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# Shorter Trial for Magee

A major step has been undertaken here by the State Attorney General's office to attempt to shorten murder trials involving racial issues.

As a result, when black convict Ruchell Magee goes on trial for the murder of a white judge in the Aug. 7, 1970, Marin Civic Center shootout, it seems almost certain his trial will be shorter than two other trials with which it has been linked.

Those were the trials of black militant Angela Davis, also for the judge's murder, and of two black convicts over the killing of a white guard at Soledad Prison. Both went more than 13 weeks before ending in acquittals.

## Major Change

The major change for Magee's trial, to oversimplify it: The prosecution will concentrate on DID Magee kill the judge, de-emphasizing WHY.

Superior Judge Harold Haley was led at gunpoint from a trial in his Marin Civic Center courtroom. In a shootout, the judge was killed while in a van occupied by Magee and others. Also killed were three blacks, one of them 17 year old Jonathan Jackson.

There is where the complication begins.

At the trial of Angela Davis, the prosecution sought to prove that she bought and furnished the guns Jonathan Jackson smuggled into the courtroom as part of a conspiracy.

The conspiracy charge dragged out the trial. She admitted the guns were hers but said they were for her own protection, but she denied there was any conspiracy on her part.

Conspiracy was one of four charges pending against Magee for his trial. The others were murder of Judge Haley; kidnaping for extortion; and aggravated assault by a life term prisoner.

Last week, the Attorney General's office, which is prosecuting Magee on a change of venue from Marin County, dropped the assault and conspiracy charges.

Among the evidence will be a photograph, taken by a news cameraman, showing a gun strapped to Judge Haley's neck. Magee is holding the gun.

Magee in the preliminaries has made it evident he will contend he did not pull the trigger and a study of the bullets which killed the judge in the van will show they came from elsewhere.

## Omit Evidence

But dropping of the conspiracy charge will omit a mountain of testimonial evidence.

So also will be elimination of the charge of aggravated assault by a life term. The Attorney General's office said that was dropped because the mandatory death sentence attached to it when it was filed no longer applies because of Supreme Court rulings.

Magee has been ready to make that charge, involving his prior prison record, one of the key issues. Seeking to act as his own attorney, he has filed a deluge of motions contending his prior convictions were unjustified and in error.

Magee will be tried in the third floor courtroom of Superior Court Judge Morton Colvin where a bullet-resistant barrier — erected for the Soledad Brothers trial — separates the trial participants from the spectators. The Police Tac Squad and sheriff's deputies will maintain tight security outside. All spectators must undergo body searches. —  
By Harold V. Streeter