

# The Summer of 1970

## K.U.'s Kent State

PART ONE:

### The Killing of "Tiger" Dowdell

BY PAUL FECTEAU

On the afternoon of July 20, 1970, University of Kansas student Nick Rice made an unplanned return to Lawrence. He was spending the summer in his hometown of Leawood but had stumbled upon a forgotten parking ticket. It had to be paid by the 21st.

The Lawrence that Rice drove into may have appeared like a sleepy college town with its students away on vacation, but nothing could have been further from the truth. Violence had erupted on its streets, and one young man had lost his life.

Though Rice was surely aware of the discord, he also remained distant from it. He had completed his freshman year without involvement in any of the skirmishes that had culminated in what had already become a summer of bloodshed. Rice had no way of knowing that the battle was about to engulf him.

This Cold Case Kansas special article tells of events that preceded July 20. The story of Nick Rice is the focus of the second part of this series which will appear in the next *tmiWeekly* . . .

Tensions that had simmered a decade beneath the surface of the community burst into the open in 1970, dominating the headlines of the *Lawrence Journal-World* and papers throughout the state. Many of the disturbances ran along the fault line of race. The University had taken steps to recognize and respect black students, and one of those involved the creation of a cultural center dubbed Afro House located on Rhode Island Street. Afro House would have been controversial anyway, but it did not help that some of the activists who congregated there advocated violence. Racists in Lawrence had their answer in the form a group called The Minutemen who armed themselves in anticipation of confrontations with black revolutionaries.

Conflict also focused on a neighborhood at the base of Mt. Oread between the Rock Chalk Café and the Gaslight Tavern. Its residents became known as "the Street People." They rejected bourgeois values and experimented with communal living

and drug use. Many of Lawrence's conservatives called the neighborhood "Hippie Haven" and argued that the spot attracted the worst kind of drifters from around the country. Oread Street had, in deed, gained a certain caché in counterculture circles throughout the nation, and few of the Street People were K.U. students, but many were Kansans.

As the spring semester unfolded, blacks at Afro House and the denizens of the Oread counterculture found themselves increasingly at odds with the Lawrence Police. Community leaders urged the department to crack down in the wake of disturbances that may or may not have been the responsibility of activists. On April 20, a fire gutted the Student Union, and arson was suspected, prompting Governor Robert Docking to place Lawrence under a dusk-to-dawn curfew that lasted for three days.

### ***Fifty bombings and arsons took place in Lawrence between April and June.***

The atmosphere became more toxic in the wake of the Kent State shootings on May 4 and those at Jackson State ten days later. In response to rising tension, University Chancellor E. Laurence Chalmers suspended finals and allowed students to instead attend workshops on political discourse.

Perhaps the most detailed account of the events of that troubled year exists in Rusty Monhollon's *This is America? The Sixties in Lawrence, Kansas* (Palgrave, 2002). A Rossville native, Monhollon graduated from Washburn and K.U. and is now a history professor at Hood College in Maryland.

One way to summarize all that took place might be to note that, based upon records of the Fire Marshall, Monhollon estimates that 50 bombings and arsons took place in Lawrence between April and June.

In July, however, it appeared at first as though calm was making a comeback. It was not to be. On July 16, the tension

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between blacks and police claimed a young man's life, and the powder keg exploded.

was in the early days of what would become a storied career as a writer; he is perhaps most known today for his 1993 crime novel *The Late Man*. He lived in Lawrence in 1970 and was well aware of the city's precarious peace. He set out into the hot night, uncertain of what he would find.

James Preston Girard was awakened at midnight by a phone call from the news desk of *The Topeka Daily Capital* where he worked as a reporter. Radio traffic in Lawrence revealed that a cop had been involved in a shooting. The Lawrence Police Department kept their communications notoriously cryptic, so little more could be discerned without a reporter tracking down the details. Girard

At the police station, Girard learned that Chief Richard Stanwix had gone to a middle-of-the-night, high-level meeting at the county courthouse. Girard headed that way, but first stopped at the Safeway on 7th and New Hampshire to check in with the news desk. He learned that Lawrence Memorial Hospital had received a gunshot victim named Rick Dowdell. He was dead on arrival.

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Nineteen-year-old Rick Dowdell stood six feet five inches tall, was nicknamed "Tiger," and had become a regular at Afro House. He had six brothers. Their mother died when they were young, and they were raised by their grandmother. Rick Dowdell had become politically involved at Lawrence High School. At 16, he had addressed the city council about police harassment of blacks.

On July 16, shortly after 10 p.m., Dowdell asked K.U. student Franki Lyn Cole if he could get a ride with her to a friend's house on Mt. Oread. They left Afro House and got into her Volkswagen.

Two Police cruisers were outside. It had already been a violent night. A man on the porch of Afro House had been wounded by buckshot, and a white woman several houses down had been shot in the leg. Snipers had also fired upon the first police car to respond. The follow-up car, driven by Patrolman William Garrett, pursued Cole's V.W.

Accounts of the events remain inconsistent, but what amounted to a low-speed chase took place, ending when Cole's car stopped between New Hampshire and Rhode Island Streets. Dowdell ran down a dark alley, and Garrett followed. Gun shots echoed.

Garrett reported that Dowdell had a revolver in his left hand. Garrett ordered him to drop it and fired a warning shot. Dowdell fired at Garrett. Garrett fired three shots and continued to run down the alley. He tripped over Dowdell's body. Dowdell had been hit in the back of the head.

Garrett's version of events did not go unchallenged. Franki Lyn Cole said Dowdell did not have a gun. Dowdell's family insisted that "Tiger" had been right-handed. Others would question why Garrett fired into a setting so dark he later fell upon the man he had hit.

After learning of Dowdell's death, Girard hurried to the courthouse at 11th and Massachusetts. He walked down the dimly lit brick alley to the back door where he found Arden Booth, owner of radio station KLWN, and Dolph Simons, Jr., publisher of *The Journal-World*, waiting for city officials to emerge from the meeting. Booth and Simmons amounted to the "heavy artillery" of Lawrence journalism, so Girard knew that the city was facing a crisis.

Girard and Booth stood on the steps inside a recessed doorway, speaking in hushed tones about the killing of

first hand the days of strife surrounding the killing of Rick Dowdell. Bill Moyers, press secretary in the Johnson administration, was traveling the nation at work on *Listening to America: A Traveler Rediscovered His Country* (Harper & Row, 1971) when Simons invited him to Lawrence. He arrived a week before Dowdell's shooting and interviewed numerous individuals on all sides of the conflict.

On the day following the killing, Moyers drove to Afro House. The buildings nearby had come under repeated fire, and someone had thrown a

**Franki Lyn Cole said Dowdell did not have a gun. Dowdell's family insisted that "Tiger" had been right-handed. Others would question why Garrett fired into a setting so dark he later fell upon the man he had hit.**

Dowdell, while Simons paced in the alley. Shots rang out, and Simons dove to the ground behind the nearest car. Girard realized that they were under fire from a gazebo in the park south of the courthouse. The Undersheriff and two deputies raced out the door, their guns drawn. When they got to the gazebo, the snipers had vanished.

Girard was back in the office the next night, working the news desk. He listened on the police scanner as officers were dispatched to the eastside to investigate groups of armed men moving through the darkness. One of the cops, Lt. Eugene "Skinny" Williams, was ambushed and shot in the leg. Girard listened as car after car responded, only to come under fire. For perilous minutes, Williams was pinned down, and no one could come to his aid. Finally, enough police cruisers arrived to be used as a shield, so an ambulance could bring aid to Williams.

Another journalist, one of national prominence, also happened to witness

Molotov Cocktail through the window of the Laundromat next door. Moyers wrote, "I drove through the area. Smoke still hovered around the laundry. . . . Half a dozen young blacks stood in front of Afro House watching with sullen expressions each passing car. I stopped to get out but they gestured defiantly for me to keep moving and I did."

Moyers did collect fond recollections of "Tiger" Dowdell from John Spearman, the only black on the Lawrence school board, and from Dick Raney, the owner of Raney's drugstore where Dowdell had once worked.

Moyers left Lawrence on July 19. On the way to the airport, he spoke with a K.U. professor who summed up the climate in Lawrence: "There's something in the air that stings. You might call it mutual paranoia."

That was the atmosphere Nick Rice found himself in when he came to town on July 20. A couple years later, Nick's mother would write about her son's fate. The manuscript she produced has

never been published, but it remains in the archives at K.U.'s Spencer Research Library. The next issue of *tmiWeekly* will include an article that draws heavily from that document and continues this account of Lawrence's terrible summer of 1970.



About the author:  
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# The Summer of '70: KU's Kent State

*PART TWO:*

## The Killing of Nick Rice

BY PAUL FECTEAU

“Tiger” Dowdell had been dead for almost four days when Nick Rice entered the Gaslight Tavern on Oread Avenue in the Lawrence neighborhood that belonged to the Street People. Dowdell’s killing by a patrolman in a dark alley downtown, as described in the previous Cold Case Kansas column, had brought the city to the brink of chaos. Rice’s purpose in the bar became clear: he ignored all the lively conversation and strode directly to the pinball machine.

Rice had come to the Gaslight on July 20, 1970, to have a good time. To him, that meant playing pinball and talking to his girlfriend, Cecily Stevens.

Rice surely knew of the rising tension between the Street People, the free spirits of the counterculture so numerous in the neighborhood that it seemed their own little community, and the Lawrence Police. He was not, however, politically involved.

That is not to say he was dispassionate or self-centered. In her memoir, Nick’s mother, Esther Christianson Rice, recalls how, in April, he eschewed his own safety to help fight the fire in the Student Union. His reward had been a citation for curfew violation, though those charges were eventually dropped. Nick, a graduate of the Wentworth Military Academy, opposed the Vietnam War, but also expected to fight in it.

Nick had completed his freshman year as an engineering student at K.U., and a job at Baptist Memorial Hospital brought Nick back to his hometown of Leawood for the summer. He went to Lawrence on July 20 only because he wanted to pay a parking ticket before it was due. He had to be at work at 6 a.m., and so before the evening grew old, he was looking to leave.

He had promised a friend named Jim a ride to K.C., but Jim could

not be found. Nick waited for him. Outside, the fallout from the killing of Dowdell continued.

The Lawrence Police Department had responded several times that night to reports of trash fires and open hydrants in the area between the Gaslight Tavern and the Rock Chalk Café down the street. Officers arrived on the scene at various times and from different directions. No one of high rank was among them, and their efforts to coordinate were limited.

In his book on the ‘60s in Lawrence, historian Rusty Monhollon reports that those confronting the police numbered about 60 with about 100 spectators lining Oread. At some point, Nick went outside to see what was going on and became one of those bystanders.

The police were standing about a block from the Rock Chalk when a red Volkswagen became the focus of the drama. Many sources report that its owner, seeking insurance money, offered it to a group seeking to protest the loss of Dowdell’s life. They turned the car over in the middle of Oread Avenue. An unidentified man with a rag and a lighter attempted to set the car ablaze.

The police responded with pepper gas, and the man fled. A handful of patrolmen, some armed with M-1 rifles and some with shotguns, advanced up Oread Avenue. Numerous witnesses would report that one of the officers shouted, “Shoot the motherf’ers!” Shots rang out, and a woman screamed.

Nick Rice had been felled by the first shot and lay on the sidewalk bleeding from a wound in his head. A graduate student named Merton Olds, also a mere bystander, had been shot in the leg.

Nick’s friends rushed to his side. Cecily held his hand, while Tim Cragg and Allen Miller used towels from the

bar to try to stop the bleeding. Two gas canisters landed nearby, hindering efforts to aid Nick. A man named Scotty Stewart approached police and requested help, but a patrolman knocked him to the ground.

Nick’s friends eventually managed to carry him through the gas cloud and into the tavern. Twenty minutes after the shooting, an ambulance finally arrived. The driver found that Nick had stopped breathing but had a pulse. Efforts to revive him failed, and he was declared dead on arrival at Lawrence Memorial Hospital at 10:18 p.m. He had been struck by a bullet in the back of his neck, severing his spine and shattering his teeth.

With news spreading that a student had been shot by police, the city of Lawrence was about to become a war zone. Governor Robert Docking sent in the Highway Patrol who actually had jurisdiction on the K.U. campus where the Lawrence police did not.

Topeka Daily Capital reporter James Preston Girard had arrived on Mount Oread just after the shooting and in the days following was at

work on a feature story about one of the most prominent Street People. George Kimball had run for Sheriff of Douglas County as a member of the Yippie Party. Girard accompanied Kimball to a secret meeting at the Rock Chalk Café and was surprised to find in attendance Colonel William L. Albott of the Highway Patrol. Girard was not the only one surprised.



Nick Rice's KU Student ID Photo.  
University Archives, Spencer Research Library, University of Kansas

When he arrived in Lawrence, Albott had calmly entered the Rock Chalk and the Gaslight and opened a dialogue with the Street People. The Lawrence Police had never attempted such an approach.

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Girard recalls the secret meeting as “very frank and even emotional.” In exchange for cooperation from the Street People, Albott agreed to personally patrol the area, keep away the Lawrence police, and ignore drug use. Albott would later report that at first, the street people “called me ‘pig,’ but that stopped quickly, and they started calling me ‘Colonel.’”

Lawrence managed to make it through the tense days ahead without further bloodshed, and for that Albott deserves a measure of the credit. Girard regards Albott as “one of the few heroes” of that tragic summer and recalls hearing from a young flower child that she felt safe when “the man in the Smokey-the-Bear hat” was around.

If the way forward for the city of Lawrence turned out more favorable than expected, the future for the parents of Nick Rice was even more nightmarish than could have been imagined. Grieving for a child was itself, obviously, a horrible process, but one assumes that process takes place amid the sympathy of friends and the community. There would be little sympathy for Esther Christianson Rice and her husband Harry Dollar Rice. They received hate mail and threatening phone calls from crazies on the right who proclaimed that Nick got what he deserved. Even more hurtful, though, was the silence of their friends and peers.

Chris, as she was commonly known, and Harry, who had served in Patton’s army, met as K.U. students in 1947 and wed on campus in Danforth Chapel in 1948. They were conservative Republicans, proud of their country and state. Many conservatives and traditional Kansans, however, felt that if the police shot a man, that man must have done something wrong. According to Chris, the local news media did a poor job of clarifying that Nick was not involved in any of the destructive acts that had taken place on Mount Oread. Some family friends seemed to know but not care that Nick had been an innocent bystander--they simply told Chris and Harry, “My boy would never have been there in the first place.”

The family also took little solace from any of the investigations that took place. A K.B.I. report released August 19 found insufficient evidence

to establish that it had been the police who had shot Nick. It did confirm that Nick had done nothing more rebellious that night than play pinball. The report stated that his fingers tested negative for traces of sulfur, his clothes tested negative for traces of gasoline, and his blood tested negative for any illegal drugs or alcohol.

A few weeks later, the official inquest exonerated the police. It was a maddening experience for Nick’s parents as they sat through hours of testimony from the patrolmen regarding the unknown individual with the matches and rag who tried to burn the V.W. The goal of this material, it seemed to the Rices, was to conflate that rag with the towel from the bar used to staunch Nick’s bleeding--that towel had been photographed abandoned on the sidewalk next to a pool of Nick’s blood. Under Kansas law at the time, the police were allowed to use any force to stop a fleeing felon, so even if the testimony did not aim to imply Nick was confused with that felon, it provided justification for the shooting by indicating that the officers fired for a reason.

All the officers except one testified that they had fired upward in warning. Oread Avenue rises toward campus, so though they may have been aiming high, they might still have hit Nick. One patrolman stated, however, that he had fired on a level line. Girard was there covering the inquest and recalls the spectators gasping at this officer’s admission. Many of those at the inquest and others in Lawrence think to this day that it had to be this man who shot Nick, but Girard regarded him as probably just the most honest of the cops who testified. Girard took all of them at their word, though, when they stated they had not intentionally shot at Nick Rice. With all the pepper gas floating around, Girard surmises that the officer who actually hit Nick never knew that he had done so.

That fall, Nick’s death became a political issue. Docking’s use of the Highway Patrol in response to the crisis did not sit well with hard-line Attorney General Kent Frizzell who challenged him for governor. In her memoir, Chris recounts a conversation she had with Frizzell

a Republican Party event prior to the inquest. She approached the Attorney General because she and her husband were frustrated by rules barring them from having their attorney play a role in the proceedings. Frizzell’s response was to question her about Nick’s arrest for curfew violation. When Chris explained that, Frizzell said he had heard that her son used to wear a beard. At that point, Chris reports that she lost faith in the Republican Party. The voters eventually re-elected Docking with a comfortable margin.

In 1971, frustrated by the media’s inaccurate reports, Chris began writing about what happened to Nick and ultimately produced a short manuscript. Its title posed a simple question: *Who Killed Our Son?* The answer, despite the lack of conclusiveness on the part of the official investigations, seemed simply answered: a Lawrence Policeman killed Nick. Chris, however, hopes the question prompts readers to ponder a broader context, for she came to believe that the Lawrence establishment by its unyielding stance created the circumstances that cost her son his life.

Despite their heartbreak, Chris and Harry did not abandon Kansas.

Harry continued to reside in Leawood until his death in 2004, and Chris still resides there today in the same house they lived in that horrible summer. *Who Killed Our Son?* remains unpublished but is available at K.U.’s Spencer Research Library.

Monhollon, who put years of research into his book, *This Is America? The Sixties in Lawrence, Kansas*, doubts those of us who did not live through the tragedy can “appreciate what an intense period in Lawrence history it was.” Two young lives were lost and two families left forever wounded, but Monhollon notes, “it was actually fortunate there weren’t more casualties.”

About the author:  
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