer

20

before, but I don't remember for sure.

21

Q How did that come about?

22

A I had known some policemen and we were talking about

23

this Nazi group and you know, it was becoming powerful and

WARD & PAUL

Washington -- Virginia -- Maryland



1 the one guy who ran it, the head of the chapter, he was coming
2 into the place I worked and applying for a license
3 and I happened to mention it to one of the policemen and he said
4 why don't you mention it to the Bureau. Tell them this guy is
5 buying these things and they might want to know what he was
6 going to use them for.

7 Q How did you know he was a Nazi?

8 A He told me. He came in with the band on his arm, you
9 know.

10 Q Did he make any secret of it?

11 A No, you know, because I got no love lost for them or
12 the other side, you know and something like that, you ought to
13 let them know, so I called them up and told the Bureau and told
14 them. I don't remember his name but that was somebody and I
15 said I would like to go to a could go to a couple of meetings
16 and see what they were up to, because when the guy came in to
17 buy the stuff, he seemed to know his stuff about electronics and
18 was interested. I --somebody who knew as much as he did, why
19 he wouldn't be out making a living with it, so they said, why
20 don't you go to a couple of meetings. I don't know whether I
21 offered or they offered. Probably, I offered, because I was
22 real gun-ho law enforcement at the time.

23 Q You were what?

WARD & PAUL
Washington -- Virginia -- Maryland



1 A Gun-ho, enthusiastic so I offered, he either asked me
2 or I offered to go into a couple of the meetings and then to this
3 thing in Virginia, where they had a secret shooting range.
4 Q Did you go with them?
5 A Yes.
6 Q Did you act like you were one of them?
7 A Yes.
8 Q How did you get in the meetings?
9 A That was easy. Just show up. They didn't ask any
10 questions. They would take anybody they could get.
11 Q Did you wear a swatski or uniform?
12 A No, no. They only wore those, the head guy wore that
13 stuff all the time, but most of the other people in that parti-
14 cular group usually didn't, unless they were going to a demon-
15 stration. They picketed different things, which I didn't go to
16 because I had to work.
17 Q How long were you an undercover man for the FBI,
18 working on the Nazi group?
19 A Not more than a couple of months, I would say.
20 Q Did you get paid for that?
21 A No.
22 Q To whom did you report?
23 A There was a guy in the field office and Peterson rings

WARD & PAUL
Washington - Virginia - Maryland

1 a bell but again--

2 Q That is in Akron?

3 A Yes. The only time I needed money to do anything,
4 I would buy their literature, even if you were going to one
5 of their meetings, if you wanted literature, you would have to
6 buy it, so I would buy it. They were hard up for money, so I
7 would buy it and give it to him and say keep a running tab
8 and we will reimburse you, which they eventually did.

9 Q Did you join the Nazi party?

10 A No.

11 Q Did you sever your relationship with the Nazi's?

12 A No, that was it, after I went down to Virginia,
13 when they were down there shooting guns and everything, I
14 didn't go after that.

15 Q Were you interested in joining?

16 A No. That is a little too far out for me.

17 Q After that, did you have any other relationship with
18 the FBI?

19 A Other than--nothing formal.

20 Q Formal or otherwise?

21 A The only relationship that I can remember, they were
22 getting pictures of mine that I had turned into the campus
23 police.

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q - As of when?

A 1970, spring 1970.

Q This had to do with demonstrations on campus and meetings and that sort of things?

A Yes.

Q You indicated earlier that--

Did you have any relationship, formal or otherwise, with any other investigatory body, agency, law enforcement or otherwise?

A No.

Q So your only relationship with any law enforcement or otherwise, was the Kent State Police and the FBI?

A That is correct.

Q Were you ever paid any money by either of those two?

A No.

Q Were you ever paid any money by anybody?

A I was reimbursed for expenses for the trip down to Richmond and back and some of the materials I bought, by the FBI.

Q Did you ever tell anyone you were on the FBI payroll?

A No.

Q So if there were any reports that you had, they would be erroneous?

WARD & PAUL
Washington - Virginia - Maryland



CR EX

Phone (Area 202) 544-6000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A I would say yes, they would be mistaken.

Q You indicated earlier there had been a number of meetings of radicals on campus, is that right?

A Yes.

Q Were there any identifiable leaders that you could identify of these meetings?

A Yes.

~~Q Do you know any of them by name?~~

A One them was this Howie, I forget the last name right now. That is the only one I can remember right now, but as far as by name, that is the only one I can remember right now.

MR. FULTON: Could that be Roughner?

A Roughner, yes, I think so.

~~Q Do you know any other names?~~

A Not right off hand, no.

~~Q What about Emmer?~~

A Oh, yes.

~~Q He is also Howie?~~

A Yes.

Q If you can say, roughly, how many people on the average, would attend these meetings?

A Oh, it depended on what particular group it was. They were always, well not always, but usually open for everybody and

WARD & PAUL
Washington - Virginia - Maryland

WARD & PAUL

410 First Street, S.E., Washington, D.C. 20003

1 it is really hard to say. Sometimes there would be just a few
2 people and you know then other times several and other times
3 there would be a lot.

4 Q Why did you go to the meetings?

5 A To see who was there and to take pictures.

6 Q Did you do anything -- You were doing that for who?

7 A The campus.

8 Q The FBI?

9 A No, the campus police.

10 Q What would be discussed at these meetings?

11 A Oh, it was just a lot of stuff, ho ho Ho-Chi-Mien
12 and all that stuff. Then they had a lot of things at the
13 university, the Black United Students had something one time
14 and then the Black Study Program and a big rally about that.
15 It was just, you know, the whole gambit of controversial issues
16 on campus.

17 Q Well, how did they act? Did they have speeches or
18 or discussions?

19 A They would have speeches and then some individual
20 would say why don't we do something, write our congressman
21 or I don't know what.

22 Q Is it a fair statement to say that they were opposed
23 to the United States policies in Viet Nam?

WARD & PAUL
Washington - Virginia - Maryland



1 A Yes, I would say so.

2 Q Did you concur with what these young people were
3 doing?

4 A No.

5 Q Were there identifiable people at these meetings
6 who were not campus people, who were not students?

7 A At the time I remember, occasionally there were.
8 They would bring in a guest speaker or somebody from the out-
9 side.

10 Q You indicated at one point that they would kick you
11 out of meetings?

12 A Yes.

13 Q Was this before May 4?

14 A Yes.

15 Q How many times did this happen?

16 A Several.

17 Q And why would they kick you out?

18 A Because they knew I was working for the police.

19 Q How would they know that?

20 A Well it was common knowledge and sometimes they would
21 ask me and I would tell them.

22 Q When they kicked you out, would you try to stay?

23 A No.

WARD & PAUL
Washington - Virginia - Maryland



1 Q You just left? They didn't have to force you out?

2 A No, no. Lot of times they were loud about it. They
3 would say, you are a pig photographer and please leave and I
4 would leave.

5 Q You were a pig photographer so you would leave?

6 A Right, yeah.

7 Q Did you go to any meetings shortly before May 1, 1970?

8 A Not that I can remember. I might have, but I don't
9 remember whether I did or not.

10 Q Did you go to any meeting specifically where the
11 students or any students were discussing the invasion of
12 Cambodia?

13 A Not that I can remember. I knew it was being dis-
14 cussed at the time, but not specifically, no.

15 Q Would it be safe to describe these meetings militant?

16 A I would say, yes. some and to others, no.

17 Q What did they discuss doing, other than writing their
18 congressmen?

19 A You know, marching. I can't remember specifically
20 but you know, it comes to mind, marching, rallies, this type
21 of thing.

22 Q Were you at any meetings where they discussed violence
23 and burning of buildings?

WARD & PAUL
Washington - Virginia - Maryland



1 A Not that I can remember.

2 Q You got back to campus either on the first or the
3 second?

4 A Right.

5 Q That was the night the ROTC building was burned down?

6 A I believe so.

7 Q And you do recall being present?

8 A Right.

9 Q What was the mood of the crowd that you saw on campus
10 that evening?

11 A It was changed from other demonstrations, that I can
12 remember. Most demonstrations were clean. They were just out
13 having fun, nothing to do and a fad while you were in school
14 but this particular thing struck me as different, because the
15 crowd was actually angry at something or someone.

16 Q How were they reacting?

17 A I don't know. Most demonstrations were orderly. They
18 would walk around, yell and scream and were rather controlled
19 but this time they didn't seem to be in full possession of all
20 their senses.

21 Q Did you go to the ROTC building?

22 A I don't remember whether I did or I didn't. I think
23 I did.

WARD & PAUL
Washington - Virginia - Maryland



1 Q Had it burned down?

2 A Yes, I think it was done by the time I got there.

3 Q Did you see any acts of violence on Saturday night
4 by the demonstrators or whatever you want to call them?

5 A Yes, they were throwing rocks.

6 Q Did you get hit?

7 A Yes.

8 Q How many times?

9 A Yes, a couple I think. I took refuge on a porch on
10 I think it was Wendell Street, at one time.

11 Q Were you still taking pictures?

12 A Yes, they didn't come out because it was too dark.

13 Q Did you go downtown?

14 A No.

15 Q To refresh your recollection, did you by any chance
16 get in on Friday night and go down town to see what was going
17 on?

18 A No.

19 Q Did you see anything other than rocks being thrown
20 on Saturday night?

21 A Oh, rocks and some bottles were being thrown.
22 Pieces of concrete and I know one piece of concrete hit one
23 guardsman. The guardsmen were there by that time. I remember

WARD & PAUL
Washington - Virginia - Maryland



1 seeing one of them get hit with a piece of sidewalk.

2 Q Did you see any other weapons of any kind, knives,
3 guns or anything else?

4 A No.

5 Q Rocks and bottles is what you saw?

6 A Yes.

7 Q Moving on now to Sunday, you--do you recall what you
8 did on Sunday?

9 A No.

10 Q Do you recall the students marching, demonstrating
11 or throwing anything on Sunday the 3rd?

12 A Yes, there--if there was a specific event that
13 happened on Sunday, I don't remember what it was, unless there
14 is something I can get a memory peg or something.

15 Q To refresh your recollection, as I recall, you said
16 on direct examination, that you had heard talk about burning of
17 other buildings. Am I right in my recollection?

18 A I think so.

19 Q Had you heard students talking about it?

20 A Well, maybe not students, but the general word--

21 Q Had you heard anybody discussing it?

22 A Well, after the night before when the building was
23 burned or maybe it was two days after, there were a lot of

WARD & PAUL
Washington - Virginia - Maryland

1 rumors going around, there may be more, but these were rumors.

2 Q Were you aware of the fact that demonstrations had
3 been banned for Monday?

4 A Yes.

5 Q How were you aware of that?

6 A I think there was a leaflet posted or something that
7 the University said they were banned.

8 Q Did you see that?

9 A I think I remember seeing it. I have a recollection
10 of something like that occurring.

11 Q At anytime on Sunday, did you discuss with the FBI
12 or the campus police, what you would do the next day?

13 A Not that I remember.

14 Q Did you have any specific instructions as to what
15 you were going to do, if anything?

16 A No, nothing, just generally taking pictures.

17 Q Were the Kent State Police aware of the fact that you
18 carried a weapon?

19 A Officially, no, unofficially, yes.

20 Q Either, or, they knew?

21 A I believe so, yes.

22 Q Then why do you believe that?

23 A It was just the impression that I had. They had seen

WARD & PAUL
Washington - Virginia - Maryland

1 me with a weapon once or twice.

2 Q I believe you indicated that you had three weapons
3 that you owned at that time?

4 A Yes, two, possibly three.

5 Q How long had you owned weapons before this?

6 A Ever since I was a kid.

7 Q What kind of weapons?

8 A 22's.

9 Q Had you had any other pistols?

10 A At one time I had an old Colt, a Colt Woodsman.

11 Q When did you have that?

12 A Actually it was kind of a co-ownership thing be-
13 tween my father and myself.

14 Q Do you have weapons now?

15 A Oh, yes.

16 Q What do you have now?

17 A A shotgun, a couple of hand guns, an M-1 carbine,
18 that is about it. I had a good collection but I had to sell
19 most of them to get the downpayment for my house.

20 Q Are you buying a home now?

21 A Yes.

22 Q Is it a fair statement to say that you have always
23 been interested in weapons?

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Yes.

Q Was there any particular reason you carried a weapon to class on campus?

A Well, when I did, not that I can remember right now.

Q Would the weapon have been loaded?

A Yes.

Q Was there any particular reason you carried it on May 4th?

A Yes.

Q A loaded weapon?

A Yes.

Q Why did you?

A Because of the events that were scheduled for that day.

Q And, why specifically?

A Oh, for protection, for myself.

Q Were you fearful?

A Yes.

Q What were you fearful of?

A Bodily injury.

Q And why were you fearful of bodily injury?

A I had received one or two calls and I don't remember exactly, but it was just the way things the student protestors,

WARD & PAUL
Washington - Virginia - Maryland



1 just the mood they were in.

2 Q What was the mood of the students, as you would describe it, when the guards were down on the practice field,
3 after they left the Common's? What was the mood of the crowd
4 down on the practice field?
5

6 A Nasty.

7 Q Can you describe that in more detail?

8 A Well, just--it was kind of like the Saturday night.
9 They were just--the impression I got or my perception of what
10 they were, they just didn't have --

11 Q Let's forget your perception and talk about what you
12 saw them do.

13 A What I saw them do? Oh, throw rocks and other objects.
14

15 Q At the Guard?

16 A Yes. They were almost to the point of what I would
17 consider being hysterical.

18 Q Were they yelling obscenities?

19 A Yes.

20 Q Go ahead and tell us what those obscenities were?

21 A Fuck, you mother fuckers get off campus and words
22 of this particular--

23 Q Did anyone direct any comments at you?

WARD & PAUL
Washington - Virginia - Maryland

1 A Not that I can remember.

2 Q Were you struck by anything on the practice field?

3 A Yes.

4 Q Like what?

5 A I think it was a rock.

6 Q How many times were you struck?

7 A I don't remember now.

8 Q Where were you struck, do you remember?

9 A Someplace in the body but I don't remember where.

10 Q Was it after you were struck with the rock or rocks
11 that you threw them back at the students?

12 A I believe so but I can't be specific.
13 I would say that that could be a good stimulus.

14 Q Was your aim good enough that you hit anyone or
15 do you know?

16 A No, I just threw it into the trees, you know. Some
17 of the students had retreated back into the trees and I threw
18 there.

19 Q Do you have an estimate of the number of demonstrators
20 or ritors or whatever you want to call them, were present on
21 the practice field, when you were down there with the Guard?
22 Could it have been in the hundreds?

23 A Today, I honestly couldn't say. I would have to look

WARD & PAUL
Washington - Virginia - Maryland



1 at pictures.

2 Q Describe to me, if you will, the mood of the crowd
3 and how they acted, just before the firing commenced?

4 A I don't know. I was more or less out of contact
5 from the main body of the crowd and and I had crossed over into
6 the hilly area by the trees.

7 Q But you were watching them?

8 A Yes, I was watching but it was real hazy, I--I don't
9 know.

10 Q Were they throwing rocks?

11 A If I remember correctly, yes.

12 Q Were there a lot of them or?

13 A I don't remember. I just can't remember what the
14 number was.

15 Q I think you said that just before you heard the
16 volley of shots, or what you identified as the shots from the
17 Guard weapons, you heard something that sounded like a small
18 caliber weapon or a firecracker, is that right?

19 A Yes.

20 Q And you were acquainted with pistol and shots and
21 what a small caliber was at the time?

22 A Well, I thought yes but it is hard to distinguish
23 because I had that question put to me before, if I could distin-

WARD & PAUL

Washington - Virginia - Maryland

1 guish between the two and I tried a little experiment on my
2 own with a firecracker, a 25 and a 22 and a 38 and somebody
3 else fired them off and then to see if I could identify which
4 was which. and I got the firecracker and the 22 mixed up, so--

5 Q My point really of the question was, could you identify
6 the difference between a high velocity weapon and such as an
7 M-1 rifle and a 22 and/or a firecracker?

8 A Oh, yes, definitely.

9 Q Had you heard M-1's fired previously?

10 A Oh, yes.

11 Q How had you heard them and under what circumstances?

12 A Different rifle ranges and people shooting for fun
13 and hunting and films on T.V.

14 Q You had not been in the service?

15 A No.

16 Q There is no doubt in your mind that the first shot
17 you heard or the first noise you heard was either a small
18 caliber weapon or a firecracker?

19 A Well, I wouldn't say there is no doubt but I would
20 say I am pretty sure it is separate from an M-1.

21 Q How much time elapsed between the first noise you
22 heard, which you said was either a firecracker or a small
23 caliber weapon, and the heavy firing?

WARD & PAUL
Washington - Virginia - Maryland



1 A I would say three or four seconds.

2 Q A matter of a few seconds?

3 A Less.

4 Q And it was following that, you hit the ground and
5 then did you start walking toward the Guard, following the
6 cease fire or did you run to the Guard?

7 A No, after it was over, I stayed put for a couple of
8 minutes, trying to get my recollections of what the heck was
9 going on and indicating--to this day, I have seen pictures
10 that show where the Guard was and I still thought they were
11 somewhere else, so--

12 I walked towards, not where they were, Point 3 or
13 4 and I didn't see them at the time. I wasn't going towards
14 them because I didn't see them at the time as I can remember,
15 but when I got up and looked around and thought for a minutes
16 and then I heard commotion from two directions, Johnson, if
17 I remember correctly and Prentice, but I went over this way and
18 there was nothing over there.

19 Q So what happened then, as you were walking between
20 three and four?

21 A Well, there was this, I remember this kid being down
22 now, and then when I got to point 4, then somebody said, that
23 is the pig photographer, or that is the pig or something like

WARD & PAUL
Washington - Virginia - Maryland

1 that and stop him.

2 Q And that is when you took out your pistol and hit one
3 of them up the side of the head?

4 A Right.

5 Q Were any of the ones that jumped you black?

6 A I don't remember but I don't think so.

7 Q Do you recall specifically hitting the one that had
8 you down with your pistol on the head?

9 A Right.

10 Q Then what did you do?

11 A After this particular group had seen that I was armed
12 they backed off.

13 Q Did they say anything?

14 A No. They might have, like he has a gun watch out
15 or something.

16 Q Did you point the gun at them?

17 A No, I don't believe I did.

18 Q Did you say you were going to shoot them?

19 A No.

20 Q Did you swear at them?

21 A I might have.

22 Q You put the gun back in the holster?

23 A Yes.

WARD & PAUL
Washington - Virginia - Maryland

1

Q Then you started running?

2

A Yes.

3

Q Did somebody chase you?

4

A Yes.

5

Q Who chased you?

6

A People, I don't rememberw ho they were.

7

Q Was one of them a black man?

8

A Yes.

9

Q Do you know who he was?

10

A No, the first time I saw the films on T.V., I wondered

11

who he was because I noticed he was carrying a briefcase.

12

He was chasing me. He was a big mouthed guy and he had some

13

conversation with one of the guardsmen or something and I don't

14

know who he was.

15

Q When you ran down towards the Guard, did someone

16

intercept you?

17

A Yes.

18

Q Who intercepted you?

19

A I think it was a policeman.

20

Q From Kent State?

21

A Yes.

22

Q Did you know him?

23

A In reading this statement, it said here, Bill Rice.

WARD & PAUL
Washington - Virginia - Maryland

1 and I don't remember now that is who it was, but I guess it
2 was.

3 Q What did he do?

4 A I don't remember.

5 Q Did he take your gun?

6 A Yes.

7 Q Did he ask you if you had fired it?

8 A I don't remember.

9 Q Did you tell him whether you had or had not fired
10 it?

11 A I don't believe so.

12 Q Had it been fired?

13 A No.

14 Q Did anyone check to see whether it had a gun load of
15 bullets?

16 A I think they checked it right there on the spot.

17 Q They, being who?

18 A The policeman. They opened it up--I don't remember
19 but I think that is what they did.

20 Q Did anyone else come up to assist the police at
21 that time?

22 A I think there was a civilian from campus, and if I
23 heard his name, I think I would know it, but a civilian, student

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

relations.

Q What about the Guard, where there any Guardsmen?

A I think there were some Guardsmen standing around but I don't remember them making their presence known.

Q Did anyone other than those two men come up to you?

A No, there were several people gathered around, you know, but I can't remember who they were.

Q Where were you taken after that?

A The administration building.

Q Then were you questioned there?

A Yes.

Q By who?

A The civilian, who I can't remember his name and I think Kelly was there.

Q --

A Oh, no--they didn't question me. They asked me for a statement and I typed it out myself. That is how it was, if I remember correctly.

Q You typed your own statement?

A Yes, I think I did.

Q Did they detain you?

A Well, they said, there are some other people who want to talk to you so hang around.

WARD & PAUL
Washington - Virginia - Maryland

- 1 Q Did you?
- 2 A Yes.
- 3 Q Did you talk to anyone?
- 4 A Yes, I think I talked to some guy from the Guard.
- 5 Q Do you remember the name?
- 6 A No.
- 7 Q Did you give a statement to anyone else?
- 8 A That day, I don't remember.
- 9 Q Did you talk to the FBI that day?
- 10 A I don't remember.
- 11 Q Was the FBI on campus during the prior week?
- 12 A Yes.
- 13 Q Why do you say, yes?
- 14 A One of the policeman said that was the Bureau or
- 15 something like that, some plain clothes individuals.
- 16 Q Did you see any FBI people that you knew?
- 17 A No.
- 18 Q Who pointed them out to you?
- 19 A The campus police.
- 20 Q But you did later talk to the FBI?
- 21 A Yes.
- 22 Q On campus?
- 23 A Yes.

WARD & PAUL
Washington - Virginia - Maryland



1 Q Did you do anything else on Monday in connection
2 with the campus, other than go to the administration building?

3 A Not that I remember. Then I went home.

4 Q Exhausted?

5 A Yes.

6 Q Were you scared?

7 A Some.

8 Q Were you frightened?

9 A Sure.

10 Q Why were you frightened?

11 A Everything that had happened, people getting killed
12 and the shooting.

13 Q Were you in fear of your life at anytime on May 4th?

14 A When they jumped me, I thought I had had it. When
15 I don't like to get knocked to the ground. I don't like being
16 on the ground and looking up.. When they started talking about
17 this stabbing business, I started getting worried right then.

18 Q Do you have any political philosophy?

19 A Yes.

20 Q What is that?

21 A Conservative, Republican.

22 Q Would it be fair to describe you as a law and order
23 man?

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Yes.

Q Do you propose to make a career of police work?

A Yes, I will be 41 when I am eligible for retirement.

Q Do you get a pretty good retirement?

A Yes.

Q Are you now attempting to finish your college work?

A Not right now, but I plan to.

Q Will you make more money?

A No, it just counts for promotional advancement. On your efficiency rating, for every year of college, you get one point.

Q Had you had any difficulty at all with your job since you came to the Washington Metropolitan Police Department?

A Not more than anybody else.

Q Have you had any disciplinary action?

A Yes, late, shoes unshined, things like that.

Q Any discipline stuff?

A No, nothing major discipline.

Q Do you work out of a patrol car or on foot?

A No, I am inside right now.

Q Doing what?

A Radio dispatcher, station crew right now.

All nights.

WARD & PAUL
Washington - Virginia - Maryland



Phone (Area 202) 544-6000

WARD & PAUL

410 First Street, S.E., Washington, D.C. 20003

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q Do you have any rank or ratings?

A Officer, is all.

Q What is your income now?

A I think right now it is \$13,100.00.

Q Do you have any other employment besides your regular job?

A No.

Q Have you had since you left Ohio?

A No.

Q How many hours a week do you work?

A 42 and 1/2.

Q Those are all the questions I have and thank you very much. Mr. Fulton has a few.

CROSS EXAMINATION

BY MR. FULTON: Before I start, let me mark some photographs here.

(Norman Deposition Defendant's Exhibit No. A through M..)

Q The reporter has now marked the photographs I handed her as Norman Deposition, Defendant's Exhibit's A through M. I would like you to examine them first and then I have a few questions on the pictures.

Just these few questions Mr. Norman. You did indicate

WARD & PAUL
Washington - Virginia - Maryland

1 both to Mr. Engdahl and Mr. Brown, that you had done some work
2 in conjunction with the FBI, involving the American Nazi Party?

3 A That is correct.

4 Q And that you had been reimbursed for some expenses?

5 A Yes.

6 Q How did they reimburse you, by voucher, check or how?

7 A Cash.

8 Q And that cash usually came to you through the local
9 FBI agent in Akron?

10 A Yes.

11 Q Was that Chappin, do you know?

12 A I don't know. I don't know if it was Chapin. There
13 were only two guys who worked out of that office anyhow.

14 Q But to the best of your knowledge, it was not Chappin?

15 A No.

16 Q With respect to any expenses or bills regarding your
17 work at Kent State University, was that ever reimbursed to you
18 in cash?

19 A There were never any expenses.

20 Q There was no reimbursement? How about the film?
21 Was that given to you?

22 A I could buy it cheap, so I bought it.

23 Q In your dealings with Mr. Peterson of the Akron FBI

WARD & PAUL
Washington - Virginia - Maryland



1 did you ever have occasion to put anything into writing with
2 that office, any written communication?

3 A No, I don't think so. Most of it was the over-the
4 phone kind of thing. I don't think so.

5 Q Did he ever indicate to you that when you called he
6 was recording your message?

7 A No.

8 Q I am going to hand you what has been marked Norman
9 Exhibit M. and ask you to read that document. Further I would
10 ask you have you ever seen that document before?

11 A I have never seen it.

12 Q Did you see who signed it, that letter?

13 A I sure do.

14 Q J. Edgar Hoover?

15 A Yes.

16 Q I can state however, and I am going to the third
17 paragraph; "I can state however, that Mr. Norman was not working
18 for the FBI on May 4th 1970 nor has he ever been in any way
19 connected with this Bureau.", is that right?

20 A That is what it says.

21 Q That statement is false?

22 A That statement is false.

23 Q I would offer this as part of my cross examination,

WARD & PAUL
Washington - Virginia - Maryland



1 as Norman Exhibit M.

2 I am going to hand you these Exhibits, which have
3 been marked as A through L, and I believe some of these photo-
4 graphs you have previously testified to in other examination
5 here today and I just want to make sure you look at each one
6 and identify them for me.

7 A What do you want, for me to identify them individually?

8 Q No, just look at them and make certain you recognize
9 them. While you are looking at those photographs A through L,
10 why don't you separate them into sequence, if you can. Put
11 the ones you don't know to the side.

12 The first three, which are marked Norman I, H and C,
13 are pictures of the what? I, is a picture of the crowd, right?

14 A Right.

15 Q H is a picture of you with your gas mask on?

16 A Right.

17 Q Which you say you purchased at a supply store?

18 A Right.

19 Q Which is a supply store? You don't mean a hardware
20 store, do you?

21 A No, police supplies, holsters and things.

22 Q Oh, in other words, it is a regular supply store for
23 police paraphenalia?

WARD & PAUL
Washington - Virginia - Maryland



- 1 A Yes.
- 2 Q That is you with the gas mask?
- 3 A Yes.
- 4 Q And, here is C, this is a picture of what, the jeep
5 moving out?
- 6 A Right.
- 7 Q Is this you to the left of that picture?
- 8 A It looks like it. This is--
- 9 Q You can't say for sure?
- 10 A No.
- 11 Q Do you have the same combat boots on?
- 12 A Yes, sir.
- 13 Q What are those, parachute boots? (Indicating Mr.
14 Norman's shoes)
- 15 A Yes, these are trooper boots.
- 16 Q Where did you get those?
- 17 A You can buy them at any surplus store. They are good
18 to work in.
- 19 Q You have worn those?
- 20 A For several years, but these aren't the same ones.
- 21 Q Are these the same boots you had on out at Kent State?
- 22 A No.
- 23 Q You never wear shoes do you?

WARD & PAUL
Washington - Virginia - Maryland



1 A No, boots.

2 Q These are pictures of the practice field, namely O
3 and D and E?

4 A Right.

5 Q Those are pictures of the practice field, D and E?

6 A Right.

7 Q And these are unknown?

8 A Right.

9 Q Let's talk about these pictures that you do know which
10 are L, A and K. These are pictures of you, with the Guard
11 all of these, A, K and L, which show you after the event took
12 place that you described and you had pulled out your gun and
13 you were being chased by a black man?

14 A No, he came in later on. The reason I know that is
15 because I saw the film.

16 Q You saw the film on T.V.?

17 A Right.

18 Q You saw it on T.V. and you knew that was you?

19 A Right.

20 Q And that was the individual chasing you?

21 A Yes.

22 Q And this shows you being surrounded by the Guard,
23 right?

WARD & PAUL
Washington - Virginia - Maryland



1 A Right.

2 Q And if you look here on Exhibit A, it shows a Guards-
3 man with the name of Dodson, right next to you, on his name
4 tag?

5 A Right.

6 Q Did you know Dodson?

7 A No.

8 Q Did you know Dodson was there at the time they re-
9 moved the gun from you?

10 A No.

11 Q They did remove the gun from you?

12 A At that time or within a few minutes of that.

13 Q The gun was not turned over voluntarily by you, was
14 it?

15 A No, they asked for it.

16 Q And the reason they asked for it, they knew you had
17 had it out, is that right?

18 A I don't know.

19 Q You don't know how they knew you had a gun?

20 A Well, some of the group that was chasing, I believe
21 made reference to that fact.

22 Q In fact, some of that group that was chasing you had
23 said that you had fired a shot, isn't that true?

WARD & PAUL
Washington - Virginia - Maryland

1 A It is my recollection that I read somewhere in a news-
2 paper that someone had said that, but I don't think there.

3 Q Let's talk about that film you saw. You can actually
4 hear--

5 A I have only seen the film one time.

6 Q I have to, so as I recall the film, it said, that man
7 fired a shot, and do you recall hearing that when you saw the
8 film?

9 A No.

10 Q You don't recall hearing that?

11 A No.

12 Q But you do recall reading newspaper articles about
13 it?

14 A Right.

15 Q I am handing you here also, Exhibit J, G and B and
16 am going to ask you, does that appear to be the black man or
17 also a picture of a colored man, who was chasing you?

18 A I couldn't identify him but there is a briefcase there.

19 Q And that is in number G?

20 A Right.

21 Q There in number B, he has a brief case in his hand
22 and is being touched by a police officer, right?

23 A Yes.

WARD & PAUL
Washington - Virginia - Maryland



1 Q In No. J he appears to have something and is being
2 surrounded by Guardsmen, right?

3 A That is correct.

4 Q Now, these three that you were just talking about,
5 showing a black man, those you say, you can't identify?

6 A Right.

7 Q But you can identify that a black man chased you?

8 A Right.

9 Q And you can identify that a black man had a briefcase
10 that chased you?

11 A Right.

12 Q And in these photographs at least we had a briefcase
13 present and a black man present and a campus policeman present?

14 A Correct.

15 Q Do you know who this campus policeman is in G?

16 A I think that is Rice.

17 Q And that is the one that took your gun?

18 A I believe so, but I am not.....

19 Q Let me ask you about this, this is F that you couldn't
20 identify, but if you look at F, it does show someone here with
21 a gasmask?

22 A Right.

23 Q That looks somewhat like you doesn't it?

WARD & PAUL
Washington - Virginia - Maryland



1 A Right.

2 Q As a matter of fact, it looks exactly like you doesn't
3 it?

4 A Well, yes, I believe you could say that.

5 Q You can say it. I did say it and you can say it too
6 can't you? That is you, isn't it?

7 A Yes.

8 Q At this time, I would like to offer A through L as
9 exhibit's, Normans.

10 Just a few more questions. There is no question that
11 you feel that in all probability, based on your experience with
12 guns, that at least the first shot you heard on that day, was
13 something of a small caliber, at least perhaps a firecracker?

14 A Well, I am not going to say positive.

15 Q I didn't say positive. I said, in all probability?

16 A I would say possible.

17 Q Now, would you say if you had to run percentages, it
18 was more than likely a larger caliber bullet or a smaller cali-
19 ber bullet?

20 A Well, I am not going to say that at all. It was a
21 noise and if it was a firecracker, obviously, it couldn't be
22 any caliber of bullet, but there was a sound.

23 Q The fact is, you have said in statements, that it

WARD & PAUL
Washington - Virginia - Maryland



1 in your opinion, was a smaller caliber bullet, right?

2 A If I said something like that.

3 Q Do you recall?

4 A Right now, I can't recall at all. I am...

5 Q Do you recall, after reviewing these statements?

6 A No, I still don't recall.

7 Q You still don't recall?

8 A No.

9 Q Do you recall that you ever said that in a statement?

10 A I believe so, yes.

11 Q You said that it was a smaller caliber weapon that
12 was fired?

13 A Or a firecracker.

14 Q Or a firecracker. Now, let me ask you something
15 about weapons. Number one, I notice that the--what are you
16 carrying here today?

17 A That is a 38.

18 Q Is that a police special?

19 A Right.

20 Q A model, 10?

21 A Right.

22 Q And that carries what kind of bullets?

23 A 158 grain round nose lead.

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q You saw 158 grain round nose lead?

A That is correct.

Q Now are each of the round nose balls in there, are they standard issue?

A Yes.

Q By the Washington police department?

A Right.

Q Do you carry that weapon on your job as a dispatcher?

A Yes, sir.

Q Is it a department regulation that requires you to carry it?

A Yes.

Q Are you on duty at the present time?

A Yes.

Q When did you go on duty today?

A Oh, I am not on duty right now, but anytime I am in the District of Columbia I am on duty, but it is not my regular duty. I am off.

Q Is it your regular practice to always carry the weapon with you at all times in the District of Columbia?

A It is not a practice, it is a regulation.

Q There is a regulation that you must carry it?

A You must.

WARD & PAUL
Washington - Virginia - Maryland

- 1 Q You must carry it?
- 2 A Under a penalty of a fine.
- 3 Q Under penalty of a fine?
- 4 A Yes.
- 5 Q You are not allowed to carry a gun with a hollow nose
6 bullet, are you?
- 7 A No.
- 8 Q That is against regulations?
- 9 A Yes.
- 10 Q A hollow nose bullet will fragment?
- 11 A No it won't.
- 12 Q What will it do?
- 13 A It will expand.
- 14 Q What does it do to the soft tissue?
- 15 A What it does is forces a hydrostatic shock to the
16 entire impact area, destroying some tissue but shocking the
17 rest of it.
- 18 Q What was your reason for carrying a hollow nose
19 bullet in your 38 on May 4, 1970?
- 20 A Because I knew it was effective ammunition.
- 21 Q Why is it effective ammunition?
- 22 A Well, if you are going to carry ammunition, you want
23 to carry something that will work as opposed to something that

WARD & PAUL
Washington - Virginia - Maryland



1 will not.

2 Q Is there something about the hollow nose bullet that
3 is better than the regulation bullet that is issued by the
4 District of Columbia police department?

5 A Yes.

6 Q Do you feel the District of Columbia would be better
7 off issuing a hollow nose bullet?

8 A Yes, I feel that way.

9 Q Is that a Snizer you are carrying on your tie?

10 A Yes.

11 Q A Snizer is a shooting pistol issued by the German
12 Army?

13 A Yes.

14 Q How is it you have that as a tie clip?

15 A Well a lot of guys have different ones, there are
16 Thompson's and a couple of guys have a Snizer and it is just
17 a decoration.

18 Q It is not a regulation with the police department?

19 A No, you can wear what ever you want.

20 Q Let's go over one more time with respect to the
21 bullets in that 38 that you were carrying on May 4th. You had
22 five rounds, one of them was hollow nose?

23 A Right.

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q Three were hollow nose?

A Three were hollow nose, 110 grain, half jacket.

Q Half jacket, so they had to be hand loaded?

A No.

Q Did you ever hand load anything?

A Yes.

Q Did you have a hand loader at home, at that time?

A I don't think I did at that time.

Q Let's talk about that time. Did you have a hand loader at home, prior to May 4, 1970?

A I don't think so. I think it was after I got down here I got it.

Q Had you ever hand loaded any bullets in their casing, prior to May 4, 1970?

A No.

Q Do you know if that hollow nose bullet was sold to you in a package?

A Um...I assume it was. I don't remember. The customary way they come is in a box.

Q You were able to purchase those from what supply?

A I don't remember whether I purchased them. I might have got them from somebody else or I had, you know, friends that...who wants to spend \$8.00 for a whole box.

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q They are expensive?

A Yes, very expensive.

Q Armor- piercing is even more expensive isn't it?

A No.

Q You said you had an armor-piercing round?

A Right.

Q And a round that was to be used inside of a pistol?

A Right.

Q A snub nose that was a few inches long?

A Right.

Q With an armor piercing round in that?

A Yes.

Q Is that usual or unusual?

A For who? Me or..

Q Generally?

A Generally,

Q Isn't it unusual for an average person to use an armor piercing round?

A No.

Q You don't think that is unusual to use armor piercing in a snub nose pistol?

A No. Sometimes they carry all six AP rounds. I am thinking more of policemen in Akron.

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Q Akron?

A Cleveland or Akron or somewhere.

Q Can you name anyone in Cleveland that carries an AP round?

A No.

Q Can you name anyone in Akron that carries AP rounds?

A No.

Q As a matter of fact, can you name the policeman from whom you got this 38 that you carried on May 4th?

A Can I name his name? Start that all over again?

MR. BROWN: Do you know who he was?

A Do I know who I got the gun from?

Q Yes.

A Bruce VanHorn.

Q Where in Mr. VanHorn now?

A I don't know. I think he is in Akron.

Q This was a snub nosed, which would be a short barrel?

A Right.

Q The weapon that could be more easily concealed than this police weapon, which is 4 or 6"?

A Right, it is 4".

Q That is what you are carrying now?

A Right.

WARD & PAUL
Washington - Virginia - Maryland



1 Q Normally, a snub nose is carried only by detectives?

2 A Oh, it is carried by numerous people. Some of the
3 lab technicians carry them. A lot of people who work inside
4 carry them, because they are small, lighter.

5 Q With respect to your reloading today, what does the
6 end of a cartridge casing look like of a reloaded shell?

7 A Well it depends on the dye that is used.

8 Q Is there a dent where the primer is?

9 A The primer is on the other end.

10 Q I am talking about the end where the primer is, after
11 it is reloaded, where the primer is, is there not a dent in
12 a reloaded pistol round?

13 A No.

14 Q What happens to that casing that has been struck?
15 You have the bullet in the gun?

16 A Yes.

17 Q You strike it?

18 A Right.

19 Q It goes off?

20 A Right.

21 Q There is a dent by the primer?

22 A On the primer.

23 Q On the primer itself?

WARD & PAUL
Washington - Virginia - Maryland



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A Right.

Q Then you take that casing out and you reload it?

A Right.

Q Is there a dent in that primer?

A No, you punch out the primer to put in a new one.

Q You punch it out so there isn't one?

A Right.

Q So the only way a weapon would show it had been fired, even on a reload or a regular load, would be to have a dent in the primer?

A Right.

Q Do you know, if on your weapon, on that date, whether there were any dents in the primer?

A No.

Q You can say that sas you sit here positively?

A That is correct.

Q And if anybody around there indicated there was a dent in the primer, they would be absolutely wrong?

A That is correct. They are mistaken. Yeah, they would be wrong.

Q They would be wrong just as J. Edgar Hoover is wrong here, in his letter?

A Right.

WARD & PAUL
Washington - Virginia - Maryland

1 Q With respect to that weapon, it left your hands after
2 this chase, right?

3 A Right.

4 Q Do you know the person who took it?

5 A I think it was Rice.

6 Q Do you know if he physically held it in his own hands?

7 A Yes. A campus policeman did hold it with his own
8 hands, right.

9 Q Well, somebody had to take it?

10 A Yes.

11 Q Alright, and when it was taken from you, were the
12 cartridges examined there?

13 A To the best of my recollection, I would say, yes.
14 I think he did pop open the gun.

15 Q What did he do then?

16 A Closed it back up.

17 Q Then what did he do?

18 A I don't remember.

19 Q You never saw that gun again?

20 A No.

21 Q You never made inquiry of it?

22 A Oh, sure I made inquiry of it.

23 Q Did you ask the campus police?

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

A No, I asked the FBI.

Q What did the FBI say?

A They said it was being held for investigation.

Q Did they indicate they were going to make tests on it?

A No, they were holding it for investigation.

Q To your knowledge, the FBI still has it?

A Yes.

Q You don't know where that weapon is today?

A I have no idea.

Q Do you have any information that the FBI might have with respect to this weapon... withdraw that. The question would be, at least, to your knowledge, the FBI did gain possession of it?

A To my knowledge of it, yes.

Q They gained possession of it when, on May 4th?

A I don't know.

Q Well, how did you learn the FBI had it, is what I want to know?

A I asked one of the campus policeman, Kelly, I believe, where is my gun and I want it back and he said the FBI had it. I called them, the FBI and asked them, and they said it was being held, pending investigation.

Q Did you ever write to the FBI and ask for your weapon

WARD & PAUL
Washington - Virginia - Maryland

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

back?

A No.

Q Did you ever make demand on them?

A Yes, the last time I talked to them, which was about a year ago, I asked about it and they said, yes, you will be getting it back.

Q Did you demand they make any tests on it?

A No.

Q Did you demand they make tests to see if it had been fired?

A No.

Q How many students were on campus at Kent State on May 4th, 1970?

A I don't know.

Q What would your guess be?

A I don't have an idea even what the enrollment was, at the time. I think it was 10 to 15,000 people enrolled at that time.

Q How many people do you think were around in the area of the Commons and that Prentice Hall and Taylor Hall and map area?

A Totally, from beginning to end?

Q On May 4th?

offer following
30 pistol
25 Full complement
3
property
envelopes
of 5-4
from revolver
& ammo

offer to protect
w/ Full complement
of 5 unexpended
rounds plus
property receipt
from campus police

WARD & PAUL
Washington - Virginia - Maryland

1 A I would say a good couple 1000.

2 Q Out of those 2000, do you believe you were the only
3 student that was carrying a gun?

4 A I have no idea.

5 Q Out of all of the meetings you attended, do you
6 think out of the 2000 that day, you were the only student
7 carrying a gun?

8 A I have no opinion on it.

9 Q Did you ever, in that crowd, on that date, see any
10 other student carry a gun?

11 A No.

12 Q To your knowledge, you were the only one with a
13 handgun?

14 A To my knowledge, other than the guardsman..

15 Q I am talking about students?

16 A I don't have any knowledge.

17 MR. FULTON: No further questions.

18 REDIRECT EXAMINATION

19 BY MR. ENGDahl:

20 Q Who is Howard Roughner. ?

21 A I think he was one of the agitators.

22 Q Who is Howard Emmer?

23 A I think he was the one...I don't know. Both names, you

WARD & PAUL
Washington - Virginia - Maryland



1 know, both names ring a bell and there was the name of Howie.

2 Q My question is, possibly you have confused the two?

3 A It is possible.

4 Q Are you confident that Howard Roughner is the name
5 of one of the agitators?

6 A I am confident that one of the two are, but I couldn't
7 tell you which one. I just know the name Howie.

8 Q I asked you about your 357 Magnum?

9 A Right.

10 Q Did I ask you whether you had that gun with you on
11 May 3rd?

12 A Yes.

13 Q And your answer?

14 A No.

15 Q Do you recall showing a gun to the NBC staff car or
16 others and the bullets falling out on the floor or something?

17 A No.

18 Q In Norman Defendant's Exhibit E, are you able to
19 testify to the identify of the people in this picture?

20 A No. I have seen this picture several other times.

21 Q That is all.

22 MR. BROWN: I have nothing further.
23

WARD & PAUL
Washington - Virginia - Maryland



Phone (Area 202) 544-6000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

(Whereupon, at 6:45 P.M. the deposition of Terrance Norman was concluded.)

FURTHER THIS DEPONENT SAITH NOT. Signature to the deposition was waived, after explanation by counsel, by the witness and it was stipulated the reporter could sign and file the deposition.

Sworn to and suscribed before me
this the 5th day of May, 1970.
My Commission Expires: 8/15/78

Bea Lou Bussell
Bea Lou Bussell

Notary Public - D.C.

WARD & PAUL

410 First Street, S.E., Washington, D.C. 20003

WARD & PAUL
Washington - Virginia - Maryland

Phone (Area 202) 544-6000

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

UNITED STATES OF AMERICA

DISTRICT OF COLUMBIA

CERTIFICATE OF NOTARY PUBLIC

I, BEA LOU BUSSELL, do hereby certify that Terrance Norman the witness called to testify by counsel for the plaintiff, was duly sworn by me and that I am duly qualified and certified in and for the District of Columbia as a Notary Public, that I am not related to the witness or any counsel in the captioned cause; nor interested either financially or otherwise in the outcome of this action.

That I took the testimony of this deposition in shorthand and same was transcribed by me or under my direction and that this is a true copy of the testimony given by Mr. Norman on May 5, 1975, in Washington, D.C.

Bea Lou Bussell
Bea Lou Bussell

My Commission Expires: 8/15/78

WARD & PAUL

410 First Street, S. E., Washington, D.C. 20003

WARD & PAUL
Washington - Virginia - Maryland