Administrators testify in trial

This report was written at about 4 pm that afternoon, McNeilly said, and it was correct to the best of his recollection at the time.

Weigel later questioned McNeilly about this report, asking him to describe the report he made out later that evening. This report concerned the second warning.

Dickson, Kolodny, and Immerman all testified on March 13 that the first warning and the arrests were made.

Dickson said that Kolodny had been blocking the workers with any sort of barrier and that he probably could not have blocked them physically.

He also admitted that he was not "too sure" Kolodny meant to climb on top of the shanty.

Immerman testifies

Weigel then called Immerman to the stand. Immerman stated that only those recognized student activities have the privilege of using Institute space, and that such space must be reserved.

He introduced as an exhibit a handbook which Immerman said is distributed to student activities explaining these policies.

Immerman explained that David J. Flanagan '89 had applied for a permit for the Coalition to use Kresge Oval between March 7 and 13. However, after meeting with Coalition spokesmen, the application was rejected because of safety concerns, he said.

Immerman's testimony of the events which took place between the first warning and the arrests, while less detailed in some areas, agreed substantially with that of McNulty.

Kolodny asked Immerman when he had learned of the decision, and why he had not informed the students in advance. Immerman had testified that he told Coalition leaders on March 13 that the shanties would probably be torn down the next day when the Oval was dry.

On Friday, March 14, the Oval was wet and muddy. Immerman said that he found out about the decision later on the evening of March 13 at a meeting attended by Special Assistant to the President Walter C. Millier, Vice President Constantine S. Simopoulos, Associate Dean for Student Affairs Robert A. Sherwood, Executive Kathryn W. Lombardi, Associate Provost S. Jay Kayser, and other administration officials. He said that he did not tell the Coalition members about the new decision.

Immerman explained that in the usual course of events the decisions about the shanties would have been his to make, but in this case he was overridden. He speculated that the lack of a permit might have related to the arrests.

Dickson testifies

Dickson then came to the stand and explained that while control of the Institute ultimately rests in the Corporation, the President delegates the decisions on MIT grounds and operations to him.

When asked about the moves of the day before, Dickson said Conteras was at times, quite close — about two feet.

Dickson remembered seeing a student pass a camera up to the roof of the shanty, he said, but did not remember the actions of Kolodny during the time between the first warning and the arrest.

Shortly after the second warning, the first arrests were made.

Conteras and Kolodny were arrested simultaneously. Dickson said. Arrested persons were either on the roof or within one or two feet of the shanty, he added.

It was possible that the students did not hear the second warning, Dickson said, since they were making a lot of noise at the time.

Dickson, in response to a question by Keiston, also said that students were arrested for obstructing the demolition of the shanty. The shanty could not be removed, Dickson explained, "because of five individuals on the roof and three next to it (the shanty)."

When asked about how Kolodny obstructed the demolition of the shanty, Dickson said that he was not sure, but that he was positive Kolodny did not leave the site. He could not name any specific act which Kolodny did besides pass the camera to the roof, but Dickson saw the arrest, and Kolodny was standing two feet from the shanty. Conteras did move away from the shanty, Dickson said, but it was to evade arrest, not to avoid trespass. "Conteras was not actually walking away," Dickson said.

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