

Angela Davis Acquitted on All Charges

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By EARL CALDWELL JUN 5 1972
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Angela Davis leaves courthouse after the acquittal.

SAN JOSE, Calif., June 4—After just 13 hours of deliberations, an all-white jury found Angela Davis not guilty today of murder, kidnapping and criminal conspiracy charges.

The jury returned its verdict at 12:35 P.M. clearing the 28-year-old black militant of all charges against her. The announcement touched off a demonstration so emotional that Judge Richard E. Arnason threatened to clear the courtroom. Miss Davis, who had shown little emotion through the 13 weeks of the trial, broke into sobs after the last verdict had been read.

"This is the happiest day of my life," she later exclaimed.

This was the third day of deliberations and the verdict came after reports had begun to circulate that the jury might be deadlocked.

Those reports were first heard late yesterday when the jury broke off deliberations saying that it had reached an impasse. But shortly before 11 A.M. today it sent a note to the judge's chambers saying that it had reached a verdict.

An hour later, under the elaborate security that has been used here throughout the trial, the courtroom was opened and

30 minutes later the jury was brought in.

Judge Arnason directed his first remarks to Mrs. Mary Timothy, the research assistant at the Stanford Medical Center who had been elected jury foreman.

"Have you reached a verdict," the judge asked.

"Yes we have your honor," Mrs. Timothy replied.

"A verdict as to each of the three counts," Judge Arnason asked.

"Yes we have your honor," the foreman answered.

"Hand them to the bailiff," the judge directed.

Sketch of Angela Davis

A biographical sketch of Angela Davis will be found on Page 20.

The verdicts were passed from the bailiff to the judge, who examined them at length. He then passed them to Arthur Vanek, the clerk of the court, and instructed him to read them aloud.

Mr. Vanek first read the charge of kidnapping on count one of the indictment. When he reached the words "we the jury find the defendant Angela Y.

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Davis not guilty," there was an immediate outburst of screaming and crying.

The crying continued as he followed with the verdicts for counts two and three of the indictment, those charging the former university professor with murder and conspiracy.

When he finished the screams and the shouts filled the courtroom.

"If there is any more noise, we're going to leave right now," the judge said sternly. "I will not tolerate any misconduct in my courtroom," he said.

But the crying, though muffled, continued. The defendant grabbed her close friend, Kendra Alexander, and her body shook her with sobs.

Judge Arnason asked if there was any request that the jury be polled.

Albert Harris Jr., the prosecutor, made his only remark. "The people will not request a poll," he said.

Judge Arnason again asked for quiet. But by now there were tears even in the eyes of the jurors.

'Nightmare' for Mother

After Judge Arnason thanked the jury, complimented the attorneys and closed the proceedings Miss Davis rushed across the courtroom and fell first into the arms of her parents who sat in the third row of the spectators section.

Later her mother attempted to describe her feelings. "The past 22 months have been a total nightmare," she said. "The nightmare has ended."

Although Miss Davis said that this was the happiest day of her life, she echoed her sister by saying that "A fair trial would have been no trial at all."

"It was what I expected," Howard Moore Jr., one of the four attorneys who defended Miss Davis said. "I never doubted her innocence."

As for the verdict, Mr. Moore said, "I knew that when any jury any place in this country returned a verdict that it would be not guilty."

Mr. Moore said, though, that justice had come at a high price. "It took a worldwide movement of people to acquit Miss Davis. Justice should be the routine of the system," he said.

Miss Davis refused to answer questions as to why she did not testify in her own defense. But Leo Branton Jr., who delivered a moving summation for the defense last week, said that she had been ready to take the

stand and that it had not been until two days after the defense began to present its case that the decision was made not to put her on the stand.

Doubts Trial for Others

He said that the case against Miss Davis was not a frame-up in the traditional sense but he added, "If Angela Davis were not Angela Davis, she would never have been prosecuted."

Miss Davis attracted national attention in 1969 when she was dismissed from her teaching job at the University of California at Los Angeles after admitting membership in the Communist party.

The charges against her were lodged late in August, 1970, shortly after Jonathan Jackson, 17, smuggled guns into a Marin County courtroom in San Rafael, Calif. and armed three black convicts. They then attempted to escape by using a judge, an assistant district attorney and three women jurors as hostages.

The judge was taken hostage with a shotgun taped to his neck, he died in the getaway along with Jackson and two of the three convicts who participated in the escape. There was always a question as to how the shooting began and in

evidence presented during the trial this remained a question.

Although the judge was shot in the head with a blast from the shotgun, he also suffered a chest wound from a bullet that may have been fired from outside the van. Evidence during the trial showed, however, that either could have been fatal.

Miss Davis was connected with the case when it was learned that the guns smuggled into the court were registered in her name.

On 'Most Wanted' List

Miss Davis was sought by the authorities nationwide, and she was placed on the "10 most wanted" list that is published by the Federal Bureau of Investigation.

It was widely rumored that she had left the country but on Oct. 13, 1970, she was arrested in a New York City motel. She was extradited to California two months later and kept in maximum security imprisonment at the Marin County Jail as pretrial proceedings began to take shape.

Early during those proceedings she won the right to act as a co-counsel in her own defense. At the first opportunity she had to speak in open court she proclaimed her innocence and said that she was being railroaded.

In the fall of 1971 Miss Davis was granted a change of venue. The trial was shifted from Marin to Santa Clara County. The defense had asked that the trial be held in San Francisco but that request was refused.

Miss Davis was granted bail last February, five days after the California Supreme Court ruled the death penalty unconstitutional.

Bail had been denied her on the ground that persons accused of capital offenses are not entitled to release.

In the trial the state argued that she plotted the Marin

County escape attempt along with Jonathan Jackson and that she supplied him with the guns that she had purchased.

Mr. Harris, the prosecutor, said that the purpose of the escape attempt was not simply to free the prisoners but to take hostages. The hostages, he contended, would be used to extort the release from prison of the Soledad Brothers, three black convicts whose defense Miss Davis had been intimately involved.

Mr. Harris argued in the court that Miss Davis was deeply in love with George Jackson, the best known of the three convicts.

Miss Davis conceded that she was in love with Jackson but denied the existence of any plot. Witnesses testified that the guns she bought were for the defense of the Soledad Brothers defense headquarters and for her own defense, since she was the subject of many threats after disclosing her membership in the Communist party.

Before he dismissed the panel, Judge Arnason chose a passage from G. K. Chesterton's "The Twelve Men, in Tremendous Trifles" to express his feelings. From it, he read:

"Our civilization has decided, and very justly decided that determining the guilt or innocence of men is a thing too important to be trusted to trained men. If it wishes for light asks men who know no more law than I know, but who can feel the things I felt in a jury box. When it wants a library catalogued, or the solar system discovered, or any trifle of that kind, it uses up its specialists. But when it wishes anything done that is really serious, it collects 12 of the ordinary men standing about. The same thing was done, if I remember right, by the founder of Christianity."

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