

'Soledad Brothers' Conflict Incites 11 Violent Deaths

By Harold V. Streeter

It began 20 months ago with a guard's blood on the floor of "Y" wing at Soledad Prison.

Last Thursday there was more blood, of police and spectators, on the floor and seats of a third floor courtroom in Department 21 at the Hall of Justice.

They call it the case of the Soledad Brothers.

Over the 20 months, the case has been marked by:

- At least 11 violent deaths.

- Extensive legal activity in three counties, Monterey, Marin and San Francisco.

- Tight security measures at the Marin Civic Center and here in the Hall of Justice.

- A precautionary lockup at all state prisons while disciplinary and security processes were reviewed and revised.

5th Judge

The end is nowhere in sight. Already four judges have been cast in the temporary role of trial judge. A fifth still must be picked for the opening of the trial, now set for Sept. 20.

One defense attorney expects a six-month trial of the defendants, black convicts John Clutchette, 28, and Fleeta Drumgo, 26, over the killing of white guard John V. Mills at Soledad on Jan. 16, 1970.

Security for the actual trial seems certain to be increased.

Each trial day Clutchette and Drumgo must be brought here from San Quentin where defendant George Jackson, 30, was killed in the Aug. 21 outbreak.

As many as 19 prison inmates have been listed as

"adversary witnesses." Some are reported afraid and unwilling to testify. Those who do must be brought under guard.

Guard Mills was beaten to death and his body flung over the third floor railing of "Y" wing at Soledad only three days after another white guard shot and killed three black convicts in a nearby exercise yard.

Jackson, Clutchette and Drumgo, all serving time from Southern California for burglary, were charged nine days later with the murder.

The following June 15, after a defense contention of excessive prejudice in Monterey County, the case was switched to San Francisco.

Marin Shootout

On Aug. 7 of last year, while the three Soledad Brothers were in San Quentin, Jackson's younger brother, Jonathan, 17, smuggled guns into a Marin Civic Center courtroom where a San Quentin convict was on trial.

Using the guns, young Jackson and three convicts led the judge, a prosecutor and two women jurors out of the courtroom to a van.

In a resultant shootout, two convicts, young Jackson and the trial judge were killed.

Investigators said it was a plot to take hostages and obtain release of the Soledad Brothers — a charge denied by convict Ruchell Magee now awaiting trial in the case with black militant Angela Davis.

The Aug. 21 violence and escape attempt at San Quentin added six more deaths, including that of George Jackson, to the far from resolved case of the Soledad Brothers.

When and if the Soledad trial opens Sept. 20, there

will be a resumption of crowds at the courtroom door, far exceeding the less than 70 seats open to the public.

The first two rows are for news reporters.

Spectators and the press are separated from the judge, attorneys, defendants and the jury box by a floor-to-ceiling barrier of metal, wood and bullet-proof glass, erected at a cost of \$15,000.

One of the defense attorneys recently shouted, "We're going to tear this God-damned thing down."

Sound Proof

The barrier is soundproof. A public address system allows what the lawyers and the judge say to be heard by the spectators — if the parties speak into their microphones. When they don't, those in the spectator section see only a movement of lips.

Even when the parties speak directly into the microphones, the broadcast to the spectators is barely audible.

It was lost altogether Thursday when bailiffs started to remove Mrs. Doris Maxwell, mother of defendant Clutchette, because of disruptions. Screams bounced off the walls during the ensuing battle between Tactical Squad police swinging night sticks and spectators swinging fists.

Over the weekend, Presiding Superior Judge Francis McCarty called for a crack-down on courtroom disruptions, including the swift ejection of unruly spectators.

And the president of the San Francisco Deputy Sheriff's Association, whose members serve as court bailiffs, said they would not show up for the trial unless they were guaranteed disability in event of injury.

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