

The Police Performance: Criticisms and Replies

By JIM BERRY
Staff Writer

Before the sound of shots faded around the University of Texas campus on Austin's black Monday, Police Chief Bob Miles braced for criticism.

A Washington man, E. J. Willey, cabled the Austin American-Statesman desk: "Urge immediate firing police chief and all officers above rank sergeant for fiasco and many unnecessary deaths for unorganized sniper activity. Failed to organize rushing with protective armor. Failed to use bull horns to keep victims away. Only plus was armored car use probably conceived by their drivers. Please send copy mayor. Father of student."

Willey was not alone in his condemnation.

Letters ranging in tone from Willey's demand for heads to milder forms of criticism have been addressed both to this newspaper and direct to the Austin police department.

"Police have come to expect, regardless of their action, that we are going to be condemned, and praised, and we certainly expect criticism as a way of life," Miles said.

But the police chief does not believe the department or any of his men have it coming.

"The conduct of my men was outstanding. I have nothing but

praise for them. They reacted well and in accordance with the training they have received."

Not everyone agreed:

Dr. Irwin Spear, UT assistant professor of botany, "as one of the professors who was under siege during the recent massacre . . . and a close friend of two of those killed" said he found law enforcement officers deficient in several important respects.

He listed: "1. Very little done by officers to keep people from inadvertently walking into the area. . . . 2. To my knowledge, none of the rescues of those hit was accomplished by the police, but rather was the work of civilians. . . . 3. The police who came to my building (close to the northwest side of the tower) planning to fire back from our attic were armed with shotguns not rifles. . . . 4. The law enforcement officers did not seem to be in organized communication with one another. . . . 5. Scores of civilians armed with high-powered rifles were in evidence on campus immediately after the incident. . . . 6. The police did not seem to have any plan for ending the siege other than firing back. . . . 7. The police could have easily gotten to the Tower because all the buildings are connected by utility tunnels. . . . 7. The most

telling criticism of the police's failure, is the fact that Whitman was finally stopped by an off-duty policeman . . . and a civilian . . ."

A student, Richard R. Solem of 1102 Congress wrote: "I think it was a wonder he (Whitman) was allowed to terrorize the University of Texas so long."

Solem raised these questions. "Should it reasonably take an hour or more for the director of police in this operation to elect to move on the sniper and to find officers to do the job? Likewise, is Austin so short of responsible policemen that it must deputize a middle-aged businessman to do the work policemen are trained for?"

Chief Miles was asked to comment on specific questions raised by these and other criticisms:

Why did it take 90 minutes for police to get into the tower and take Whitman?

Miles: In the first place it didn't take 90 minutes from the time we got the first report until we had men in the Tower. They were at the bottom from about 12:45 p.m.

This involved taking a fortified position. It wasn't just taking an elevator up and saying give me the gun. They had

to get wounded out. They didn't know how many armed men there were on the deck. It had to be done in a military manner. They had to check everything as they went.

The point that hasn't been stressed enough is that 99 per cent of the damage was done in the first 20 minutes and it takes that long to get any group organized, even a military group in a barracks. In 20 minutes we had so much fire going up to the Tower he couldn't do much more damage.

Part of the problem was trying to keep pedestrians out of danger. We managed to keep cars back, but it was too big an area to cover to handle all the people on foot. They walked around like they were out on a picnic. And he had terrific range.

Could police officers have used the underground tunnels to reach the Tower sooner?

No. It took some time. These tunnels are a maze. The men who went through the tunnel had Sgt. Barr of the University security office to lead them. Without a guide they would have been lost.

Was the Austin police department prepared for this emergency?

We were prepared even though no one ever expected anything like this. Our motorcycle squad is trained in riot control and for emergency situations. We have general plans for this kind of situation, but not a specific plan for each possible situation. Our training has to be general. There are no two situations alike. One thing we want to add in light of this experience is a schematic drawing of the tops of all major buildings in town.

Remember this was the only crime of its kind in this city and of this magnitude in the whole country. This was a man who went up there prepared to die and he put in a lot of planning to do it. One of our men died trying to get to that building.

Twenty minutes after police were alerted we had him pinned down with return fire — heavy fire that also made it a hazard for officers trying to get up there. Our fire was so intense it knocked out his 35 mm rifle. It was struck by one of our bullets.

Does this crime again point up an urgent need for legislative controls on firearms?

I don't know of any gun laws that would prevent this kind of crime. It is a Constitutional

right to own and bear arms and it would take a Constitutional Amendment to change that. And I still don't think it would prevent it. New York's Sullivan Act only keeps guns out of the hands of honest people.

Were civilians encouraged by police to bring guns and fire on the tower?

No, they were not. They did it on their own. I imagine some of them had military training. And I don't want to condemn their action because their fire did help pin him down. And most important, it was not irresponsible shooting. They were shooting only at the tower.

Was anyone besides Allen Crum (Co-Op floor supervisor who went to the observation deck with Officer Ramiro Martinez) deputized by city police officers?

Crum was the only one formally deputized by my knowledge. He is a veteran of 22 years military service. And he wanted to go. When Martinez started up, Crum told him, "No sir, buddy, you are not going by yourself." That was just before other officers arrived.

In trying to take that Tower there were a lot of other things to consider. Was there

more than one, even a squad up there? What if they tried to come down? Other people in the tower had to be protected. Some of the men had to be guarding as well as see if the tower could be taken.

Did police ask for helicopters from Camp Mabry and Bergstrom Air Force Base?

This was considered but discarded because a helicopter would have been a sitting duck. We had a small plane up and found it moving at 50 miles per hour was vulnerable. There were two bullet holes in the plane when it landed.

What happened to communications? Why didn't officers in the tower have a hand-talkie for communication with officers outside?

Officer Moe (in the party sent through tunnels) did have a hand-talkie, but there was a problem in his using it and drawing fire from the sniper. W. A. Cowan (a Department of Public Safety intelligence officer) had telephone communication from the 27th floor with the University security office. We stopped police from firing when they asked us to, but had no control over civilians firing.

And people who ask why every police officer is not equipped with a hand-talkie probably don't know that the kind re-

quired for police use cost \$630 each. I know there is no question of cost when it comes to human lives. But you have to face a matter of economics in the ability of the city to maintain all the equipment you might like to have. And once you have them you can pay \$8 for batteries that last a few hours, or \$50 for a rechargeable battery. If you use rechargeable batteries you have to have more than a unit per man because they require 16 hours of charging for every eight of use.

Why didn't police officers use bullhorns to keep people away from the danger zones?

We did. We have one large and three small units. All were out there being used.

How many rifles did the police department have of its own equipment? Why weren't there more?

We have 15 rifles, 35 mm Remingtons. They were not adequate for the range and we hope to replace them with more powerful guns. But you might note that the rifles we have have not been removed from their racks for the past 20 years except to be oiled and cleaned and occasional practice to keep our men qualified in this type of weapons.



THE BRAVE ONES WHO DARED WHITMAN'S DEN OF DEATH AND GAINED VICTORY
They ended the tragedy of the tower: Allen Crum, Ramiro Martinez, Houston McCoy, Jerry Day.

The Dead: Who Were They? Why Were They There?

By CAROL McMURTRY
Staff Writer

It could have been anyone.

Charles Whitman fired with deadly accuracy, but chose his victims at random as he snuffed out the lives of adults, teenagers and an unborn child.

Victims did not know their killer; the killer did not know his victims.

Any person on campus or near The University on that black and bloody Monday could have come within range of Whitman's rifles and shotgun.

Forty-five persons died. Thirteen died.

Some walked together. For others the routes were totally unrelated on what became collectively the final day and final trip for 13 innocents.

"As far as I know, I'll be back next summer," Paul Sonntag told Mrs. Josephine Bailey, receptionist for the Parks and Recreation Dept.

At 18, Sonntag was passing his third summer as a lifeguard at Reed Pool. This was Sonntag's first year as a regular lifeguard. The son of Mr. and Mrs. Jim Sonntag spent other summers as a junior lifeguard.

Mrs. Bailey was fond of Paul and asked her casual question as the youth picked up what became his final city paycheck. With \$75.12 in his pocket, Sonntag and his steady girlfriend Claudia Rutt, daughter of Mr. and Mrs. Melvin Rutt, headed for the Co-Op, probably to purchase records. Paul parked his car on Guadalupe, across from Snyder-Chenards.

Crossing the street the young couple stopped and chatted with another 1966 graduate of Austin High School, Hildy Griffith, asking Hildy to come with them. Hildy, the daughter of Major and Mrs. L. B. Griffith, murmured, and walked on north towards the Varsity Theater and Kinsolving Dormitory where she was staying while attending a freshman orientation program.

Another classmate crossed Paul and Claudia's path. Carla Sue Wheeler, who was in the shadow of the Tower to get a prescription filled.

While the three college bound teenagers chatted there came a sudden noise. Sonntag thought a car had backfired. Carla said it was a gun, and almost simultaneously came a warning from a complete stranger, a warning of danger, a warning to take cover.

Before the young people moved came another, stronger message — a bullet whizzing by them.

Diving behind a construction barricade they waited briefly before Paul rose, opened the barricade's door to call:

"Carla, come look, I can see him. This is for real."

A bullet stilled Sonntag's vision, the youth fell, knocking the door open wide.

Claudia moved forward to be at Paul's side. Carla pulled at her friend with her left hand and another bullet struck. Carla was hit in the left hand. The same bullet penetrated Claudia's chest.

Carla's hand will heal. Doctors believe within a year or two she again will be able to play the piano. Claudia will never dance, an ambition she planned to more fully realize as a college student.

Help for the young people came like the original warning, from strangers. Carla was taken to Seton, Paul and Claudia were taken to Brackenridge.

There, after her death in the hospital's emergency room, Claudia was identified through initials on her class ring, which she wore with young Sonntag's, on a chain around her neck.

While the teenagers stood in the sun below, Whitman initiated his homicidal rampage far above their heads.

Inside the Tower three were already dead or about to die.

No one is left alive to say who first met the onslaught of Whitman's vicious spree — UT receptionist Mrs. Edna Townsley or a family of would-be sightseers, the M. J. Gabours from Texarkana and their Austin relatives, Mr. and Mrs. William Lampport.

A University employee since 1954, Mrs. Townsley moved to the Tower in 1958, first as an elevator operator, then as a receptionist.

Since 8 a.m. Mrs. Townsley had been at her desk more than 300 feet above the ground. Never to be answered is the confrontation between the 47-year-old woman and the 25-year-old Whitman. Friends say Edna Townsley was "a real scrapper." She may have pitted her 5'4" against the strength behind the husky 6' frame of Whitman.

Police found Mrs. Townsley still alive at 1:25 p.m., her thin body wedged behind a beige vinyl couch. Doctors fought in vain to save Mrs. Townsley, whose identity was first unknown at Seton Hospital.

But at 3:18 p.m. death overtook Edna Townsley. Shotgun wounds and a cruel blow to the head, believed to have been inflicted with a gunbutt, hushed the laughter people knew and remembered.

Perhaps the Gabours and the Lampports were nearing the Tower as Whitman attacked Mrs. Townsley. When Mike Gabour, 19, got to the final stair opening to the enclosed reception area, a desk barred his way.

Mike leaned across the desk. Like no one else once the slaughter began, Mike lived to tell what he saw:

"A man swung around and leveled off to fire." Mike Gabour was hit in the head. The impact threw him down the stairs, head over heels. As he fell Mike remembers hearing more shots.

With his shotgun Charles

Whitman was picking off Mary Frances Gabour, Mark Gabour and Mrs. Marguerite Lampport. Just a few feet behind them on another flight of stairs were M. J. Gabour and William A. Lampport, whom Whitman either missed or did not see.

Mike came to 45 minutes later, and fearful that "he might come back to finish me off," tried to pull himself to safety. He could move but slightly and "there was too much blood; I could get no friction."

Help finally came for Mike Gabour, but not for his brother Mark, a 16-year-old who would have been in the junior class at Texarkana, or his aunt, Marguerite Lampport, who welcomed her brother's family to Austin on the Gabour's first vacation in two years.

Mary Frances Gabour, mother of Mike and Mark and Mary Frances Gabour, who stayed at her job in Texarkana, is still in critical condition at Brackenridge Hospital.

Austin was the first stop in the Gabour's trip. The sports-minded family was heading on to Houston to attend Thursday night's all star high school football game.

As Whitman turned his rifle sights below him the massive hands on the Tower clocks moved ponderously towards noon.

From classes, from investigations, from eating, from laughing, from thinking, from living, the innocents were gathering.

At 2 p.m. Billy Speed would have completed his shift which began at 6 a.m. Officer Speed's routine investigation of a collision at 12th and Rio Grande was interrupted sometime after 11:50. The police had received word of a sniper on the University Tower.

Speed wheeled his Car 353 north, answering the urgent request for all units to back up officer Houston McCoy, initially assigned to investigate the report.

The former paratrooper and father of a 14-month-old girl moved towards the main mall on foot. Behind a wall Speed stood up. Whitman squeezed off a shot that whizzed towards Speed and found its mark, passing through a railing no more than six inches wide to fell the officer.

Speed's field report on the minor collision was found, incomplete, in his police unit.

As the deadly sniping continued on campus, two city employees in the electric distribution department sat eating their lunch in the West Avenue service building.

Loss of electricity doesn't wait on lunchtime, so when Roy Dell Schmidt and Solon McCown received instructions to make a "no light" call they went upstairs and got in their service truck.

McCown and Schmidt left the electric building at 12:05 p.m. Two minutes later a fellow officer reported Speed had been shot.

The two city employees were headed towards the 3200 block of Fairfax Walk, and took their normal route up West Avenue, across 19th to Guadalupe. On Monday they found a police officer directing traffic on Guadalupe. Unable to head up Guadalupe, the men stayed on 19th but turned on University Avenue when they spotted another city electric truck, a radio-television mobile news unit and a Chevrolet blocking the intersection at 20th and University.

Schmidt thought "there might be a fire," and he and McCown got out of their truck to see if they could be of assistance.

Sighting another city employee, Don Carlson, Schmidt and McCown were informed for the first time of the sniper in the Tower and took cover.

The three city employees crouched behind the Chevrolet until deciding to make a move. Schmidt moved from his crouch to a standing position.

A bullet zoomed across the

hood of the auto and Schmidt fell.

"I'm hit. I'm hit," Schmidt called. McCown raced to their truck to call for an ambulance and a first aid kit. It was 12:19 p.m. In just 11 minutes an ambulance arrived, but Schmidt was dead when he was taken into Brackenridge.

Harry Walchuk did not have a class until 7 p.m. Monday, but he went to The University to study in the library. By noon he was hungry, but before going to lunch, crossed from the campus to a Guadalupe Street newsstand.

Summer had brought Harry Walchuk back to The University of Texas, where 12 years earlier he had received his BA degree. Now he was back, this time to start work on his doctorate.

In the fall he and his family — a wife and six children — would return to Alpena College in Michigan. But when college was out the Walchucks would return to Austin and Harry would complete his PhD at The University.

The magazine sought by the 38-year-old Navy veteran — "a thorough-going scholar here to accomplish something" — was not at the newsstand, and Walchuk turned to leave.

Before the smoke from Whitman's rifle cleared from the Tower, Walchuk was hit, red staining his white shirt.

Another young student, ex-serviceman, marksman and avid hunter, Thomas Karr stepped from Batts Hall into the sun, pleased with the results of a Spanish test he had just completed.

Karr, a Fort Worth native who planned to join the State Department, studied late Sunday night. He decided to cut his next class and return to his apartment.

An honor student at Arlington State College, Karr was at the University for the summer session. Two of his 24

years had been spent in the Army, stationed in Taiwan. Graduation was one year away, and after that a hope for an assignment in South America.

Karr walked south, heading towards his West 28th Street apartment. His footsteps turned him towards the Tower.

From Toledo, Ohio, where he had just received his high school diploma, Thomas Eckman came back to Austin, and to The University where his father, Frederick Eckman taught in the department of English in the 1950s.

His nine weeks exam in anthropology completed, Eckman joined his friend Claire Wilson near Benedict Hall.

Whitman had just begun firing down from his Tower fortress.

Claire, more than eight months pregnant, fell in the 98 degree weather, exposed to the sniper's aim.

Thomas Eckman, a "gentle and affectionate boy" interested in literature, died trying to shield Claire.

For more than an hour the sun beat down on the young woman before she was snatched from the greed of the sniper.

In the operating room a baby boy "who would have been born in just a few weeks" was delivered. Whitman's bullet fractured the infant's skull. Life for baby boy Wilson lasted just minutes.

Iran was on Thomas Ashton's schedule. On Sept. 14 he would leave Austin for the Middle East to teach English as a Peace Corps volunteer.

Ashton called Redlands, Calif., home, the University of California his alma mater. In June he had received his degree in Business Administration and on June 20, arrived in Austin with 76 other Peace Corps trainees.

It was to the Student Union Building to join his friends that Ashton turned his footsteps af-

ter finishing a class in Persian — the language of Iran.

Two other Peace Corps trainees were heading towards the same regular luncheon gathering. David Mattson, 24, and Roland Ehke, 21, were near Sheftall's Jewellery.

Not one of the three youths had many steps to take to get to the Union. Mattson and Ehke made it out of the emergency room. Ashton, 22, did not.

No one at Brackenridge Hospital realized the full implication of the tragedy unfolding to the north when Dr. Robert Hamilton Boyer was brought to the emergency room.

Boyer, the first of Whitman's victims to be rushed to the hospital, was admitted at 12:20 p.m. This was the first and last admittance time recorded.

After Boyer there was no time.

Boyer had been in Austin less than 24 hours. Tuesday he would leave for Pittsburgh and then Liverpool, England, to join his family.

Frustrated by the nationwide airline strike, Boyer left the residence of his friends, Dr. and Mrs. Robert Palter to purchase a railroad ticket and send wires to his parents in Pennsylvania detailing his arrival plans. He had spent a month in Mexico in research and teaching.

It was the Palters' first visit from Boyer in more than a year, since Boyer completed a year as a visiting professor in applied mathematics in 1965.

Palter, in the University's philosophy department, let his friend out of his car at 11:40 a.m. Boyer had some business to complete in the main building. He and Palter would meet for lunch in the Faculty Lounge at 12:30 p.m.

Like the other 12 innocents Boyer, a Rhodes scholar, would never complete his plans.

Charles Whitman had another plan for each.