

Garry Says Judges Are 'Intimidated'

Defense attorney Charles Garry yesterday contended that all 25 Alameda county judges have been "intimidated" by a politically powerful law-and-order group to the point where they cannot impartially hear the manslaughter trial of Black Panther leader Huey Newton.

Garry's unprecedented legal challenge of all the judges and of Judge Lyle Cook in particular, who was to have begun hearing the case yesterday, brought another delay in Newton's third trial for the 1967 slaying of Oakland Policeman John Frey.

The challenge for cause against Judge Cook will be heard tomorrow by Alameda county Superior Court Judge Lionel Wilson.

COMMITTEE

Garry said he intends at that time to subpoena witnesses, including retired Oakland Municipal Court Judge Charles Fisher, to prove that a group called the Committee for Law and Order has "intimidated" Alameda county judges.

In his motion, Garry said the law and order committee, of which Fisher is a chief spokesman, has "fomented public discussion and criticism of this court in regard to this case."

Because the organization advocates replacing "unduly lenient or permissive judges," according to Garry, its effect has been to impair the ability of any Alameda county judge to hear Newton's case "without fear of unjust criticism."

SECURITY

The pre-trial maneuvering took place yesterday amid new security restrictions at the Alameda county courthouse.

Signs were posted at all entrances notifying persons entering that they are subject to search, though no extensive searches were made yesterday.

Judge Cook's courtroom in the county administration building was under tight security, however, and it was understood that newsmen, spectators and even prospective jurors would be thoroughly searched when and if the trial gets under way in that court.

Newton was convicted of manslaughter in Frey's death during his first trial in 1968, but that conviction was later overturned by a higher court which ruled there were errors made by the judge in instructing the jury.

The Black Panther co-founder's second trial ended earlier this year in a hung jury.