

News Conference Ban Asked in Angela Trial

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By Carolyn Anspacher

Fear that the Angela Davis murder - kidnap - conspiracy trial in San Jose may degenerate into a "farce," such as the conspiracy trial of the "Chicago Seven," has led Assistant Attorney General Albert W. Harris Jr. to ask for a prohibition of all news conferences by principals in the case.

Harris informally requested the ban of Superior Court Judge Richard E. Arnason last week. Then on Monday, during a chamber conference, he made his proposal formally.

Leo Branton Jr. one of Miss Davis' attorneys, said the matter has not yet been discussed and he said he

would "vociferously oppose" Harris' motion.

Harris apparently is outraged by the "spectacle" of gaggles of news, television- and radio reporters running in full pursuit of attorneys at the close of each court session in quest of statements.

COURTROOM

"We should try this case in the courtroom," said Harris. He said that out-of-court press conferences had made a "farce" of the Chicago trial.

Principals in the case already are under judicial instruction not to discuss any aspect of proceedings and how much beyond this the Harris proposal would go was not known since he offered no definition of what

he meant by "press conference."

He did say he did not intend to enjoin the passing of "background information."

'FAIR'

It did not exactly add up to "background information," but at noon yesterday, after the morning court session, Harris paused outside to tell a cluster of newsmen, including one from the East European press, that he had "no doubt" Angela Davis would get a completely "fair trial."

The 28-year-old black militant and avowed Communist, is accused of complicity in the August 1970 escape attempt at the Marin County Courthouse in which four were killed, including Superior Court Judge Harold Haley. She is charged with having provided the guns for the bloody shootout.

He also said that the selection of jurors was "going about as expected."

So far, in the preliminary "screening" of veniremen the toll of those called on the first panel has been unusually heavy. Eleven have been excused without even appearing — most of them because of illness and economic hardship.

Thirty-three have been

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queried in the jury box solely on issues to what degree they have been influenced by pre-trial publicity about Miss Davis, particularly her Communist affiliation and whether they could, without too great an impact on their lives, sit through a four-to-six month trial.

Since the trial opened Monday, 21 have been excused from service, again mostly for economic reasons, and a few because of chronic illness.

Although Miss Davis' forces have made much of finding young people to serve on the jury, the absolute charmer of yesterday's session was a chirpy, gray haired retired Veterans Administration librarian.

Winona Walker, a lady of "uncertain years," sparkled deliciously through her interrogation.

DEGREE

To her, "having a degree in philosophy" — which Miss Davis has — is "quite something." She informed Defense Attorney Howard Moore Jr. she "didn't like to take sides."

"Did you know that (after the Marin Courthouse shooting) Miss Davis dropped out of sight?" Moore asked.

Responded Miss Walker: "I do seem to recall that she was not available. But I believe I would be unavailable myself. That seemed a reasonable thing to do."

She smiled delightedly as the entire courtroom exploded in laughter. At day's end she was still on the stand.

EXPERT

Moore spent an hour and five minutes in his probing inquiry into the state of mind of a Southern Pacific tax expert named Robert McCarty.

McCarty said he was not particularly disturbed that scientists and mathemati-

cians with Communist leanings should teach American young people, but, he said, the Regents of the University of California were correct in firing Miss Davis as a philosophy instructor.

"I personally feel the Communist Party is a threat to our society," he said. "It is directly opposed to what I have been led to believe."

He said, however, he totally divorced Miss Davis' problems at UCLA from the Marin Courthouse shooting and felt he could give her a fair trial.

DEFINE

Mary Borrelli, a housewife with three grown children, appeared vague both about Angela Davis and communism during her questioning. She said she couldn't define communism and understood "it was something we wouldn't want in this country."

"I know we are a Democracy and communism is a different type. I would like this Government to be improved but not changed."

As soon as prosecution and defense get through their preliminary, individual screening and can assemble 12 men and women in the jury box, the general examinations will begin.

Of the 150 Santa Clara county residents summoned for the first panel, only 76 now remain to be called.

Harris said at the end of the day he expected jury selection to last five or six weeks.