OFFICE MEMORANDUM

MARQUETTE UNIVERSITY

To: Rev. John P. Raynor, S. J.  
President

Date: July 17, 1978

Subject: Mr. Spence's Request of June 26, 1978 for the 
Results of Our "Investigation" re the Death 
of his son, Wally Spence.

On Friday, May 12, 1978 shortly after 5 p.m. I was able to reach 
Mr. Spence by telephone to confirm with him that we would make inquiry 
into the questions that he had about the circumstances related to Wally's 
death. He seemed pleased to have that information.

Later Friday evening I telephoned Mr. Spence again because Fr. 
Landermeyer called me to say that, following their conversation, he 
understood Mr. Spence was not satisfied with the content of my 5 p.m. 
television call. In this second phone call, at about 7:45 p.m., Mr. Spence 
told me that he was satisfied with our 5 p.m. discussion, but that he 
had understood that Fr. Landermeyer was to have asked me for a dual 
investigation by both Marquette and the City authorities. I responded 
that Father Landermeyer had commented on it, but that I wasn't sure 
that was possible or something similar. After a few minutes discussion, 
Mr. Spence then told me that he did not want Marquette to investigate his 
son's death, but that he wanted us to turn over the information he had 
gathered during the preceding week to the civil authorities. I told 
Mr. Spence this was different from what we discussed in our 5 p.m. telephone 
call, and not at all what I understood him to be asking of me (and of you 
and Dr. Quade) the preceding day, Thursday, May 11, 1978 in my office. 
Mr. Spence made it clear to me in this second telephone call Friday evening 
that I was only to inquire of you whether or not we would turn over to 
the civil authorities on Monday, May 15, 1978 the material Mr. Spence had 
gathered, and that if we declined or if he did not hear from you via me by 
mid-night, Sunday, May 14, 1978, he would turn over the information himself.

I called Mr. Spence about noon on Saturday, May 13, 1978 and, per 
your instructions, offered to continue our inquiry in an attempt to answer 
his questions, or if he chose, he was free to go to the civil authorities 
with his information. I told him, however, that if he chose to go to the 
civil authorities, by law our inquiry would of necessity end at that time. 
He restated his position of Friday evening: that the choice was not an 
investigation by Marquette, but rather whether Marquette would provide to 
the civil authorities the information he had gathered during the preceding 
week which was in his possession at that time or whether he would do so 
himself so that the civil authorities could conduct the investigation.
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I then called Mr. Spence about 1:30 p.m. that Saturday stating that we would provide his material to the civil authorities as soon as possible after Monday, May 15, 1978 following our making Xerox copies of the information. (I told him that meant Monday or Tuesday and certainly no later than Wednesday). At that point, Mr. Spence told me he would have to consult with his family, and that he would call me at home Sunday, May 14, 1978 with his answer. He may have tried to reach me while we were at church between 10:30 a.m. and 1:15 p.m., but not having heard from him by 5 p.m., I called him. His wife said he had stepped out for a few minutes, and I asked that he call me as soon as he was able. Our phone did not ring the balance of that evening. On Friday, May 19, 1978, the Medical Examiner began an inquest at Mr. Spence's request, and, so far as we know, that inquest continues.

Since there was the possibility of a civil investigation and in fact it later began, we could not and did not proceed further with our inquiry. Thus, there is nothing further we can provide to Mr. Spence.

If you wish, you may provide a copy of this memorandum to Mr. Spence.

Sincerely,

James H. Scott
Vice President
Student Affairs

JHS:pr