

# Two Desperate Hours: How George Jackson Died

SEP 3 1971

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Special to The New York Times

SAN QUENTIN, Calif., Sept.

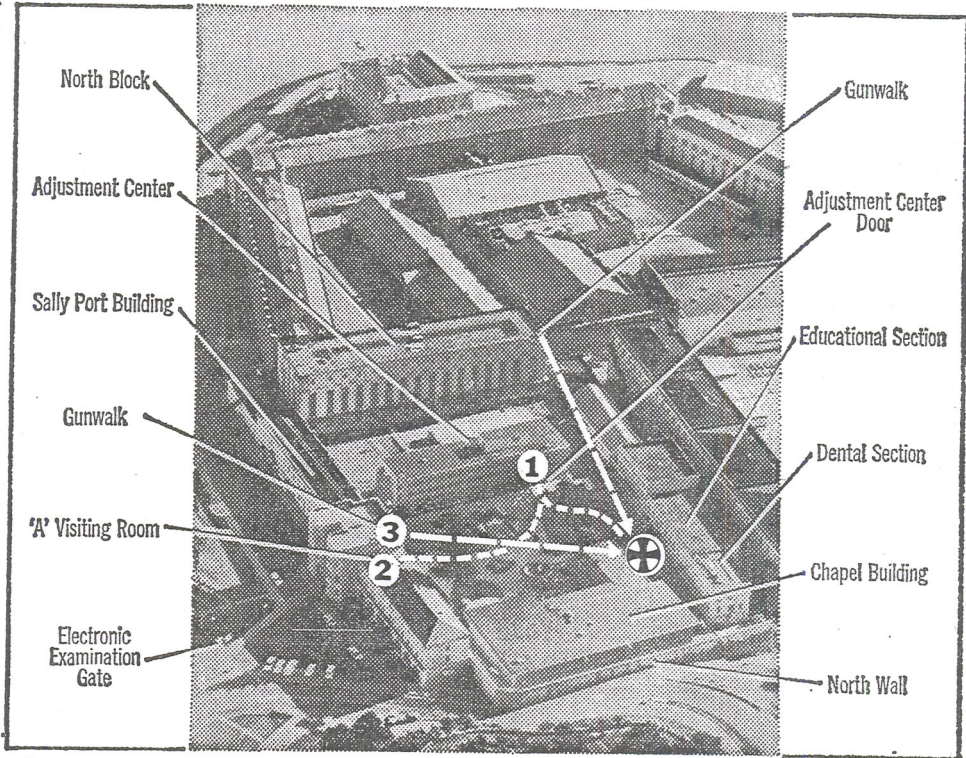
2—At 1:15 on Saturday afternoon, Aug 21, Gerge Jackson, 29 years old, the convict and author of "Soledad Brother," put his prison denims back on after a thorough search and followed a guard to the prison visiting center to meet with a lawyer.

Within two hours Jackson and five other men — three guards and two inmates—had been killed and the forces of a deeply felt national controversy had begun to gather.

The prison authorities say that Jackson was shot down with a gun in his hand as he was making a desperate attempt to escape across the prison yard. Jackson's supporters find that impossible to believe, some suggesting he was murdered by guards.

Neither the prisoners nor the guards who witnessed the bloodshed will talk about what they saw, the prisoners because they are suspected of murder and the guards because they are under orders to keep silent. As a result some gaps remain.

What follows is an effort to reconstruct what happened on the afternoon at San Quentin, as pieced together over 10 days from conversations with prison officials, defense lawyers and Jackson's family and friends.



The New York Times

Sept. 3, 1971

**According to the San Quentin authorities, Jackson was taken from the Adjustment Center (1) to the "A" visiting room (2), where he allegedly got the gun from Mr. Bingham. Once back at Adjustment Center, Jackson was said to have begun the escape, fleeing to north wall. He was felled at cross. Gunfire came from (3) and from north block gunwalk.**

When Jackson was taken to the visiting center he was not handcuffed, because of his cooperative behavior lately, and that, some guards said later, was a mistake.

It was optional with guards whether to shackle a prisoner's arms to a chain around his waist during a visit. If shackled for the trip to the

visiting center, the prisoner remained shackled for all of the visit and for the return walk to his cell.

A few minutes before Jackson and his escort began their walk, a 29-year-old lawyer, Stephen Mitchell Bingham, gradually radicalized after several years of following the

isxties, had finally won permission to visit Jackson.

Mr. Bingham had been trying since 10:15 A.M., although he was not Jackson's attorney. The visit was finally permitted because Mr. Bingham was listed as an investigator for Jackson's defense against the charge that

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he had helped to murder a Soledad prison guard.

With Mr. Bingham was a black woman who signed the prison visitor register as Mrs. Vanitia Anderson and gave the address of the Black Panther headquarters in Oakland as her home. She carried an 18-inch- by 24-inch case. Inside was a tape recorder.

That day the cards listing authorized visitors were kept at the visiting center, so it was not until she and Mr. Bingham had been admitted to the grounds and passed through the electronic examination gate and into the visiting center itself that guards discovered she was not authorized to see Jackson. Mrs. Anderson waited in the visitor waiting room.

#### Tape Recorder Found

The briefcase failed the electronic examination. A guard opened it and found the tape recorder, a device frequently used by lawyers interviewing prisoners. The guard opened the back of the recorder, saw that it had batteries in it, and closed it again. He permitted the tape recorder to pass into the prison.

That was a mistake, the authorities now believe. They believe there was a gun inside the tape recorder. At about 1:25 P.M., Mr. Bingham walked across the corner of the main visiting room, where families seated in chairs on one side of long tables talk with inmates seated on benches on the other.

A guard sat at one corner of the room, his back to the tunnel from which prisoners entered after they had passed through two steel gates and submitted to a search.

At the other end of the tunnel, another gate opened onto the sally port that is the main entrance to the old prison's central core. One sally port gate opens outside, the other opens into the inner prison.

A prisoner headed for a visit would walk across a courtyard—in the case of those in the heavy - security Adjustment Center like Jackson, accompanied by a guard—pass into the sally port, be searched, then moved through a steel door into the tunnel, then through another steel door and into the main visiting room.

But Jackson was not to talk to Mr. Bingham in the main visiting room. They were to use the "A" Visiting Room, a small room—about 10 feet by seven feet, furnished with chairs and a table—that had originally been meant for con-

demned men's visits with their relatives but that had come to be used for attorney-inmate visits.

#### Could Exchange Objects

That day it was possible to pass objects freely across the table top because a grill separating both sides had been left open. Since then, it has been closed.

The guard on duty in the main visiting room opened the door to the "A" Visiting Room and let Mr. Bingham inside. Then the guard went back to his chair and desk at the corner to watch the big visiting room and to keep books on the goings and comings of prisoners for visits.

A guard on duty at the sally port end of the entrance tunnel brought Jackson to the steel door opening off the tunnel into the "A" Visiting Room. He opened the door, locked Jackson inside, and went back to his station. Although there is a window in each door—the one Mr. Bingham went through and the one Jackson went through—no guard watched while they visited. Guards now watch visits in the "A" visiting room.

The District Attorney of Marin County filed an affidavit

Tuesday stating that he believed Stephen Bingham had brought a 9-millimeter automatic pistol and ammunition clips into the prison, together with a black wig, and passed them to George Jackson during the interview. He accused Mr. Bingham of five counts of murder under a California law that makes accomplices equally guilty.

Part way through the visit, Mr. Bingham summoned the guard and said he wanted to be let out of the "A" visiting room briefly. Guards came and took Jackson out and did not return him until Mr. Bingham returned about five minutes later. The two men remained locked together in the visiting room until about 2:25 P.M., when they signalled they had finished the visit.

#### Accompanied by Officer

Frank P. De Leon, an officer on escort duty that day, took control of Jackson as he came out of the tunnel and walked with him across the landscaped courtyard for about 150 feet to the door of the Adjustment Center.

The visit seemed to be about to end quietly, as had the approximately 250 others that Jackson had had with reporters and lawyers and other persons not in his family during the last two and a half years. But within half an hour both Jackson and Mr. De Leon were dead.

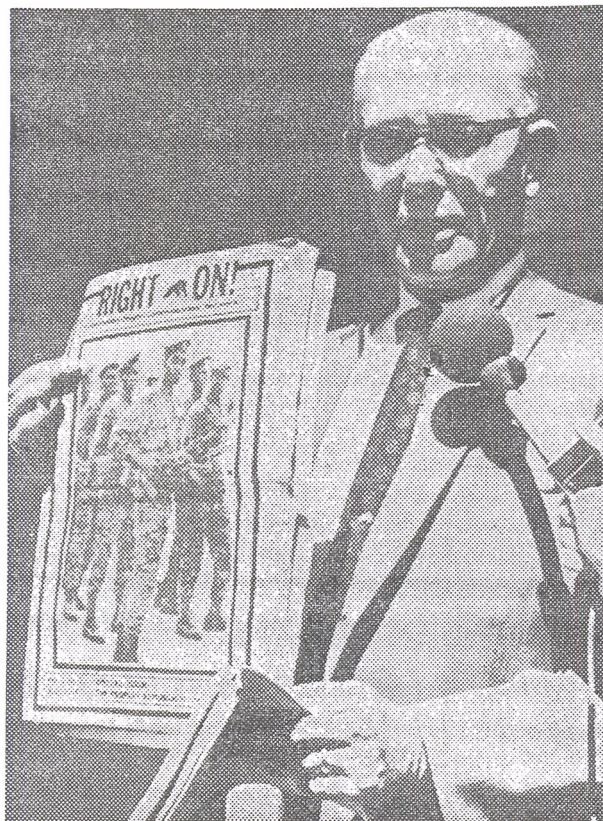
It was 2:27 P.M. when Mr. De Leon signed the register to show he had returned Jackson to the Adjustment Center. This building, with three tiers of cells, houses the most difficult custody cases, as they are defined by prison authorities.

Inmates and their attorneys have said the place gives cruel and vicious punishment to its inhabitants, the prison authorities say it must exist to provide a place of confinement for prisoners who will not conform to rules. The first tier, where Jackson had a front cell, is the most heavily guarded part of the prison. The second and third tiers are used to house condemned men.

Every time a prisoner goes in or out, he is "skin-searched," which means he removes his clothing so that his entire body may be examined for contraband.

What happened next, according to Warden L. S. Nelson, was this:

With Officer De Leon at one side, his duty finished, Jack-



Associated Press

**Warden L. S. Nelson, after the killings, with publications he said were inflammatory and not suitable for distribution to San Quentin prisoners and would be stopped.**

son stood between Sgt. Kenneth McCray and another officer, U. V. Rubiaco, who were to search him.

#### Noted 'Pencil' in Hair

Rubiaco was in front, and noticed something like a pencil protruding from Jackson's hair. The guard reached toward the prisoner's hair, and Jackson jumped aside, as the prison authorities have described it, and whipped off a wig, from which he took a pistol and two clips of ammunition. In one motion, the authorities say, he swept a clip of ammunition into the pistol and turned on the guards, who, like all guards who move within reach of prisoners, were unarmed.

"This is it?" Jackson said.

The gun, recovered later, is eight inches long, five inches high and one and one-quarter inches thick.

At this point in the narrative by the prison authorities, the chain of events becomes highly confused and vague as to specific acts. In all cases the authorities have refused to identify prisoners involved in specific acts. There are no obvious inconsistencies, however.

Warden Nelson said that Jackson ordered a guard to open the cell and free the other prisoners — 17 blacks, four Chicanos, four whites and one Puerto Rican—so they could move within the corridor of the first-floor tier.

Some of the prisoners seized Sergeant McCray, covered his head with some fabric, bound his hands and took him into Jackson's cell, where his throat was slashed with a knife made of half a razor blade attached to a toothbrush handle, the warden said. Sergeant McCray survived. Officer Rubiaco's throat was also slashed — apparently with the same weapon — and he, too, survived.

Warden Nelson was asked if the guards had not failed to follow their instructions when they did not attempt to disarm Jackson and instead complied with his order to release the others.

"All we expect our employees to do is to use their best judgment," the warden said in an interview in his office. Later in the interview, he indicated that the officers might not have realized they were surrendering to be murdered.

"Their purpose could have been served just as well by trussing and gagging the offi-

cers," the warden said. "What happened was just senseless butchery."

Soon Mr. Rubiaco was tossed on top of Sergeant McCray and then Mr. De Leon's body was thrown on the pile. His throat was cut, he was strangled with an electric cord, and he was shot in the back of the head by a bullet that went out in front of his right ear.

#### Others Hurt and Killed

At some point another officer, Paul W. Krasenes, was captured and killed by strangling and slashing of his throat. Still another officer, Charles Breckenridge, had his throat slashed and was left for dead but survived.

Two, white inmates were killed, their throats slashed. They were Frank M. Lynn and Ronald L. Kane. One of them was tossed on the floor of Jackson's cell, and the other was left in the corridor in front of the cells.

Officials have said they do not know why the two whites were killed. One unconfirmed report is that they refused to take part in the break. The other two whites among the 27 prisoners stayed in their cells with the doors tied shut, officials said.

The officials believe that

while all this was going on, Jackson was in command of the tier. Warden Nelson said it was 2:40 P.M. when the alarm was sounded after Jackson was seen with the gun.

The alarm was sounded by an officer, Carl Adams, who was on duty outside the Adjustment Center and glimpsed Jackson with a gun after unlocking the door for Sgt. Jere Graham to go in. The sergeant wanted to give an escort assignment to Mr. De Leon.

Also, an unnamed officer on the second floor of the Adjustment Center, sensing a disturbance below, came part way downstairs and saw Jackson. He, too, turned in the alarm.

Inside the center, Sergeant Graham encountered Jackson and was forced into Jackson's cell. There the sergeant was killed with a bullet in the back of his head.

This bullet lodged at the base of the sergeant's skull, and was recovered. It has been compared by microscope with other bullets test-fired from the gun that Jackson had when he was killed. Officials will not say what the comparison showed because, they say, they want to "save it for the trial."

When Mr. Adams opened the door and caught sight of Jackson inside, Jackson fired a shot at him through the window, grazing his arm.

It was shortly after the alarm went off that officials say Jackson jerked open the Adjustment Center's outer door and ran across the landscaped yard to a paved passage that winds downhill alongside the north wall of the prison.

#### A Volley From His Right

From his right came a volley of shots from a balcony gun walk above the entrance to the sally port. As he reached the paved surface, he was under fire of a guard in a gun walk that was south of the Adjustment Center.

Larry Jack Spain, 21 years old and black, a convicted murderer from Los Angeles, followed Jackson out of the Adjustment Center and across the courtyard.

When the guards began to fire, Spain dived into decorative shrubbery in front of the chapel, which is across from the Adjustment Center. He concealed himself there until guards dragged him out when they took control of the Adjustment Center again.

Spain's lawyer, Elaine Wender, said she had interviewed him but that he had not told

her anything about what he had seen while he was in the bushes less than 30 feet from where Jackson fell dead.

Warden Nelson said he believed that Jackson had been shot down by a guard from the gun walk south of the Adjustment Center. But this does not fit with the wounds found in the autopsy, Dr. Donovan Cooke, the Marin County coroner, described those.

Jackson had two bullet wounds, and the bullets that made them passed through his body. One struck him in the top of the head, shattered his skull, passed down in front of his spine, shattered two ribs and went out the lower back. It was this shot that killed Jackson instantly.

#### Version Held Unlikely

Since this shot came from behind the direction in which he had fled, according to Warden Nelson's description, it appears unlikely that it struck him while he was running toward the north wall, headed away from the rifle that fired the shot.

When asked to resolve this conflict the prison authorities said they would have no further comment on events surrounding the actual shooting of Jackson. A spokesman said that there were many witnesses available to describe what happened and that they would testify when the proper time arrived.

One hypothesis is that shots from the balcony gun walk ricocheted against Jackson's ankle, knocking him down, and that as he was struggling to his feet, facing toward the south, a shot from the gun walk to

the south struck him in the top of the head and penetrated as Dr. Cooke described.

The second Jackson wound was in his left ankle, and the bullet left a fragment of its copper jacketing against the bone.

Warden Nelson said that Jackson staggered a step or two at most, then fell across the roadway, his head to the east, his feet to the west. He was on his face when guards came and turned him over. Later, they marked in chalk two places where he had fallen, but these lines have now been washed away.

Mrs. Georgia Jackson, mother of the dead convict, said that her son had been murdered inside the Adjustment Center, and his body dragged outside by guards.

No substantiation for this story has come from the prisoners who were in the tier, according to lawyers who have talked to the prisoners.

#### Mistreatment Charged

Officials have said that all of these prisoners are suspects in the murders of the five killed there, and they have said little, even to their lawyers.

The prisoners' attorneys have been visiting them since Thursday, Aug. 25, but no specific details of what occurred have come from the attorneys. On Friday, Aug. 26, a group of the lawyers held a press conference in San Francisco.

They had all met with their clients. They said their clients had been mistreated after Jackson was killed. They offered no narrative that explained how the guards and white inmates were killed, although all were

critical of the version given by prison authorities.

"From everything we've been able to gather, there was no escape attempt—certainly not with respect to any of the men that we represent," said one attorney, Bob Della Valle. At another time, he said, "I really don't know what went on in the Adjustment Center."

Elaine Wender, a lawyer, said she believed Jackson was murdered but she would not disclose the evidence that she said would support her conclusion.

Mr. Della Valle said the prisoners had told their lawyers that they had heard scuffling, then shots, and had been told to go out of their cells and stand against the wall. Then came machine gun fire, he said, and the men were ordered to come out of the tier naked, then handcuffed and made to lie face down on the lawn.

Warden Nelson said that it took 25 minutes to get enough help to regain control of the Adjustment Center. He said that a machine gun burst of four or five shots had been fired into the Adjustment Center, and that a convict had

shouted "We've got hostages."

A guard answered, "That won't do you any good," the warden said, and fired another burst.

Officers Breckenridge and Rubiaco ran out. Then the prisoners came out one by one and the guards went into the center to find the piled bodies and Sergeant McCrav still alive at the bottom of the pile.

Uniforms had been stripped from two of the guards.

"I suppose," said Warden Nelson, "they planned at one point to have a couple of inmates pose as guards and lead Jackson back to the Visitor Center, where they would grab hostages and try to get out."

The warden was asked if the guards had been unnecessarily rough with the prisoners after the escape attempt had been broken up.

"I'll plead guilty to that," he said. "At a time like that, you do what has to be done. They acted with restraint, having seen what they saw. We are being criticized over bruises, and they will heal, but there is no way to get the dead back."