

Drumgo Denies Role In Soledad Killing

By Keith Power

Fleeta Drumgo, one of the so-called Soledad Brothers, unexpectedly became the second witness in his defense yesterday and denied any connection with the murder of Soledad Prison guard John V. Mills two years ago.

He said he was aware of no impending trouble in the prison's "Y" wing before that January evening and was in his cell when the guard's battered body was hurled from the third floor tier.

Defense Attorney Richard Silver's decision to call his client on the first day of the defense case came as a surprise to courtroom spectators and the prosecution, which was granted a brief recess to gather its material on Drumgo.

The 26-year-old Drumgo, dressed in a purple striped shirt and plum-colored trousers, was relaxed and occasionally smiling during the 20 minutes Silver questioned him.

TESTIMONY

Testimony by prosecution witnesses has implicated Drumgo and co-defendant John Clutchette in the murder. The late George Jackson also was charged in the slaying, but he was killed last August in an alleged escape attempt at San Quentin.

According to Drumgo's account yesterday, he was in his cell on the second tier listening to records when he

heard the sound of glass breaking — apparently a diversion to cover the killing of Mills.

He told the heavily-guarded jury trial in the Hall of Justice that the sound brought him out of his cell to check the prison wing and then he returned.

DOOR

Suddenly, he said "there was a lot of commotion in the wing . . . I walked out to the railing and I could see people jumping up and down and running around . . . I went back to my cell and locked the door."

He said the next time the door was opened was from the outside by officers who questioned him about the guard's murder.

"Did you participate in the killing of Officer Mills?" Attorney Silver asked.

"No. I didn't."

Curtis, district attorney from Monterey county where Soledad is located, pressed Drumgo on a number of his verbal clashes with prison guards.

"You swear at officers a lot, don't you?" Curtis asked.

"I've sworn at them."

"And you've threatened to kill them?"

"A few times . . . not a great number of times."

In his opening statement yesterday morning, defense attorney Silver attacked the premise that Drumgo was engaged in revolutionary retaliation when Mills was murdered on January 16, 1970.

INVENTORY

He said an inventory of Drumgo's cell taken at that time would show that the defendant "was not contem-

plating violent revolution within the prison system."

The first defense witness, Calvin Walker, an inmate at Soledad during the murder period, was called to attack the credibility of Manuel Green, another convict whose testimony placed the co-defendants and the late Jackson at the scene.

Questioned about Green's

reputation in the prison community, Walker got as far as describing him as a "joint snitch (informer), homosexual and a few other things" before Superior Judge S. Lee Vavuris ordered the statements stricken from the record.

The trial resumes this morning with Drumgo still under cross-examination.