

# Jailbreak Delays

## Angela Davis Trial

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SAN JOSE — Angela Davis planned today to make an immediate courtroom reply to the prosecution's outline of its case against her for murder, kidnaping and conspiracy.

But her presentation was delayed for a day by an attempted escape from the Santa Clara County Jail, only 100 yards from the courthouse.

### Strategy

The escape try was not related to Miss Davis' trial, but sheriff's deputies with shotguns sealed off both the jail and the courthouse while three prisoners held hostages and tried to negotiate a getaway.

When the trial resumes tomorrow, Miss Davis will forego the usual defense

strategy of reserving its opening statement until completion of the prosecution case, according to defense lawyer Leo Branton.

He referred to as circumstantial the state's outline of evidence by which it hopes to prove Miss Davis helped plan the 1970 Marin County courtroom escape attempt because of what the prosecutor called a boundless passion for Soledad Brother George Jackson.

"We know what the prosecution's theory is and we're prepared to meet it right away," Branton said.

### Theory

The theory the state hopes will lead the eight woman, four man jury to convict Miss Davis, 28, of murder, kidnap and conspiracy was outlined yesterday by Assistant Attorney General Albert W. Harris Jr., the special prosecutor.

Miss Davis knowingly, actively participated in the kidnap escape plot which left Superior Judge Harold J. Haley, two San Quentin inmates and George Jackson's 17 year old brother, Jonathan, dead at the Marin County Hall of Justice Aug. 7, 1970, Harris said.

The plan was that Jackson would take the hostages and

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escaping convicts to San Francisco International Airport, where Miss Davis would be waiting, Harris said.

They would take a plane and hold the hostages until George Jackson and his fellow Soledad brothers were brought to the airport and released, Harris said.

The 42 year old prosecutor, who stressed that for unstated reasons he was not disclosing his entire case yesterday, offered the jury a hint of a chain of circumstantial evidence he said "will convince you beyond a reasonable doubt" of Miss Davis's guilt.

#### All Dead

The evidence must be circumstantial, he said, because, with alleged co-conspirator Jonathan Jackson dead, "there is no surviving witness of conversations in which the defendant expressed her criminal knowledge and intent.

"We must rely on circumstantial proof of facts from which reasonable inferences may be drawn," he said.

But Miss Davis's motive will be proved by direct evidence — "by her own words as contained in letters to George Jackson," Harris said.

The letters, many of them written while Miss Davis was confined in the Marin County Jail and smuggled to Jackson in San Quentin a few miles away will prove this, Harris said:

"That beneath that cool academic veneer is a woman capable of being moved to violence by passion . . . Her basic motive was not to free political prisoners but to free the one prisoner she loved."

#### Oldest Motive

Such a love motive is "probably the oldest motive we know," for murder, Harris said.

Miss Davis' love letters, confiscated in Jackson's cell after he was killed in a breakout attempt at the prison Aug. 21, 1971, will show the two had "such a close relationship the defendant considered herself married to George Jackson," the prosecutor said.

It was mostly a love by mail and sightings across the courtroom, Harris said, for the two were only physically together once — during a court approved meeting at the Marin County Jail, a month before Jackson's death.

#### Stream of Mail

"We'll show they used this, their only physical

meeting, for a close passionate and physical involvement," in the mess hall and a nearby holding cell, under the eyes of prison guards, Harris said.

It was after this meeting that Miss Davis began her most intense stream of letters to the convict, awaiting trial for the alleged murder of a Soledad Prison guard.

Jackson's co-defendants on those charges, John Cluchette and Fleeta Drumgo, were acquitted yesterday by a San Francisco Superior Court Jury.

The State's circumstantial evidence will deal with the weapons, advice and funds Miss Davis allegedly supplied to promote the events at the Marin Hall of Justice, her close association with Jonathan Jackson in the days preceding Aug. 7, and her flight from California when the plot ended in a 19 second bloodbath, Harris said.