

BINGHAM CHARGED IN PRISON DEATHS

Lawyer, 29, Is Accused of
Smuggling a Weapon to
Jackson During Visit
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By WALLACE TURNER

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SAN RAFAEL, Calif., Aug. 31—Stephen M. Bingham, a 29-year-old lawyer, was formally charged today with murder in the deaths of two convicts and three guards at San Quentin prison.

The specifics of the charge are that Mr. Bingham, who is still being sought, smuggled a gun into the prison visiting area and gave it to George Jackson, 29 years old. The authorities say Jackson used it to begin an escape attempt in which the five men, and Jackson himself, were killed.

California statutes make such accomplice guilty of first-degree murder upon conviction. Angela Davis faces a similar charge growing from the August, 1970, shootout at the Marin Courthouse here.

According to the authorities, Jackson, a black convict-author, was shot to death by prison guards Aug. 21 as he ran across the inner courtyard carrying the gun allegedly smuggled to him. No charge of murder was lodged against Mr.

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Bingham in Jackson's death. Five counts of murder, each punishable by life or death imprisonment, were lodged against Mr. Bingham—one each for Sgt. Jere Graham, Frank P. DeLeon and Paul W. Krasenes, the dead guards, and John M. Lynn and Ronald L. Kane, the dead inmates. All five were white.

Mr. Bingham has not been reported seen by friends or family since about 6 P.M. Saturday Aug. 21, a few hours after Jackson allegedly initiated the escape plot with the gun Mr. Bingham is accused of smuggling.

"The fact of Bingham's sudden and complete disappearance directly following the terrible and tragic events that he triggered at San Quentin Prison is not insignificant especially in view of my repeated public request to talk to him," District Attorney Bruce Bales said at a news conference here.

Mr. Bales also said, "I have reached the conclusion that there is no other way Jackson could have obtained the death gun except during his visit with Attorney Stephen Bingham just before the killings started."

The District Attorney said he had new evidence this past weekend that "appears to rule out" the suggestion that Mr. Bingham unknowingly carried the gun to Jackson. He did not say what that evidence was.

A Nationwide Hunt

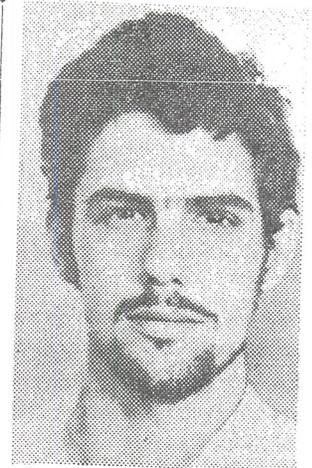
Warrants charging Mr. Bingham with murder have been issued, and officers across the nation have been asked to pick him up on sight.

In an affidavit, Mr. Bales gave the chronology of the crime that he charged against the young lawyer, who is a member of a well-to-do and influential family.

On June 12, the District Attorney said, and on four subsequent visits in June, July and August, Mr. Bingham saw Jackson at San Quentin.

On Aug. 21 at about 10:15 A.M., Mr. Bales continued, Mr. Bingham appeared at the prison and asked to see Jackson, but his request was denied by various officers. At about 1:15 P.M. the attorney was granted permission, the affidavit said.

(Mr. Bales did not mention in his affidavit that Mr. Bingham was accompanied by Mrs. Vanitia Anderson, who gave as her address the Black Panther headquarters in Oakland. Nor did the affidavit state, as have the prison authorities, that Mrs. Anderson carried a briefcase that she



Associated Press

Stephen M. Bingham

gave to the lawyer when she was not permitted to visit Jackson. She is said to have waited in the visitor waiting room until Mr. Bingham reappeared after the visit.)

A Carrying Case

Mr. Bales's affidavit said that "immediately prior" to going into a small, semi-private visiting room, Mr. Bingham filled out a request form asking permission to take a tape recorder in with him. The lawyer entered the room at 1:25 P.M. with a "carrying case approximately 18 inches by 24 inches and an expanding folder envelope," the affidavit said.

The visit ended at about 2:25, Mr. Bales went on, and Mr. Bingham took the carrying case away with him, signing out of the prison at 2:30.

Jackson, taken out of the visiting room by a rear door, was accompanied by a guard back to the Adjustment Center, the most severe confinement area in the prison, the affidavit said.

Mr. Bales said, "This escort trip was observed by the same correctional officer who had seen Jackson escorted from the Adjustment Center on the way to his visit with the attorney and this officer noted that Jackson's hair looked somewhat different on the trip back."

When Jackson re-entered the Adjustment Center, Mr. Bales said, "officers commenced to search him whereupon he pulled a black wig from his head and took therefrom a 9-millimeter automatic pistol and clips containing 9-millimeter live cartridges and forthwith took the searching officers hostage."

The District Attorney said that Jackson took command of the first floor of the Adjustment Center, but other guards were able to recapture it about 30 minutes later.