

# Cons' Copter To Court--

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## Soledad Row

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By Harold V. Streeter

The two black convicts charged with killing a guard at Soledad Prison were flown by helicopter today from San Quentin to their trial at the Hall of Justice — and the unprecedented action resulted in a legal uproar.

Defense attorneys promptly moved for a mistrial, saying publicity about the move as a security measure might reach the jurors and prejudice them, and that the lives of the two defendants were endangered.

Defense Attorney Floyd Silliman said his client, John Clutchette, 28, was "extremely nervous and upset" as a result of his ride.

### Leg Irons, Chains

The defendants, he told Superior Court Judge S. Lee Vavuris, rode in the helicopter shackled by leg irons, waist chains and handcuffs, and behind steel plates in the back of the machine.

Although they were supplied with life jackets as a safety measure, Silliman said, it would be virtually impossible for the men to pull the inflation tabs for the jackets if it became necessary.

He insisted that they could be housed in the Hall of Justice rather than in holding cells at San Quentin, adding that if conditions in the jail here were as bad as Sheriff Richard Hongisto claims, they could be kept in separate quarters.

### 'Optimum Security'

District Attorney William Curtis of Monterey County, trying the case here on a change of venue, argued that the court has the responsibility to choose the form of transportation, and that the helicopter was cheaper and

faster than automobile.

The jury, he said, could be admonished that the step is not intended for security purposes.

Vavuris rejected the defense motion, saying that he

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has a responsibility in the matter and that because of several recent incidents, which he did not specify, he was assuring "optimum security for all involved."

Both former Sheriff Matthew Carberry and Hongisto have assured him it would not be feasible to keep the men at the Hall of Justice, he said.

### \$600 a Day

And neither of the defendants should be any more upset than "the first man who rode in an automobile or wagon," the judge added.

He said his attention had been called to the fact that it was costing \$600 a day to move the defendants between the points by auto.

"I thought," he commented, "that was a waste of the taxpayers' money."

Prompted by concern over the Aug. 7, 1970, shootout at the Marin Civic Center — an alleged plot to free the Soledad defendants — the trial of Clutchette and Fleeta Drumgo is in a courtroom where a bullet-resistant glass barrier separates spectators from the other courtroom personnel.

### Eyewitnesses

All spectators are closely searched, photographed, admitted on passes and watched at all times on the third floor by armed police and sheriff deputies.

In seven days of direct and cross-examination, two inmates of Soledad at the time of the killing Jan. 16, 1970, of guard John V. Mills, have pieced together eyewitness accounts that implicated George Jackson, Clutchette and Drumgo.

Seventeen more convict

witnesses are on the prosecution list.

Yesterday near the end of his third day, paroled William Worzella, a Santa Barbara County burglar and bad check artist, was asked by defense attorney Silliman:

"Isn't it true that between Jan. 17 and 21st you became a prosecution witness in order to protect your life?"

"When I went down to make my statement, I asked for protection; that's about all I can say."

### Called Switch

Worzella conceded that he first told authorities immediately after the slaying that "I knew nothing," then changed his mind and agreed to talk.

But, under re-direct questioning of Curtis, Worzella said he wasn't so much in fear at the time of losing his parole as he was of "losing my life."

Worzella finished his testimony yesterday and the new witness called today was another black convict, Manual Green, who loomed as a center of controversy.

Green, a stocky six-foot-plus black who was four times convicted of forgery, testified he saw Jackson either kick or hit Mills. He saw both Drumgo and Clutchette on the third floor tier at the time of the murder but did not see either actually beat Mills.

### 'Saw the Body'

Later, "I saw the body coming over the tier; it hit the rail on my (second) tier and did a complete flip."

Green said that defense attorneys had threatened to "do a job on you from here to kingdom come" in the press. He also said that since he was paroled from prison he has been subjected to

"pressure," has been beaten twice "and shot at at least six times."

Asked by the prosecutor why he was testifying, Green answered:

"I knew I was going to get it one way or the other so I might as well get it by doing something."