

Soledad Trial Will Dig at the Roots

of Violence

By Harold V. Streeter

What is it like today behind prison walls?

What triggers the outbursts of violence?

As San Quentin's Associate Warden James Park recently asked, is it because of an increase in hard core, radical convicts supported by outside revolutionaries?

Or is it the consequence of an outmoded system?

Does that embrace brutality by some racist guards?

Some of these questions will be explored and perhaps answered in testimony once a jury has been completed for the trial of John Clutchette, 28, and Fleeta Drumgo, 26, two black convicts charged with killing a white guard at Soledad Prison.

The Examiner has learned an effort will be initiated early in that trial to take the jury to Soledad for a first-hand look at the scene where guard John V. Mills was beaten to death on Jan. 16, 1970, and his body flung from the third railing of "Y" wing — where tough cons are assigned at the correctional facility.

The Monterey County District Attorney's office, prosecuting the case here on a change of venue, takes the position that a rash of violence before and after the Mills slaying belies the commendable character of the facility.

Witnesses

The prosecution will have 10 correctional officers ready to testify as to what happened. Its list of 50 potential witnesses includes more than 20 prison inmates.

The defense presently declines to say flatly if Clutchette and Drumgo will testify. But defense questions to prospective jurors strongly hint they will.

And who else?

"We don't really know."



FLEETA DRUMGO
System on trial

the more than 100 who were in Soledad's Y wing the day Mills died."

During 1969, racial tensions at Soledad had promoted separation of blacks and whites for turnouts in exercise yards.

On Jan. 13, 1970, in the belief the trouble was over, blacks and whites were allowed to exercise together. A fight broke out in the yard, just outside "Y" wing.

3 Cons Killed

Guard O. G. Miller fired into the crowd. Three blacks died, the first convicts ever killed by a guard at Soledad.

Miller, who was absolved of blame by a grand jury after 20 minutes deliberation, said he had aimed one shot at a concrete deck "as a means of drawing their attention" before firing the fatal bullets.

Three days later after the convicts were killed, on Jan. 16, 1970, Monterey County Public Defender Phrasel L. Shelton wrote Governor Reagan asking for a multi-racial investigative commission to study conditions at Soledad.

Just a few hours later, Guard Mills died. Prison officials said Mills, who had been on duty at Soledad for 14 months, went alone and unarmed up into "Y" wing.

He was the first guard ever killed at Soledad but not the last. By the following July, a

says Drumgo's long-haired attorney Richard Silver.

"But we certainly feel this is a trial of California's prison system and we want the truth to come out even if we have to go after everyone of

second guard had died. To date, the total is four.

The day after Mills died, Soledad's Supt. C. J. Fitzharris, a 29-year veteran at that time with the Department of Corrections, gave his reac-

tion to what was happening inside prison walls:

"There is a carryover from the outside. Militance and all that. It is part of the national climate.

"We get a vastly different

kind of man now. He is more violent and more dangerous . . . We are now getting the kind of people that prisons were built for — and you have to expect violence from violent people."

But both Clutchette and Drumgo, during the preliminary phase of their trial, have made it evident they are prepared to testify it is the system rather than the inmate that is at fault.

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They have charged that since the Aug. 21 violence at San Quentin, when their fellow defendant, George Jackson, was killed, they have been denied replacement of eye glasses smashed during the outbreak and that personal papers pertinent to their

Soledad defense have been taken away.

Their pleas won them interceding orders from their Soledad trial judge, S. Lee Vavuris, directing prison officials to take any necessary correctional steps.