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Bingham's Fateful Visit to 'Q'

By BERNARD GAVZER
Associated Press Writer

It was shortly after 6 p.m., Saturday, Aug. 21. Stephen Mitchell Bingham ran his Yamaha "Dirt Scrambler" with its high tailpipes across the sidewalk at 407 North Street, not far from the Oakland-Berkeley line. He maneuvered the cycle onto its stand, came up the paint-weary porch steps and entered the house he shared with others in a commune.

"Don't keep dinner for me," he said.

"I've got a meeting I've got to make."

He walked out, leaving behind his motorcycle, license 2A2706, and hasn't returned since that time.

Where is he and why has he disappeared?

The State of California charges that Stephen Mitchell Bingham, 29, radical storefront people's lawyer, Milton Academy '60, Yale '64, son of distinguished Connecticut Yankees, disappeared because four hours earlier that day he participated in murder at San Quentin.

It alleges that Bingham used his status as a lawyer to visit George Jackson, the militant black convict who attracted world attention with his impassioned book, "Soledad Brother: Letters From Prison." During the hour they were together, says the state, Bingham managed somehow to deliver an automatic pistol to Jackson. And within 40 minutes after Bingham left, Jackson was to die, and so were three white hostage guards and two white inmates.

What happened behind the walls of San Quentin? What in Steve Bingham's life brought him there and to a murder charge?

"Steve is in the generation of the youngest and the best," says his mother with enormous pride. "He is in that generation of young lawyers who have no thought of fine offices but who give of themselves to help the helpless, fighting poverty and injustice."

Seated in an enclosed veranda of the 18th century family farm home in Salem, Conn., Sylvia Bingham, a graying, tight-knit woman, put a match to her 41st Kent of the day, realized suddenly it was not yet noon, oh well, puffed deeply and spoke of the Binghams.

During the Depression, her husband, Alfred Bingham, founded "Common Sense," a journal which called for the "building of a new united political movement" and professed a belief "that a system based on competition for private profit can no longer serve the general welfare." It proposed a basic $5,000 income for every family. In 1932! Some detractors called it "Commie Sense."

"We were very idealistic," says Mrs. Bingham. "I guess you could say that Steve comes to his concern for other people quite naturally."

Richard Winacor, who now works for the Connecticut State Welfare Dept. at Norwich, was a boyhood pal. "The thing I remember most was when he was 10 he wore this great big Stevenson button."

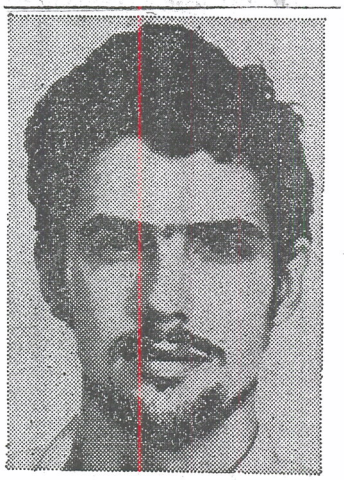
In rock-ribbed Republican eastern Connecticut there are folks today who still can't see how Alfred Bingham and his

brood could be Democrats, considering that his father was Republican governor of Connecticut and also a U.S. senator.

Because the Binghams are old family and old New Englanders they somehow are believed to be old money, and big money.

"I do not think it is correct to describe us as wealthy," says Mrs. Bingham. "I would say perhaps well-to-do."

The home seems to go for the inner man: books and



STEPHEN BINGHAM
Turned to violence?

comfortable rooms whose wood-pegged floors and hand-hewn beams have the smoky perfume of thousands of nights of hearthstone fires.

Not big money. But the capacity to travel widely and often, the ability to put kids through fine schools, the time to abandon income-producing work in order to serve the community.

Alfred Bingham serves as a judge in probate and devotes much time and energy to the Thames Valley Council for Community Action, which is the name by which an urban renewal activity was organized and founded.

Jonathan Bingham, Steve's uncle, is also a Democrat and a member of Congress. He and his brother, Alfred, coauthored a deeply-felt study of unrest in the nation, titled "Violence and America."

The uncle and others in the family seem to find special significance in the fact that Steve was a long distance runner. Steve captained the track team at Milton Academy, was on the freshman track team and ran the varsity cross-country at Yale. "Anyone who runs the mile has to have a lot of physical courage," says Jonathan Bingham.

By his sophomore year at Yale, Stephen began opting out of organized sports and into political action.

Steve joined the Yale Young Democrats. He served on the Student Advisory Board. And, as a senior, he was executive editor of the Yale Daily News.

Life might have remained tranquil and orderly except for the appearance of Allard Lowenstein, a peripatetic dynamo of vast energy and enthusiasm. The wave of civil disobedience challenging segregation in the South had begun. Freedom Rides. Sit-Ins. The black man of the South must get a vote, must have a voice in his political destiny. So said Lowenstein.

Writing in his column of commentary, Steve Bingham urged students at Yale to take part.

"Until the black people of Mississippi and the rest of the South — and North — are free, we shall not be free." He acted on his words and headed South.

"There were a lot of kids who came out of the Mississippi experience with a sense of America that was utterly poisoned," says Lowenstein, a former congressman. "They had great personal bitterness and viciousness. But not Steve. He never was hate-filled. Not even after we were arrested in Clarksdale on a trumped up charge. He had an enormous residual commitment to original goals. And I believe he was convinced that necessary change could come through the system, not by destroying it."

By now Bingham had decided on the law.

"My two older sons," says Mrs. Bingham, "are both Ph.D.'s, in higher and drier things. Douglas is a geologist and Christopher is a mathematics professor. Their sister, Alfreda, is married to a college professor."

Steve headed West and there met a young blonde, Gretchen Spreckels. The sugar Spreckels?

"Yes," says Gretchen. "But not THE Spreckels. We were on the side of the family which had so many to divide it up that there wasn't really very much for anyone."

After six months, with Steve in his first year of law at the University of California, they were married.

"Steve's thing was involvement," Gretchen says. "He had to do something, actually be doing it in a way that would let him see things change. And he was always questioning, always asking whether it was best working in the system or out of it. But I think it was this that steered us toward the Peace Corps."

They were in the first Community Development program in Africa and assigned to Sierra Leone.

George Taylor, who now heads the Lawyers' Committee for Civil Rights Under Law in Jackson, Miss., was director of the Peace Corps project there. "Thank God these were committed, dedicated, concerned young people.

"We were putting young American couples in places where you have to keep taking malaria depressants and watch for leprosy, TB and what not. The language was foreign and difficult. And this cut them off from 80 to 90 per cent of the villagers. Some quit, but Steve and Gretchen stuck to it."

"Steve could not abide telling others how to do things," says Gretchen. "He needed to do things, to see things accomplished."

George Taylor says young Bingham at the time often quoted from "The Lonely African" by Colin Turnbull. "Turnbull had a great deal to say about the futility and inherent evil of the white man imposing certain standards upon the African. Steve felt that while we were giving Africans what we thought was good, we were doing insurmountable damage by destroying his pride."

The young Binghams stuck it out until fall of '67 and went back to their modest cottage in Berkeley, where Steve resumed his law studies.

In Berkeley, their marriage began running aground."

"I'd guess that the basic difference between us was that I was a cynic," says Gretchen, now divorced, and living alone in the cottage, surrounded by many of the mementos of their African sojourn.

By then Bingham had become involved in the long struggle of farm workers led by Cesar Chavez.

"The first time I saw him, he came to MacFarland, where we had the headquarters of the California Rural Legal Aid program," recalls Gary Bellow, now a law professor at Harvard. "The conditions of the workers in the valley were incredible. All the evils of the bad housing, low pay, poor education, poor health facilities.

"And here was Steve, with two goals in mind. He wanted to know what could be done as a lawyer who wanted to give the benefit of legal advice to people who needed it, even though they could not pay.

"And he had this idea of bringing together two of the most vital services for the poor: medicine and law. If for example, you had workers in the hot sun with no adequate water supplies or sanitary facilities, what sort of medical problem did you have and how could the law be used to change it."

Eventually, the Medical Committee on Human Rights was formed. It brought together medical and law students.

"They had a problem," says Gary Bellow, "because they thought that what they were doing was so obviously and patently good that no rational

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human could object. They learned different."

Back to Berkeley and then passing the California bar. There were some tense moments there. What about the Mississippi arrest? And what about this arrest for a Sproul Hall sit-in? The bar accepted the explanation that the arrests were political and the unhappy result of legitimate protest action.

Back East, a seductive carrot was offered. Dad already was half into retirement. His law office could use young blood. Bingham blood.

Instead, Steve went onto the staff of the Berkeley Neighborhood Legal Services Program, where he soon showed a zeal for handling landlord-tenant cases.

Caught up in the radical world of Berkeley, involving himself in causes of the poor, the Black Panthers, the Chicanos, Steve — who gave up fussing about dress about the time he wore his last tuxedo at Milton Academy — sometimes let his hair go wild.

But tall, lean, self-disciplined, he betrayed little of himself under pressure. One telltale sign of stress was the finger-drumming that would be done almost absent-mindedly. Then, his knee would bounce, nervously.

And in stress, his antidote was — as one person put it — "taking off for the hills." He needed the solitude of nature.

"It doesn't matter how he dressed or how he acted," a state senator, says Joseph Leibermann, in his office in New Haven, Conn., "because for some of us, at least for me, the image that always comes to mind is that of the elegant patrician. I know that this is my fantasy, but I always think of him in a Leslie Howard posture wearing a beige suit and bow tie.

"The fact is that he was a roaring egalitarian."

Last Aug. 1, Steve joined a law firm, actually a law collective, then known as Franck, Hill, Stender, Ziegler & Hendon, in Berkeley. Here he would be dealing with tenant cases as well as such causes as prison reform. He had already had nearly a half dozen visits with George Jackson.

"I have no doubt about it: Steve was one of the radicals of this generation," says Alfred Bingham. "But I still cannot see him involved in violence."

A man who has known three

GEORGE JACKSON
Who gave him gun?

generations of Binghams remarks, with compassion:

There is a certain naivete about all the Binghams. They can't seem to believe that there are some really bad and evil people in the world."

And so, they could not, cannot, believe that Steve might have had a conscious hand in the bloody events at San Quentin.

"There is no reason to judge he is guilty because he has not come forward," says his father.

"He may be a victim of foul play or he may me held by those who do not want him to be free."

Dr. Reuben A. Holden, a longtime friend of the family and once secretary of Yale, says: "I think of him as the sort of person who would face the music regarding anything he'd be involved in. His disappearance seems very fishy. It's just not normal behavior on his part. If he had any involvement in this event, he'd stand up and face it."

Of course, Steve Bingham may very well have been that way for all the 29 years of his life. He may have been that way at 9 a.m., Saturday, Aug. 21.

But what was he at 10:15 a.m.?

Stephen Mitchell Bingham arrives at that hour at the East Gate, San Quentin. He registers, says he is there to visit inmate George Jackson, No. A-63837. He carries with him, according to an affadavit filed by Bruce B. Bales, district attorney of Marin County, an 18-by-24-inch carrying case and an expanding envelope folder.

Bingham goes through an inspection officer. Apparently the alarm came because of a tape recorder. Reportedly, this, too was inspected and found to have batteries. It was a cassette tape recorder.

In the main visiting room, another person also requests to visit George Jackson. It is a black woman. She signs in as Mrs. Vanitia Anderson. The address later was found to be that of the Black Panther party headquarters in Oakland. She could not get permission for a visit. Nor could Bingham, at that hour. Supposedly they had come to San Quentin together, or at least had arranged to meet there. She, too, has disappeared, so far as is known.

Steve's plans were going awry. He was to have lunvh that day with his uncle, Woolbridge Bingham, a history professor emeritus at the University of California, at the Bingham's home in the hills above Berkeley.

It is getting late so he calls his uncle and aunt and says he can't make it. They tell him to come ahead when he can.

Finally, at 1:15 p.m., the San Quentin visit is granted. He also receives permission to use the tape recorder in talking to Jackson about another case. Jackson had had hundreds of visits from lawyers and newsmen.

"Jackson was practically running a pesonal legal aid and directory service," says Gary Bellow.

The "A" Visiting Room was marked for Jackson and Bingham.

There was a heavy mesh screen dividing the 10-by-7-foot room along its 10-foot length. The screen was anchored to the floor and ceiling, the only opening being two gates, so lawyer and inmate could transfer apers, examine documents and so on. On the lawyer's side there was a small table placed flush against the mesh screen. On the inmate's side, only a chair.

The escort guard could sit outside the visiting room but have a clear view of all movement in the room through a doorway.

Bingham is locked in after entering from the large visiting room. He has with him the carrying case, the folder and the tape recorder. Jackson, meanwhile, had been put through a skin search, even to an inspection of his hair, and then is dressed in coveralls. At 1:25 p.m., he is locked into his side of the visiting room.

Some time udring the next hour, Bingham asks to be let out to get some cigarettes. The district attorney, in an affidavit filed Aug. 31, said Jackson first was removed and then Bingham was let out on his own side.

But Associate Warden Jo-

seph O'Brien, acting as San Quentin spokesman, gave a contradictory vrsion in an interview.

"Jackson was sitting on his side of the screen. He sat there five minutes waiting for Stephen Bingham to return. This was under observation of an officer."

Did Bingham take his carrying case, folder or tape recorder with him?

"We don't know."

For those who think that Steve Bingham might have been an unwitting Trojan Horse — carrying a weapon and not knowing it — this is a very crucial point. Because if Jackson was indeed alone, as O'Brien says, and the tape recorder, carrying case and folder were there, he could presumably have had a chance to get a gun hidden in one of them.

In Bales' affidavit, which was the basis for the murder charge against Bingham, Jackson concealed the weapon and two ammunition clips under an Afro wig, also presumably smuggled in. Whether this occurred in or out of Bingham's presence, how did the escort guard, seated no more than eight feet away miss it?

The visit ends at 2:25 p.m.

Bales's affidavit says that on being returned, the same correctional officer who had seen Jackson escorted to visit with the attorney noted his "hair looked somewhat different on the trip back."

Says the affidavit: "... Correctional officers commenced to search him (Jackson) whereupon he pulled a black wig from his head and took therefrom a 9mm automatic pistol and clips containing 9mm live cartridges and forthwith took the searching officers hostage."

At 2:30 p.m., Steve Bingham signs out of the East Gate.

And inside Jackson's cellblock, at least 29 inmates are released from cells on the lower tier. Three guards are taken hostage. Two inmates, working as their tenders, have their throats slashed. One guard has his throat slashed but survives. Two of the three dead guards have throat wounds and bullets in the back of their heads. Jackson is shot in the prison yard by a guard.

At about 4 or 4:15, Steve Bingham curbs his Yamaha at his uncle's house. So far as is known, there's anywhere from 45 minutes to an hour that haven't been accounted for.

Steve apologizes for the delay.

No finger drumming. No knee bouncing.

"There was nothing about his demanor to suggest any high excitement or any anxiety as might be anticipated if a person had just been involved in taking a gun into a prison," says Prof. Bingham. "It was a pleasant, unremarkable visit."

The professor's daughter and her husband are there, and they invite Steve to have supper with them.

"No, sorry," he says. "I'm going to a political meeting this evening."

And he leaves. About 5:30.

At shortly after 6 p.m., Bingham ran his Yamaha across the sidewalk at 407 North Street where it was left as he vanished.