

# Witness Puts Angela at Marin Center

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SAN JOSE — A prosecution witness testified today that Angela Davis was at the Marin County Civic Center with Jonathan Jackson on Aug. 6, 1970.

That was one day before Jackson, 17 year old brother of Soledad Brother George Jackson, took Miss Davis' guns into the courtroom of Marin Superior Judge Harold J. Haley and triggered the kidnap-escape try that killed him, the judge and two convicts.

### Identified

Assistant Attorney General Albert W. Harris Jr., the prosecutor, charges that Miss Davis plotted with young Jackson to take the judge, jurors and a prosecutor hostage to force the release of George Jackson, whom Miss Davis loved.

The key prosecution testimony came from Alden Fleming, owner of Flem-

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ing's Mobil Service Station across San Pedro Road from the Civic Center, and the first of three witnesses scheduled to tell about the incident.

Fleming, who identified Jackson from a picture taken during the escape attempt and Miss Davis in a dramatic courtroom gesture, said "a colored man with a colored girl" came into his station about 10 a.m. that day.

The man, he related, said he had a Hertz rental van that was stalled at the Civic Center, and asked for help,

but he was "very vague about what to do."

### Authority

"I wondered why she didn't come inside," Fleming said. "He didn't know what to do. I had to do everything for him. He gave me the impression he wanted some help from her, wanted the authority to do things."

The witness said he urged the man to telephone Hertz and get authority to make repairs up to \$6, and then accompanied him to the van where he told the woman about it.

"I guess that's all we can do," he quoted her as saying.

### Repaired

Fleming said he sent his son, Peter, to the Civic Center with instructions to "jump start" the van engine and bring it back to his station, where a mechanic did some work on it.

The next day, about 11 o'clock, he heard about the courthouse shootout involving a yellow Hertz van, and telephoned the sheriff's office, Fleming added.

His identification of Miss Davis as the woman was firm. Not only did he say he recognized her from pictures published in newspapers Aug. 15, but he picked her out in the courtroom in response to a question from prosecutor Harris as to whether she was present.

### Look-Alike

Fleming left the witness stand and approached to within four feet of Miss Davis, who was sitting behind the defense table with her friend and investigator, Ken-

dra Alexander, a close look-alike.

"It's this lady here," the witness said, pointing at Miss Davis.

Defense attorney Leo Branton Jr., boring in on cross-examination, established that Fleming has been a full-time Marin County fireman for 24 years, and that his station is actu-

ally a fire sub-station.

### Experience

"Have you had much experience in distinguishing the feature characteristics of people you describe as colored people?" he asked.

"Yes," Fleming replied, adding in response to another question that about 20 percent of his customers are black.

"Have you seen many black women who have light complexions?" Branton asked (Miss Davis is light-complected).

"No."

"It's a rarity, right?"

"Yes."

### Rare Face

Fleming added that it was that rarity which helped him identify Miss Davis, together with her large eyes and high cheekbones — "not as heavy a face as what colored people have."

"Don't you think all colored people look alike?" Branton demanded.

"Not in Miss Davis' case," came the response. And, "After you've been around a person a while, you pick up the characteristics of their face."

He testified that Miss Davis was wearing tinted glasses, but could not specify the color, explaining he is color-blind.

### Pictures

Attacking Fleming's identification of Miss Davis, Branton developed the fact that Fleming had seen newspaper pictures of her prior to Aug. 6, but didn't recognize her when she came into his station that day.

Asked whether Miss Alexander had ever been in Fleming's station, he said she had not, "to my best recollection." But Fleming did recall that defense attorney Howard Moore Jr. had been a customer on several

occasions, the last on April 21.

The witness conceded there was a woman with him, but insisted he really hadn't seen her.

### Lineup

Branton bore in on re-cross, bringing out that when Fleming viewed his first "picture lineup" on Aug. 17, 1970, after he called the sheriff, he was shown nine photographs.

Two were head shots of women without Afro hairdos, one a woman about 55 and the other extremely blurred, and three of the others were of Miss Davis.

Of these, Fleming had correctly identified the three pictures of Miss Davis — but he also identified as her a picture of her sister, Fania Jordan.

### Newspaper

Harris elicited the fact that Fleming saw the photo lineup after he already had identified Miss Davis from a newspaper picture. Harris then put the station proprie-

tor's son, Peter, on the stand.

He testified that he had driven the couple to the yellow van, parked below the administration wing of the Civic Center, and that the woman had to take the wheel because the man didn't know how to start a car on compression.

Young Fleming said he looked at them only briefly, but he believed he could make a positive identification of the woman.

Asked to point her out, he indicated Miss Davis.

He identified Jackson from his photograph in newspapers after the shoot-out, he said.

Another witness this morning was San Quentin guard Gordon Farrell, who testified that young Jackson appeared in the courtroom of Judge Haley about 10:30 a.m. Aug. 6, and on Aug. 7

just before 11.

Both times, he said, the youth was wearing a long, tan coat and carrying a bulging briefcase.

p.m. when he wore the long coat again. The last time he returned, the court had been adjourned for the day.

#### Day by Day

Harris, who has structured his case chronologically in an attempt to show day by day the events in late July and early August 1970 that he feels links the former UCLA professor to a conspiracy with Jonathan

Jackson, passed a crucial step in his case yesterday afternoon.

Frank M. Blumenthal and David E. Lifson, both employees of the Eagle Loan Co., a San Francisco pawn-shop, testified Miss Davis bought the shotgun shown to have blown away half the head of Judge Haley at 5 p.m. Aug. 5.

Previous witnesses have put Jackson in the courtroom three times on Aug. 6, the later appearances being about 2 p.m., when he was dressed differently, and 3