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San Jose Angela Trial Jan. 31

By Stephen Cook

The long delayed trial of Angela Davis will begin Jan. 31 in San Jose — probably.

Both defense and prosecution lawyers, who have seen two other trial dates come and go during the past year of pre-trial hearings, say the date and place of trial now seem certain.

The trial site was fixed yesterday as one of four courtrooms in the Criminal-Legal Building at 160 West Hedding St., by Presiding Judge John T. Racanelli of Santa Clara Superior Court.

The trial was set to begin at 9:15 a.m. Jan. 31 by Judge Richard E. Arnason, specially assigned from Contra Costa Superior Court to hear the case.

Compromise

The date was a compromise, according to Prosecutor Albert W. Harris, Assistant State Attorney General.

The prosecution argued for a date early in January while defense lawyers asked for even more delay, Harris said after a closed door conference with Judge Arnason,



Crowd gathered outside courtroom as hearing was held in chambers prior to setting Angela Davis trial date

—AP Photo

Miss Davis, and her lawyers at the North County Jail Facility, Palo Alto, yesterday.

Harris said the trial date is "firm" and announced he will call approximately 110 witnesses in a courtroom battle he expects will run four to six months.

Wants Out

Howard Moore, Jr., head of Miss Davis' defense team, said he, too, expects the jury selection to begin Jan. 31, but added "delay in legal proceedings is sometimes unavoidable."

Miss Davis, who has been in jail nearly 14 months, will continue to "fight until there is no more room to fight" to have her trial moved from San Jose, Moore said.

Her trial was transferred to Santa Clara County from Marin last week after Judge Arnason ruled a fair trial was unlikely at the Marin Hall of Justice, scene of the bloody four-death shootout for which she faces murder, kidnap and conspiracy charges as an alleged accomplice.

The judge refused to transfer the trial to San Francisco, the only place in Northern California where Miss Davis feels she can get a fair trial.

Moore, whose office is in Atlanta, Ga., said yesterday he found "somewhat of a southern atmosphere" in San Jose, but added he feels that city, as "a large metropolitan area," is better suited for the Davis trial than Palo Alto.

Santa Clara Sheriff James M. Geary had urged the trial be held in Palo Alto for security reasons.

"There are many problems with the San Jose side," Undersheriff Thomas Rosa said yesterday after the trial's location had been announced.

The most immediate prob-

lem is the lack of adequate jail space for women prisoners in San Jose. County officials have estimated it would cost \$100,000 to build a special jail suite and exercise area, there and staff it with two matrons for Miss Davis.

Milpitas Jail

There is still a chance she will be housed at the Women's jail facility at Milpitas, but Moore said county officials indicated Miss Davis will be held in Palo Alto for 30 days while new cells are built in San Jose.

Confinement in Palo Alto has brought new problems to the restricted life of Miss Davis, Moore said.

For instance, the jail there has insufficient power to allow her to use her electric typewriter, he said.

150 Demonstrators

The change of venue does seem to have breathed new life into the public relations campaign to "Free Angela Davis."

An earlier announcement that Miss Davis would appear in court yesterday drew 150 demonstrators to the Palo Alto court building. This was the largest public demonstration of support for the jailed black militant in months.

Most prominent demonstrators in the crowded courthouse corridor were Black Panthers Bobby Seale and Ericka Huggins, cleared recently of charges of murder in the execution slaying of a fellow Panther in Connecticut, and Miss Davis' sister, Fania Jordan, just returned from a worldwide fund-raising tour on her sister's behalf.

"The fascists are trying to railroad the sister to the gas chamber. We, the people of the world, are not going to

stand for it," shouted Seale, who seemed to forget who the sister was as he yelled:

"Free Ericka Huggins."

Members of Miss Davis' defense committee shouted announcements of increased Santa Clara activity in the campaign to free the former

UCLA philosophy instructor.

There was to be a committee meeting last night, a mass meeting at San Jose State College Sunday and a demonstration by "thousands" outside the Palo Alto jail Dec. 18, shouted Kendra Alexander of Miss Davis' na-

tional defense committee.

On the legal front, attorneys said they expect further pretrial motions — possibly a move to suppress evidence and a challenge to the method of selecting Santa Clara jury panels — will be heard early next month.