

Order to Detain Lawyer Canceled

By Paul Avery



AP Photo

BERKELEY ATTORNEY STEPHEN M. BINGHAM
He may have contacted Marin authorities

Berkeley attorney Stephen Mitchell Bingham—sought for questioning about Saturday's bloody breakout try at San Quentin Prison—is believed to have contacted Marin county authorities. The Chronicle learned yesterday.

This development in the investigation of the escape attempt in which three guards and three inmates were killed came to light when it was learned an all-points bulletin for Bingham's detention had been canceled.

The bulletin ordering Bingham picked up for questioning was issued several hours after the breakout attempt. Prison officials, piecing together the sequence of events, determined Bingham had visited black convict George Jackson minutes before Jackson produced a pistol from his hair and launched the try for freedom.

On Sunday morning, the

pickup order was canceled. Marin county District Attorney Bruce Bales confirmed it was he who ordered the bulletin withdrawn.

He declined to discuss why he had taken this action.

But reliable sources hinted it was because Bingham, scion of a socially prominent and politically powerful Connecticut family, had gotten word to Bales that at some point he would come forward and talk.

COMMENT

Bales himself lent credence to this suggestion by commenting "I believe Mr. Bingham will make himself available to me in regard to this matter."

Bingham, 29, a 1964 honors graduate of Yale University who two years ago earned a law degree from the University of California, has not been seen since about 2:35 p.m. Saturday.

San Quentin officials said it was at that hour that Bingham left the visiting room, where he had conferred with Jackson, and drove away from the prison in the company of a woman.

Authorities refused to reveal the identity of the woman, who had signed the prison logbook when she entered through the main gate, but, The Chronicle learned, her last name is Anderson.

One San Quentin source said the woman had requested that she, too, be allowed to visit Jackson, but was denied access to him.

While authorities repeated that they wish to talk with

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Bingham, there was no indication that the woman is also being sought for questioning.

This was another puzzling point, for guards at the gate have told investigators it was she who was carrying Bingham's briefcase when a metal detecting device signaled something suspicious might be inside it.

RECORDER

Guards opened the briefcase and found a cassette tape recorder, which was given a cursory examination and passed through the main gate with Bingham.

Bingham took the briefcase and recorder with him when, alone, he went to the visiting room to interview Jackson, prison sources said.

Investigators said yesterday they now have reason to believe the "guts" of the tape recorder had been removed and a pistol hidden inside the machine which Jackson removed while talking with Bingham.

It was conceded by prison officials that Bingham may have had no knowledge the recorder was being used to smuggle a weapon to Jackson, who was awaiting trial for the killing of a Soledad Prison guard in 1970.

VISITS

Officials revealed yesterday that Bingham's Saturday visit was not his first with Jackson, but they declined to say how many times the two men had conferred.

It also came to light that the prison grapevine had been buzzing for at least two weeks that "something big" was about to happen.

Because of an incident on August 1 involving relatives of Jackson, sources told The Chronicle, prison administrators believed the convict was possibly involved in the "something big."

On August 1, The Chronicle was told, Jackson's sister, Penny, and two of his young nephews and a young niece, went to San Quentin to visit

the convict. Sources gave this account:

As one of the boys walked through the metal detector, the machine signaled an alarm. The youngster smiled and pointed to his shoes, which had metal buckles, and his metal-buckled belt.

Guards asked the youngster to remove his belt and shoes and had him walk through the detector again. The alarm sounded this time, too.

SEARCH

Guards then searched the young boy and discovered a metal toy cap pistol taped to his thigh. A search of the other nephew and the niece showed each was carrying a hidden plastic toy pistol.

The four relatives of Jackson were denied visiting privileges that day and sent away after officials talked with them and were told "the children meant no harm . . ."

Some officials, however, believed at the time the incident might have been a "dry run" to test the alertness of guards and ways to try and "beat" the metal detector.

Officials said they made no public disclosure of the incident because they felt it might be construed as an attempt to prejudice Jackson's position prior to his trial.

Friends of attorney Bingham said he had been assigned by the lawyers representing the Soledad Brothers to do research in the case.

SHOCK

All who know Bingham well expressed shock that authorities would want to question him.

"There is no way he could be involved in what happened," said one lawyer who has worked with Bingham.

Bingham's father, Alfred M. Bingham, a prominent attorney in Salem, Conn., flew to San Francisco yesterday.

The father expressed confidence that "this will all be cleared up . . . my son could not be involved in anything of this nature."

Young Bingham is the grandson of the late Hiram Bingham, onetime Republican governor and U.S. senator from Connecticut, and the nephew of Representative Jonathan Bingham, a Democratic congressman from New York state.

He has been an active champion of the cause of blacks since his undergraduate days at Yale.