

Quentin Witness in Enviably Position

By Robert Patterson

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CARSON CITY (Nev.) — Allan Mancino, according to some of the best local legal opinion here and in California, has allowed himself to be placed in a unique, even enviable position for a convict with "a life top."

Mancino is reputed to be the potential State's star witness against the 26 convicts who — with him — were released from their cells August 21 by George Jackson during an abortive escape try at San Quentin Prison.

Some of those who were sprung from their cells participated in the execution murders of three guards and two prisoners, after which Jackson was shot to death by tower guards.

Mancino, an eyeball-witness to the bloodbath in the San Quentin adjustment center, was smuggled out of California last Thursday night and brought to the 110 year old bastille here in the Western-style state capital by plainclothes officers in an unmarked car.

The purpose was said to be to save him from "certain death" at convict hands.

Today, preserved in what amounts to virtual suspended animation—like "an item in a time capsule," as one Nevada peace officer phrased it — Mancino is in a specially detached, only - one - of - its -

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kind protective custody cell far removed from all other quarters in the quarried-stone maximum security building. It is like the fourth level in "The Andromeda Strain."

No convict may get near

him. Only Warden Carl Hocker and a few specially designated staffers are allowed to enter this special section.

Ironically, according to leading members of the bar and bench of both states, Mancino has been brought closer to freedom by virtue of the California Correctional Department's desperate move than officials may have realized . . . if Mancino himself should decide to change his mind.

Convicted of robbery in Los Angeles two years ago, the 25 year old Mancino was sentenced to an indeterminate sentence of five years to life, which give him — in prison parlance — a "life top."

He is a lifer.

Charged Again

Shortly after he arrived in the Soledad facility for which his crime and personality classified him, he was charged with "an infamous crime against nature." Prosecuted in Monterey County, he was sentenced to an additional one to 20 years and transferred to the San Quentin adjustment center.

Despite an interstate agreement among several Western states to the effect that endangered convicts may be granted sanctuary from reprisal in the prisons of neighboring states, they may not be returned to the state of origin unless they give consent, according to a total unanimity of legal opinion.

"This is not only dubious practice but it is a prima facie denial of civil rights," leading criminal attorney George T. Davis told The Examiner.

Not a Fugitive

"If Mancino changes his mind about coming back there is no way on earth that he can be forced to return, except by kidnapping. He is not a fugitive from California. He has committed no crime in Nevada. If he brings a writ of habeas corpus action, demanding his release, he must be released. There is no way that he can be held, or returned to California."

Attorney J. W. Ehrlich expressed himself in virtually the same terms.

"The issue and its disposition are clear-cut" said Ehrlich. "If he decides to ask for release he must be released. Any judge worthy of his salt has to let him out. And as for being returned to California against his wishes . . . no way."

These opinions were unquestioningly confirmed by statements from other San Francisco and Reno attorneys, and by the informal pronouncement of a highly respected San Francisco superior court judge.

Meanwhile—and with no information available as to his attitude on the subject—the only known eye-witness to the San Quentin murders stalks his air-conditioned single-entranced bide-a-wee, receives no visits, makes no statements, and sullenly ponders his unprecedented situation.

He has recourse to a Bible and a bag of Bull Durham.

He is totally encapsulated.

He is sure only of one thing.

No one here in this utterly Western community, where even the convicts have a certain cowpoke quality and outside the prison walls the purple sagebrush blows and swirls, wants to shiv him.

He is safe . . . for the moment.