

# Angela Found 'Not Guilty' in Fast Decision

By Stephen Cook  
Examiner News Staff

SAN JOSE — Angela Davis's jury apparently had almost no trouble at all in the deciding she was not guilty of murder, kidnap and conspiracy charges.

It took the seven women and five men less than 13 hours to sift through 10 weeks of testimony and evidence and return three verdicts of acquittal.

According to the jurors who would talk, the panelists were almost unanimous from the start that the 28 year old black militant should be freed of the charges.

Robert Seidel, 69, oldest of the jurors, said 10 of the veniremen were for acquittal after a review of the evidence, but two others, while not voting guilty, requested more time.

## 'Doubtful Case'

"Two of them sat on one side of the jury room . . . and looked at the evidence while the rest of us talked. Some of us even played cards, you know. After awhile they decided to go along.

"From the very start we more or less considered it a doubtful case. It was all circumstantial and we just couldn't forge a link.

"Some of it looked kind of bad, like the gun she bought two days before it happened. But the judge's instructions made it clear we must be convinced beyond a reasonable doubt that she was guilty."

Ralph E. DeLange, a 39

year old maintenance electrician, said the jury decided the conspiracy charge against Miss Davis Saturday afternoon, before recessing for the night, and returned Sunday morning to consider the murder and kidnap charges for just over an hour.

## 'Question of Proof'

"We went through all the questions anyone had. It was a question of proof. That's what it boiled down to. It was more a philosophical

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question of reasonable doubt," he said.

Winona Walker, a 65 year old retired librarian, said: "It was an experience. I don't know if I would want to repeat it. The people on the jury had strong opinions, but we had a feeling we could talk with each other."

Other panelists agreed there was "great unanimity" from the beginning.

The jury's official spokesman was Mary Timothy, the 51 year old medical researcher and wife of a Palo

Alto attorney who referred to herself in communiques to the judge variously as "foreperson," "forewoman," and "foreMs."

## Magee Trial

The jurors agreed not to disclose the thought processes that went into their verdicts for fear of jeopardizing the Ruchell Magee trial, she said.

Inconsidering the case, she said, "We put it together piece by piece. We organized the thing."

The lawyers were "all excellent," she said, the judge was "totally impressive, fantastic."

Of Prosecutor Albert W. Harris Jr., she said: "He handled his case and the material well. The entire prosecution case was excellent."

In the courtroom, Miss Davis held her breath, but she knew she was finally free of murder, kidnap and conspiracy charges even before the three "not guilty" verdicts were announced to the shrieking, sobbing delight of her courtroom supporters.

The mere announcement that the jury had reached a verdict at 10:30 a.m. yesterday, less than 13 hours after it began considering the accumulated evidence and testimony of 13 weeks of trial, indicated the case had been resolved in her favor.

## Angela Arrives

Miss Davis was radiant, her lawyers were smiling when they arrived at the courthouse. Prosecutor Harris and his aides followed them grim-faced into the building.

At the doors to the courtroom, the smiling black militant joined her family, friends and lawyers in a rousing, updated version of an old civil rights song:

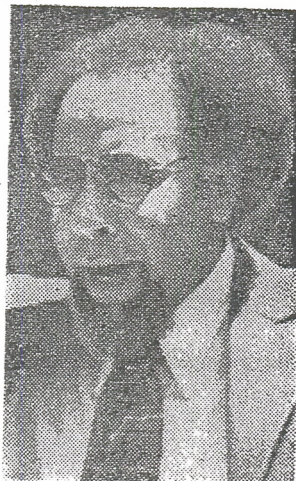
"Angela Davis got her mind staid on freedom. Halleluja! Ruchell Magee got his mind staid on freedom, Halleluja!"

(Magee, the convict who was once Miss Davis's co-defendant, is still awaiting trial on the same charges of which Miss Davis was ac-

quitted.)

### Supporters Wait

Inside the courtroom, Davis supporters were hushed as the seven-woman, five-man jury — 11 whites and one Mexican American —



**LEGAL TEAM THAT WON FOR ANGELA DAVIS**  
Leo Branton and Howard Moore Jr.

filed nervously into the jury box.

An old test failed. Not one of the veniremen looked at the celebrated defendant they were about to free.

Superior Court Judge Richard E. Arnason took the verdicts from the foreman, Mrs. Mary Timothy, and the quiet tension increased as he took several minutes to read them to himself.

Miss Davis's parents, Frank and Sallye Davis, gripped each other's hands, eyes on the judge, three rows behind their daughter.

Count Clerk Arthur Vanek brought the release, as he read aloud the first of three verdicts — on murder, kidnap and conspiracy charges — handed him by the judge:

"We find the defendant not guilty . . ."

### Tears and Joy

Miss Davis released her breath, bowed her head and began to cry softly. Her longtime friend and legal investigator, Kendra Alexander, embraced her, tears in her eyes.

Franklin Alexander, der, co-chairman of the National United Committee to Free Angela Davis, president of the Communist Par-

ty's Che-Lumumba Club and close friend of Miss Davis, cried out great racking sobs from the back row of the small, box shaped courtroom.

As the second "not guilty" verdict was read, Miss Davis's football brother grabbed his mother's other hand. Fania Davis Jordan, her sister, was weeping loudly.

When the clerk intoned the third "not guilty" the spectators gave off a wild scream of joy, Miss Davis and Mrs. Alexander jumped to their feet, and her chief

lawyer Leo Branton Jr. began to applaud.

When the audience joined the applause, Judge Arnason shouted for silence warning "I will not tolerate misconduct in my courtroom."

### Prosecutor Stares

Assistant Attorney General Albert W. Harris, who spent nearly two years building a case of circumstantial evidence against the former UCLA philosophy professor, stared straight ahead and spoke only once, declining Judge Arnason's offer to poll the jury.

Judge Arnason thanked

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Judge Arnason thanked the jurors. Then he commended the lawyers, saying: "If nothing else, I just have a feeling each of you can walk the streets of our society with your heads a little higher. You've conducted yourselves admirably, forcefully. You conducted yourselves as advocates."

Then he discharged Miss Davis from the custody of the court and ordered her bail of \$102,500 exonerated.

### Applause For Jury

"Power to the people. Power to the jury," shouted defense counsel Howard Moore, Jr., as the jury stood

to leave the courtroom.

As they filed toward the door, Branton started to clap and soon the courtroom was filled with the sound of applause. There were tears in the eyes of several of the jurors.

Outside, Juror DeLange saw the larger crowd of Miss Davis's supporters, mostly black, and he gave the clenched fist salute.

"It was a spontaneous thing," DeLange said later. "I gave the salute to show unanimity of opinion of all oppressed people, to show I felt a sympathy for the people in the crowd. They thought all through the trial that we were just a white, middle class jury. I wanted to show rapport and sympathy with them in their struggle."

Miss Davis was charged as an absent accomplice in the fatal attempt to kidnap Judge Harold J. Haley, As-

sistant District Attorney Gary W. Thomas and three woman jurors and hold them as ransom for the release of the Soledad Brothers, particularly George Jackson.

The state claimed she knowingly and intentionally gave her guns and ammunition to Jonathan Jackson, 17 year old brother of George, for use in the courtroom kidnap.

### Four Killed

Judge Haley, young Jackson and two San Quentin convicts were killed in a shootout that ended the kidnap attempt. The prosecutor was crippled for life by a bullet and a juror and another convict suffered less severe bullet wounds.

Miss Davis denied the charges, implied that young Jackson stole or got the weapons by subterfuge, and added a counter claim—that she was "the target of a po-

Miss Davis proclaimed, "this is the happiest day of my life," but added that the verdict did not change her opinion that the American judicial system is bankrupt.

#### 'People's Verdict'

litical frameup." accused because she was black, a woman and Communist who had dared to join the staff of the UCLA philosophy department.

Miss Davis, who spent more than 16 months in jail before being released on bail just before her trial, saved her first words after the acquittal verdict for the people who had maintained a three-day vigil outside the courthouse during the jury deliberations:

"I guess I'm sort of like everybody else today—speechless," she said.

Branton emerged from the courthouse and raised his arms like a victorious fighter. Then he applauded the roaring crowd, saying: "It was their victory, not ours."

Miss Davis hugged and kissed each of the jurors. Branton shook their hands.

At a press conference

Davis was the victim of a frameup, "but not a frameup in the traditional sense."

#### 'Kind of frame Up'

"I don't think they went out and made up evidence, but it's a frameup to the extent that, if Angela Davis had not been Angela Davis the black militant, she never would have been prosecuted. Nobody should have been prosecuted on the basis of the evidence in this case."

Branton praised the American jury system, complimented the prosecutor for doing "a very professional job," and added, "I don't think the governor's office had anything to do with this prosecution."

Branton, the theatrical Los Angeles lawyer who was called into the case just before the trial to lead the defense, said he believes Miss