

Statement from MICHAEL KELLY SEDLAK

Beginning time: 2:19 A.M., July 21, 1970

Mike Elwell, Assistant County Attorney, advised Officer Sedlak of his right to remain silent and to have an attorney present; that anything said could be used against him; that his statement must be voluntary and that he could stop at any time and request an attorney to be present. No promises were made and he was further advised that if he desired an attorney and could not afford one, the county would secure an attorney for him.

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- Q. Could you tell us what happened?
A. Was with Garcia. We followed one of the trucks. Fox and I were walking up. We heard shots up by the Rock Chalk and I was hit with a brick in the chest.
Q. Where were the firebombs?
A. I heard it on the radio. People said it came from an apartment. Fox was struck in the mouth with an object and saw the Volkswagen go over and started to run. Noticed one kid sticking a wick and got it lit.
A. I fired one shotgun blast into the air as a warning. The last time I saw the subject he was running up the sidewalk and then someone said someone was hit.
Q. Did you see the wick?
A. Was a T-shirt.
Q. Did you see how it was bent over?
A. The shirt was gassed down
Q. What kind of ammo in your gun?
A. .00 buck. I didn't think anyone was hit and then they started to rock us again, so we pulled back where we could watch.
Q. Did you fire your sidearm?
A. No.
Q. Did you call out before firing the shot?
A. Hollered 'halt' and then fired.
Q. How many were around the car?
A. Four or five.
Q. How many times did Gails fire? P. UNINQER
A. He said two up in the air.

(2:30 A.M., 7-21-70, W.L.A.)

Albatt

- Q. You didn't see Shroud?
A. No.

(continued on page #2)

(continued from page #1)

- Q. Did you see the subject fall?
A. No, last time I saw him he was running.
Q. How far from the car was he laying?
A. I'd say about 75'.
Q. How close was the subject to you when you fired?
A. About 40' in front of me in front of 1225 Oread.
Q. Was gas in the street?
A. Was either oil, water or gas.
Q. Do you have any idea who might have shot the boy?
A. No.
Q. Was the one that was killed the one who was lighting the fire?
A. It was the same one.

(2:35 A.M., 7-21-70, W.L.A.) Albatt

- Q. How long before the ambulance arrived?
A. Not too long. Everyone was hollering he had been hit.
Q. Do you have a carbine?
A. No, just .357 and shotgun.
Q. What was the range when you fired?
A. Close enough that if I had aimed it would have cut him in half. Well, not really, but it would have killed him.
Q. Who would have been closer?
A. All about the same distance.

(2:41 A.M., 7-21-70, W.L.A.)

(1965 VW, owned by John [redacted] Westwood, Lawrence, Kansas, red in color--information from Sheriff's Office Dispatcher.)

- Q. Did you get hit?
A. In the chest by a small brick.
Q. Did you talk to Shroud?
A. I said to Shroud, was you up there, and he said no.
Q. Was this before you knew the subject was dead?
A. Yes.
Q. How was the subject at the Volkswagen dressed?
A. Believe he had on a bluish T-shirt.

2:46 A.M. - 7-21-70: Closed interview.