

# Douglas County Law Library

## E-Mail Newsletter



Vol. 11, No. 4; April 2014

---

### Contents

- Meeting and Event Announcements
- Update on HB 2651
- Law Day 2014
- Current Art Gallery Exhibition
- New Acquisitions
- Did You Know?
- This Month In Legal History
- Law Library Volunteer Opportunities
- Feedback
- Submitting Articles for Newsletter
- To Subscribe
- Back Issues
- Classified Ads

### Meeting and Event Announcements

The Defense Bar meets the second Friday of the month. This month the meeting is on the 11th.

The April Douglas County Bar Association Brown Bag CLE program has yet to be scheduled. For current information on the CLE, check the [DCBA website](#).

### Update on HB 2651

As reported in last month's Newsletter, HB 2651 is a bill that was introduced by the House Judiciary Committee that could allow the fees that attorneys are required by statute to pay to their local county law library to be redirected away from the law library for use by the local court. The bill had passed the full House on February 27th, and there was a question whether it would be taken up for action by the Senate.

The Senate Judiciary Committee held a hearing on the bill on Monday, March 10th. John Pickett, Johnson County Law Librarian, and Kerry Altenbernd, Douglas County Law Librarian, gave oral testimony against the bill at the hearing. In addition, the Sedgwick County Law Library submitted written testimony against the bill.

On March 14th, Greg Smith, Vice Chair of the Senate Judiciary Committee, Tweeted that "HB 2651 does not clear committee." It is not known whether the issue is dead for this legislative session or if an attempt will be made to bring it back in another bill later in the session. The situation is being monitored and appropriate action will be taken if it proves necessary.

## Law Day 2014

The Douglas County Bar Association's Annual Law Day Luncheon is Wednesday, May 1, 2014. This year's Law Day theme is *American Democracy and the Rule of Law: Why Every Vote Matters*. For more information on the luncheon, including location and cost, consult the [DCBA website](#).

## Current Art Gallery Exhibition

The April/May 2014 Law Library and Division IV art gallery exhibitions are paintings by Joanna Ward.

The exhibitions will run through the end of May 2014.

The June/July exhibitions in the Douglas County Law Library Art Gallery and the Division IV Art Gallery are scheduled to be paintings by Jeanine Smith. More information on these exhibitions will be in the June 2014 E-Mail Newsletter.

For more information on past, current, and future Art Gallery exhibitions, or for more information on the Art Galleries, please consult the Art Gallery page on the Law Library's website.

If you would like to exhibit your art in our galleries, or know of local artists who would like to show their original art here, contact the Law Library at 838-2477 or by e-mail at [info@douglascolawlibrary.org](mailto:info@douglascolawlibrary.org).

## New Acquisitions

Newly acquired material added to the Law Library's holdings:

AALL Spectrum, v. 18:5 and v. 18:6 (Mar. 2014 and Apr. 2014).

ABA Child Law Practice: Helping Lawyers Help Kids, v. 33:1, v. 33:3 (Jan. 2014, Mar. 2014).

ALM Experts, Litigators' Trusted Legal Resource: Midwestern Directory, 2014.

Advance sheets of the Kansas Supreme Court and the Kansas Court of Appeals, v. 298:2/v. 49:4 (Jan. 2014) and v.298 3/v. 49:5 (Mar. 2014).

Kansas Reports, v. 290.

Law Library Journal, v. 106:1 (Winter 2014).

Search and Seizure Bulletin, v. 52:2 and v. 51:3 (Feb. 2013 and Mar. 2014).

## Did You Know?

Every month, a bit of Law Library trivia is posted in the Law Library and on the Law Library's website. The previous month's "Did You Know" tidbit is then published here in the Newsletter. The hope is for this to improve communication between the Law Library and its users.

March's entry was:

The current attorney representatives on the Douglas County Law Library Board of Trustees are Julia Bellemere, Hatem Chahine, Jody Meyer, Sarah Warner, and Charles Whitman.

## This Month In Legal History

April 21, 1970 - Governor Robert Docking declares a dusk to dawn curfew for Lawrence, Kansas.

The spring of 1970 was a turbulent time for the United States. For several years there had been significant racial and student unrest across the nation, and it was increasing.

Lawrence, Kansas, had seen its share of trouble the previous few years, but it was becoming a flashpoint for the unrest that spring. There had been a number of incidents involving black and white students in and around Lawrence High School in March and April, and supporters of the civil rights and anti-Vietnam War movements were organizing and taking action on the University of Kansas campus. On April 15th, a large fight broke out in the high school cafeteria between black and white students. Police were called, and after the fight was broken up, another incident occurred outside a classroom. A number of students received minor injuries in the two altercations. Late that night, the Gambles Department Store in downtown Lawrence was totally destroyed by fire. Investigators discovered evidence that led them to believe the blaze had been started with a firebomb. Other incidents occurred in the days following the Gamble's fire, and tensions increased. At 9:13 in the evening of April 20th, three firebombs were tossed through a window of the Unified School District 497 Administration Center located just south of the high school. Only one of the three ignited, and the fire was put out by someone using a fire extinguisher. It caused only minor damage. A fire truck responding to the call reportedly had shots fired at it. At around 10:30 p.m., someone smelled smoke on the 5th floor of the Kansas Memorial Union, the student union at the University. Ten minutes later, the area was engulfed in flames. The fire spread quickly, and around 11:00 p.m. it broke through the roof in the west part of the building. Firefighters, aided by around one hundred student volunteers, battled the blaze. Although a large portion of the flaming roof collapsed, the fire was eventually brought under control in the early morning hours of April 21st, and the majority of the building was saved. Another fire was extinguished in a lumber yard, and at least three businesses had windows broken overnight. At around 9:00

a.m., violence broke out during a confrontation between a reported 150 black individuals and 20 Lawrence Police officers at the school district administration building, site of the attempted firebombing the previous evening. Local officials worried that the situation was getting out of control. County Attorney Daniel Young and Lawrence Mayor Don Metzler made a request to Kansas Governor Robert Docking to declare a state of "public crisis or emergency" for the town and issue an executive proclamation for a curfew. The Governor complied, and a 7:00 p.m. to 6:00 a.m. curfew was ordered to go into effect on the 21st for all persons in the city and within three miles of the city limits. In addition, 50 to 60 highway patrolmen were standing by ready to move in immediately in case of further trouble. National Guard troops were also called up and put on notice of possible deployment. During the hours of the curfew, all stores and shops were to be closed, and the only persons allowed to be out were those conducting business "of an emergency or essential nature." No ammunition, guns, explosives, or alcohol of any kind were to be sold, and gasoline sales were restricted to that put directly into the tanks of motor vehicles. Before the curfew went into effect, a number of windows were broken out at the high school, and dynamite was stolen from a construction site. Arrests were made in both incidents. Immediately after the curfew began at 7:00 p.m., a disturbance broke out just north of the KU Campus at the Rock Chalk Cafe, in which police cars were pelted with bricks and rocks and two people were arrested. Firefighters responded to a fire in an unoccupied building known as the "White House" near campus. They extinguished the fire, but were soon called back as another fire had been set. While on that run, at about 8:53, a fire truck was hit by four bullets. No one was injured. The authorities called in several squads of National Guard troops to search the area around campus, but

their search failed to locate a potential sniper. A bonfire was set in an intersection and there were unconfirmed reports of youths riding up and down streets throwing firebombs. Several additional sniping incidents were reported, with one being confirmed. The old Lincoln School building in north Lawrence, which was privately owned and used as a factory, was destroyed by an arson fire overnight. By the time the curfew ended at 6:00 a.m. that April 22nd, twelve people had been arrested for violating it, and over fifty bomb threats had been received. The night's tumult had been illuminated by a full moon shining overhead. When the high school convened later that morning, school officials had to decide whether to go ahead that day with plans to participate in a new national environmental awareness event called Earth Day. Students were scheduled to be released from class and fan out across the town to pick up loose trash and bring it back to the school parking lot for collection by the city's sanitation department. Despite all the troubles occurring in town, the decision was made to go ahead with the cleanup, and students were released from class. After everyone returned to the school, a rally was held to celebrate having cleaned up the town by collecting a huge pile of trash. Because of the troubles the night before, the local authorities decided that another curfew was needed and contacted Governor Docking. He declared a second night of curfew effective from 8:00 p.m. on the 22nd to 6:00 a.m. on the 23rd. Shortly after the curfew went into effect, a fire destroyed a garage not far from the KU campus, and there was a third arson attempt on the "White House." Two small fires were extinguished on the KU campus, one in a trash dumpster and one in the Military Science Building. Two minor fires were reported at residences in town, including one that was firebombed, and a firebomb was thrown at a business downtown. An officer with the KU Police Department reported he was fired on at 8:56

p.m. Forty-five people were arrested overnight, including two for possession of Molotov Cocktails<sup>7</sup>. The Governor declared a third night of curfew from 10:00 p.m. on the 23rd to 6:00 a.m. on the 24th. The prohibition on firearms and explosives was to continue past 6:00 a.m. Shortly after 9:00 p.m., a firebomb was thrown at a building housing a beverage business, and a few minutes later, another one was thrown through the window of an electric supply company. The owner of the electric supply company, who was on the premises to protect his property, fired five shots from a shotgun and six shots from a pistol at people running away down the alley. That fire caused significant damage. A few minutes after the electric supply company bombing, there was another arson attempt at a janitorial supply company. A little after midnight, there was a second firebombing at one of the houses firebombed the night before. Three other firebombings were reported overnight. Fifteen people were arrested for curfew violation. The authorities decided not to ask Governor Docking for a curfew for the night of April 24th-25th, but to remain vigilant and monitor the situation to see if things would calm down. They did, mostly, and the restrictions on gasoline, explosives, and firearms ended on the 27th. Things remained tense but calm until the nationwide uproar over the May 4, 1970, killing of four young people by Ohio National Guard troops on the campus of Kent State University. There was a major reaction from students at KU which caused concern that violence would erupt again. Tensions remained high, and boiled over again in July when two young men were killed by Lawrence Police officers. Rick "Tiger" Dowdell, a 19 year-old Lawrence native, was shot the evening of July 16, 1970, after allegedly firing on two police officers who had followed and stopped his car. Many members of the Black community in Lawrence disputed the police version, and attacks on police increased, with

an office being seriously wounded in a gun battle on the 18th. On the night of Monday, July 20th, a large contingent of police responded to reports that a fire truck had been fired upon near the KU campus. They released tear gas and a number of shots were fired. Nick Rice, a white 18-year-old Kansas University student, was hit and killed. On the 22nd, an all-white coroner's jury exonerated the officer who killed Rick Dowdell of any wrongdoing, but many locals did not believe the findings. Tensions increased, and Governor Docking sent in a number of Highway Patrol officers to help maintain the peace. The Lawrence Police did not ask for this to be done, and were offended by the implication that they were not capable of handling the situation by themselves. In August, an investigating team from the President's Commission on Campus Unrest found that the Lawrence Police Department had fired M-1 rifles and shotguns "at a dangerous level" in the July 20, 1970, incident in which Nick Rice was killed. Tensions remained high the remainder of the summer, but lessened as fall approached. They rose again when Summerfield Hall on the KU Campus was bombed on December 11th, but calmed down again as the town's most violent year in over a hundred years came to an end.

<sup>1</sup> Molotov Cocktails are incendiary devices made using a glass bottle filled with gasoline or other highly flammable liquid with a strip of cloth inserted into the open neck. The cloth is set afire and the bottle is thrown. When it hits a solid object, the bottle shatters, the liquid sprays around, and as it does the burning cloth sets it afire. Depending on the liquid used, the results can be anywhere from a fireball to a relatively long burning fire. They proved to be an especially effective weapon for partisan and other guerilla fighters to use against tanks and other armored vehicles. The term was coined by the Finns during the November 1939-March 1940 "Winter War" between Finland and the Soviet Union as an insult to the Soviet foreign minister Vyacheslav Molotov for his assertions that Soviet bombing missions over Finland were actually airborne humanitarian

food deliveries being made to their starving neighbors.

From: Lawrence Daily Journal-World, v. 112, no. 90 (April 15, 1970), pp. 1, 32; Lawrence Daily Journal-World, v. 112, no. 91 (April 16, 1970), pp. 1, 20; Lawrence Daily Journal-World, v. 112, no. 92 (April 17, 1970), pp. 1, 20; Lawrence Daily Journal-World, v. 112, no. 95 (April 21, 1970), pp. 1-3, 10; Lawrence Daily Journal-World, v. 112, no. 96 (April 22, 1970), pp. 1-3, 14; [Molotov cocktail](#), Wikipedia website; Lawrence Daily Journal-World, v. 112, no. 97 (April 23, 1970), pp. 1, 2, 10; Lawrence Daily Journal-World, v. 112, no. 98 (April 24, 1970), pp. 1, 9; Lawrence Daily Journal-World, v. 112, no. 100 (April 27, 1970), p. 1; This is America?: the Sixties in Lawrence, Kansas, by Rusty Monhollon. Palgrave, 2002; and, personal recollections of the Author.

Each month, an event from "This Month In Legal History," the history of law and jurisprudence of Douglas County that occurred during that month, is included in the Newsletter. The current entry is also posted for the month on the Law Library's website. Entries from past months are [archived](#) on the website. Submissions from readers are welcome and encouraged.

### **Law Library Volunteer Opportunities**

The Law Library Volunteer Program provides a capable and dependable volunteer work force to assist with the day-to-day operations of the Law Library and with its special projects. This work force supplements the paid Library staff and allows the Library to provide the best possible service to attorneys, local judges, and the public.

The Volunteer Program is instrumental in linking a valuable community resource - the citizens - with a valuable community institution - the Douglas County Law Library - for the benefit, growth, and enrichment of both.

If you or someone you know might be interested in volunteering for one of them, or if you would like more information on our

program and/or the positions we have open, please contact the Library or visit the “Volunteers” page on the Law Library’s website.

### **Feedback**

This Newsletter is intended to be useful to its readers. As in any enterprise, feedback on how the Newsletter is fulfilling this goal is crucial to our achieving it. If our articles are helpful, let us know. If they are not, let us know. If you have suggestions on how to improve the Newsletter, or comments and suggestions on the Law Library itself, please let us know. For your convenience, there is a link to a [feedback form](#) available on most pages of the Law Library's website. Thank you.

### **Submitting Articles for Newsletter**

The Editor encourages readers to submit articles for publication and/or make suggestions on material to be included in future issues of the Newsletter.

### **To Subscribe**

Contact the Law Library by mail, e-mail, or telephone and request a free subscription to the Newsletter. It will be sent to you as a PDF attachment to an e-mail. The Library’s mailing address is: Douglas County Law Library, Judicial and Law Enforcement Center, 111 East 11<sup>th</sup> Street, Lawrence, Kansas, 66044. The Library’s e-mail address is: [info@douglascolawlibrary.org](mailto:info@douglascolawlibrary.org). The Law Library’s telephone number is: 785-838-2477.

### **Back Issues**

Back issues of the Newsletter are [archived](#) on the Library's website.

### **Classified Ads**

Free classified ads may be placed in the Newsletter by contacting the Law Library. The Editor reserves the right to refuse anything deemed inappropriate and to add restrictions as the need arises.

No Ads this Month.



### **Douglas County Law Library E-Mail Newsletter**

Editor: Kerry Altenbernd  
Published monthly by:  
The Douglas County Law Library,  
Judicial and Law Enforcement Center,  
111 East 11<sup>th</sup> Street,  
Lawrence, Kansas 66044  
Phone: 785-838-2477  
Fax: 785-838-2455  
E-mail: [info@douglascolawlibrary.org](mailto:info@douglascolawlibrary.org)  
Website: <http://www.douglascolawlibrary.org>

© 2014, by the Douglas County Law Library