

Angela Trial Finally Starts Tomorrow

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SAN JOSE — Crucial questions in the Angela Davis trial, which is finally scheduled to begin here tomorrow, are these:

- Is Miss Davis the target of a "political frameup," prosecuted on trumped up charges of murder, kidnap and conspiracy by the reactionary forces of the state, because she is outspoken, a black, a woman and a Communist?

- Or did she really plot with the 17 year old brother of imprisoned George Jackson, her lover by mail, to free him and others by taking a judge, prosecutor and jury as hostages?

And there are other questions to be answered.

First, the judge and lawyers must see if it is possible — even 20 months after the shocking shootout on Aug. 7, 1970, at the Marin County Civic Center and 60 miles from the scene — to select a fair, impartial jury.

The gravity of the crime and the notoriety of the defendant promise to make that a most difficult task. A recent survey by the Davis team claimed to show more than 70 percent of Santa Clara's residents held an unfavorable opinion of her.

The alleged bid for the freedom of George Jackson, John Cluchette and Fleeta Drumgo — the so-called Soledad Brothers — ended with the death of Marin Superior Judge Harold J. Haley, Jonathon Jackson and two San Quentin inmates who joined the escape bid, James McClain and William



ANGELA DAVIS (R) AND SISTER, FANIA
Released from jail on bail . . . now the trial

Christmas.

Three Wounded

Marin's Assistant District Attorney Gary W. Thomas was paralyzed for life by a bullet which severed his spine. A juror, Mrs. Maria Graham, and another convict, Ruchell Magee, also were wounded.

Miss Davis was a subject of international debate even before being charged with those crimes, because of her dismissal from the post of acting assistant professor of philosophy at UCLA after she admitted her membership in the Communist Party.

If jury selection is difficult, Miss Davis's attorneys are expected to raise again their motions for a change of venue and for dismissal of the charges on grounds she cannot get a fair trial anywhere in the state because of prejudicial pretrial publicity.

Intriguing Questions

If a jury can be selected, testimony at the trial should clear up some intriguing questions about the crime itself.

What plans did the kidnapers disclose to their hostages before their escape van was halted by the gunfire of San Quentin guards?

Where would they have taken their hostages if lawmen had allowed them out of the Marin Civic Center parking lot Aug. 7, 1970?

Who else, if anyone, was involved in the kidnap - escape plot?

Some may find in the trial the answer to a question constantly raised by Miss Davis and her supporters: Is there any place in America where a black militant can get a fair trial.

The big question, though, is: Does the state really have a case against Angela Davis or will the jury be asked to convict her on the basis of what the defense calls "no more than a set of innocent acts . . . a series of innocuous acts, perfectly legal in themselves."

No Disclosure

Assistant Attorney General Albert W. Harris Jr., the special prosecutor, has disclosed nothing of his case since outlining his presentation to the Marin County Grand Jury, as follows:

The kidnapers, before leaving the Marin Civic Center, shouted, "Release the Soledad Brothers by 12:30 or they all die."

Miss Davis had participated in rallies for the defense of the Soledad Brothers and had sought to be added to the list of people who could correspond with and visit George Jackson.

Jonathan Jackson was her seemingly constant companion in the days immediately preceding Aug. 7, and she accompanied him to San Quentin Prison when he visited his brother Aug. 4 and 5 and was allegedly seen with him at the Marin Hall of

Justice Aug. 6, the day before the crime.

Year Before

She purchased the four guns Jonathan Jackson used to initiate the escape in the courtroom of Judge Haley.

Two of the guns were bought more than a year before the event, but witnesses said a man resembling Jonathan Jackson accompanied her when she bought the other two — an M-1 carbine, purchased July 25; a 12 gauge shotgun (used to kill Judge Haley) on Aug. 5, two days before the crime.

The kidnap attempt ended

in bloodshed at 11 a.m. Shortly before 2 p.m., Miss Davis was "terribly rushed . . . terribly worried" as she bought a last minute airplane ticket to Los Angeles at San Francisco Airport.

She wasn't seen again until her arrest by the FBI Oct. 13, 1970, in a Howard Johnson Hotel in Manhattan. She was disguised and carried false identification.

Miss Davis says these are all innocent acts, constitutionally protected. She fled, she said, suspecting she could not get a fair trial in a state where she was fired simply for her political beliefs.

No Proof

Her lawyers said:

"The state . . . struggles to turn against her the open and honest way she has carried out her political goals, speaking out when she was concerned, caring for the lives of others, and buying guns when she had reason to be fearful for her safety and indeed for her life."

Nowhere in the grand jury presentation, they say, is there any proof that Miss Davis gave Jackson the guns, knew he had plans for them or joined in any plot.

Harris maintains the evidence he presented the grand jury is enough to convict Miss Davis, but says he plans to call 103 witnesses during the four to nine month trial. Only 26 testified before the grand jury.