

# Tijerina Trial Stuns Officials

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ALBUQUERQUE, N.M., Dec. 15—The acquittal of Reies Lopez Tijerina Friday on three charges resulting from a celebrated courthouse raid a year and a half ago has stunned New Mexico's officialdom.

It also appears to have escalated Tijerina's land grant protest organization, known

as the "Alianza," into new arenas of social protest.

The 42-year-old Tijerina had been accused of second-degree kidnaping and false imprisonment in the June 5, 1967, raid, which left a state policeman and a jailer gravely wounded. A third count of "assault on a jail" had also been leveled at the Texas-born militant.

Following a four-hour deliberation, a Bernalillo

County jury in Albuquerque unanimously voted for the verdict that threw Tijerina's grass-roots followers into joyful tears and the three-man prosecution council into shock.

"This is a complete surprise," said District Attorney Alfonso Sanchez, who that morning in his final argument to the six-man, six-woman panel had pleaded "that the court must have restriction over this man's life."

The confrontation was particularly emotional because Sanchez himself had been mentioned throughout the three weeks of testimony as the target of the 1967 raid. Tijerina's group, pledged to obtain recovery of millions of southwestern acres under ancient Spanish-Mexican land grants, had been furious at the district attorney for blocking one of their rallies. The raid, the defense was to insist during the trial, was an aborted attempt to perform a "citizen's arrest" on Sanchez.

Official reaction to the verdict has reflected the growing frustration at Tijerina's ability to escape court restraint on his frequently hard-line tactics. Rio Arriba County Sheriff Benjamin Naranjo, who was bloodied during the courthouse assault, was bitter about the outcome.

Tijerina himself walked out of the courtroom bubbling with new notions for publicizing his land grant "causa" and adding new abuses to his collection of gripes against "Anglo" society. A participant in last spring's Poor People's Campaign in Washington, Tijerina said he plans to "reorganize the Alianza" and write a book, "A New Science," which will detail how the "racial gap" between blacks and whites "can be bridged by the browns."

More immediately, Tijerina, together with his legal adviser, William Higgs of

Greenville, Miss., plans to pursue an Alianza-sponsored suit against the New Mexico Board of Education. About 25 plaintiffs are charging discrimination against the state's Spanish-speaking population because of the absence in public schools of Spanish language instruction and courses in Spanish history and culture.

Tijerina characterized Presiding Judge Paul Larrazolo's instructions to the jury regarding citizens' arrest as "a breakthrough." Higgs said Larrazolo's definition makes a citizen's arrest "one of the basic weapons against dictatorships and dictatorial practices."

The controversial portion of the instructions that Larrazolo read slowly to the jury stipulated that, "... anyone, including a state police officer, who intentionally interferes with the lawful attempt to make a citizen's arrest, does so at his own peril, since the citizens are entitled under the law to use whatever force is reasonably necessary to effect said citizen's arrest . . . to defend themselves in the process of making said citizen's arrest."

The three charges against Tijerina were cut out of 54 stemming from the raid. The mass charges were all filed against each of ten Spanish-American defendants, but shortly after the

trial began Nov. 12, Larrazolo ordered a separate trial for Tijerina because of the procedural problems that quickly arose from the cumbersome mass trial. The following day Tijerina, a former roaming evangelist, received the court's permission to conduct his own defense.

Where Friday's decision leaves the pending cases is a question foremost in official minds. James Thompson, who defeated Sanchez for district attorney in the last election, was a court-appointed attorney for one of the raid defendants a year ago. "In this particular situation I think it would be best for the state to designate the Attorney General to prosecute from here on," he said.

One indictment involves the shooting of the courthouse jailer, Eulogio Salazar. Salazar was found bludgeoned to death one freezing morning last January, but not before he had identified Tijerina as his assailant in the shooting. His murder remains unsolved. Whether Salazar's testimony will be admitted during subsequent trials keeps a cloud over Tijerina's future.

But Tijerina is not worried about the future. He staged a rally-dinner-dance at his Alianza headquarters Saturday night, attended by about 300 faithful and guarded by "Brown Berets," a Spanish-American counterpart to the Black Panthers.