

# Jackson Juror Hits DA

SAN RAFAEL, Cal. (LAT)  
—The evidence presented of a conspiracy in George Jackson's alleged San Quentin escape attempt was "very weak," a member of the grand jury that returned seven murder and conspiracy indictments in the case has charged.

"The grand jury did not objectively and thoroughly examine the charges made," Gerald A. Hawes of San Rafael said yesterday.

"We were unable to ask the proper questions of witnesses, unable to hear all the evidence we should have and did not deliberate the way we should . . . We did not act independently of the District Attorney."

Jackson was killed Aug. 21 in what prison officials charged was an escape attempt. Three prison guards and two other inmates were also killed.

Hawes, a 37-year-old research analyst for the U. S. Dept. of Health, Education and Welfare, resigned from the grand jury shortly after the indictments were returned Oct. 1.

In an interview, he centered his criticism on the grand jury system and on the methods Marin County District Attorney Bruce B. Bales, used to present evidence.

Bales was unavailable for comment.

Hawes said it was "difficult to understand" how, as authorities have alleged, Jackson, in the presence of guards, was able to remove and brandish a gun and two clips of ammunition concealed in a wig.

"I felt what we heard about the conspiracy was very weak," he added. "If the indictments had been rewritten, making the allegations more specific, there would have been less trouble finding areas of agreement . . . but

in fact the grand jury never altered so much as a comma in the indictments as they were prepared by the District Attorney."

In San Francisco, a Superior Court judge ruled yesterday that Jackson must be presumed innocent in the January, 1970-slaying of a Soledad state prison guard.

Judge S. Lee Vavuris said for the record that in the U. S. a man is presumed innocent unless proven guilty beyond any reasonable doubt and moral certainty.

Since no evidence was presented against him, the judge said, "the presumption of innocence of George Jackson still stands."

Vavuris announced his decision at a pretrial hearing for Fleeta Drumgo, 26, and John Clutchette, 28, who are scheduled to stand trial Monday for the slaying of the prison guard. The defendants have become known as the Soledad brothers. Drumgo has also been charged with five counts of murder in the Aug. 21 violence at San Quentin.

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