

Soledad Murder Trial

Witness' Credibility Attacked

By Charles Howe

The credibility of a witness who says he saw the so-called Soledad Brothers participate in the killing of guard John V. Mills was strongly attacked by defense lawyers here yesterday.

Thomas A. Yorke, 34, a British subject and convicted killer given to frequent circumlocutions — and not above patiently criticizing the way the defense phrases its questions — frequently gave as good as he got.

Defense lawyers Richard Silver and Floyd Silliman made their strongest assault on the fact that Yorke was paroled from state custody early last December.

Yorke was convicted of voluntary manslaughter in

1968. This crime carries a sentence of one to 15 years imprisonment. He implicated the defendants in the murder of officer Mills several days after it happened, on January 16, 1970, at Soledad prison.

ESCAPE

In August of 1970, he escaped from protective custody where authorities had placed him after he told them he feared for his life over possible inmate reprisals for turning informer.

For this escape — "accomplished without violence" — Yorke was sentenced to serve a concurrent indeterminate sentence of six months to five years.

On February 3, 1971, knowing he was to be a possible prosecution witness against defendants Fleeta Drumgo

and John Clutchette, the Adult Authority (Parole Board) granted him a parole date.

Yorke is now in federal custody over a violation of immigration laws.

'HASSLE'

A short, stocky black man whose convoluted responses to questions sometimes confused defense and prosecution attorneys alike, Yorke insisted he had been virtually a model inmate while at Soledad.

Known to his peers, he said, as "Road Runner," Yorke said he had flatly told the Adult Authority board members he had "not made up my mind on this case" — giving evidence for the prosecution — "and immediately got into a hassle with them." He also insisted that he

had been "intimidated" into telling the Monterey county Grand Jury all he knew about the murder shortly after it took place; that he was "coerced" into telling prison officials about the crime several days after it occurred.

'REHABILITATION'

Describing himself as "a man who didn't want to get involved one way or the other" by testifying for either side, Yorke said he was probably granted parole because while at Soledad his various, self-described good works "had contributed to signs of (my) rehabilitation, per se."

Yorke attempted to describe the circumstance of his escape, but Silliman cut him short.

Yorke testified on Thursday that he saw the late George Jackson beat Mills

about the head and face; that Drumgo punched Mills several times; that Clutchette was nearby and picked up a flashlight Jackson attacked Mills with; that Jackson pushed Mills' body over the third floor tier of Y Wing.

INFORMING

When Silliman implored Yorke may have voluntarily turned informer without any asserted intimidation, Yorke responded, "I think you have done that very maliciously."

And when Silver asked him about a lawyer who allegedly told Yorke to deny he had seen the killing, the witness characterized the question as "very ambiguous and self-contradictory."

On several occasions, in a tone verging on the scholarly, Yorke asked the court-re-

porter to "please read the answer back from the transcript" after maintaining he had already given a satisfactory answer to a defense question.

Yorke has testified he has been in no way rewarded by the prosecution for giving evidence against the defendants.

The trial, presided over by Superior Court Judge S. Lee Vaveris, resumes on Tuesday at 9:30 a.m. at the Hall of Justice.