

# Davis Defense, Urging Acquittal,

By Sanford J. Ungar  
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SAN JOSE, Calif., June 1—  
An attorney for Angela Davis,  
his voice choked with emotion

here today pleaded with the jury of 11 whites and a Chicano to "think black with me, be black with me for a few minutes" in order to learn why Miss Davis should be acquitted of murder, kidnaping and conspiracy charges.

Summarizing the defense's case, Leo Branton, of Los Angeles, said, "you have to understand what it is about the history of this country which has made an Angela Davis."

If they were black, Branton said, the jurors would know "that 300 years ago, your forebears were brought to this

country in chains . . . and only the strongest survived."

With the capacity audience in the tiny courtroom of Santa Clara County Superior Court listening intently, Branton told the jurors, "as a black person, you realize that the chains of slavery, visible or invisible, are still there.

**"You Can Revert"**

"Don't worry," the lawyer reassured the jury, "when the case is over, you can revert to the safety of being white."

Branton argued that it was Miss Davis's black consciousness and her role as a "black

militant" and a member of the American Communist Party who was fighting for her job as a philosophy professor at UCLA that led her to flee California on Aug. 7, 1970, and go into hiding.

That was the day when Superior Court Judge Harold J. Haley was shot to death in a parking lot outside the Marin County Courthouse north of San Francisco.

The state of California contends that Miss Davis, 23, was part of a criminal conspiracy with Jonathan Jackson to kidnap Judge Haley and others as

## Asks Jury to 'Think Black'

hostages for the release of Jonathan's older brother George and two other prisoners known as the Soledad Brothers.

Assistant State Attorney General Albert Harris Jr. has presented eyewitnesses who contend they saw Miss Davis with the younger Jackson at San Quentin state prison and near the Marin County Courthouse in the days leading up to the shootout.

### Defense Contention

But another attorney for Miss Davis, Howard Moore,

Jr., criticized most of those witnesses as unreliable.

Moore contended that their identifications of Miss Davis were invariably couched in terms of "racial stereotypes" such as "plain Negro," "colored girl" and "fair-complected" young black woman.

"How do you understand the gradations of color among black people?" Moore asked rhetorically. "Is Willie Mays fair-complected as compared to Vida Blue?"

Branton also told the jurors that in order to believe much of the circumstantial evidence

presented by the state — for example, that she bought a gun in her own name on the night of Aug. 5, 1970, with intent that it be used "to blow the judge's head off" — they would also have to believe that she was "a fool."

Had she participated in the kind of "idiotic plan" outlined by the state as a criminal conspiracy, the lawyer said Miss Davis would have been clever enough to cover her tracks and disguise herself, as she later did when she went underground.

As evidence of Miss Davis's

frightened state of mind at the time she fled from California, Branton read from letters she had received at the UCLA philosophy department in the preceding weeks:

"Hey, you, with the Fiji hair style . . . Communism is only for white people."

"Listen, you Commie bitch, . . . we don't need your Commie nigger s-- talk."

Branton contended that the prosecution in the Davis case had "taken truth and twisted it into lies . . . taken innocent acts and converted them into criminal acts."