

Angela Jury Picked; Name

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SAN JOSE — The jury that will hear the kidnap-murder trial of Angela Davis was finally completed this afternoon by the selection of four alternates.

Superior Court Judge Richard Arnason, at the request of the prosecution and with the consent of the defense, scheduled opening statements to begin Monday, March 27.

The final choice of jurors came after a brief game of musical chairs which resulted in a 20 year old girl being placed on the primary panel of 12, and a 19 year old male student among the alternates.

That came about when the original No. 8 juror, 39 and the mother of five children, asked Judge Arnason in chambers to be excused for "personal reasons" which were not made public.

Replacement

When she dropped out, the girl, a receptionist for Syntex Corp. here, who had previously been accepted by both sides as an alternate, was advanced to the primary panel.

Interested in tennis, painting and sewing, she is originally from Minnesota, and was in that state when the 1970 Marin County Courthouse shootout occurred which resulted in Miss Davis being brought to trial on kidnap, murder and conspiracy charges.

At one time during the questioning of jurors, she declared that she could not judge Miss Davis "unemotionally," that it was "an awfully big decision to make."

Youngest Juror

Later, however, she withdrew a statement that she

4 Alternates

did not feel she could "condemn" the defendant and insisted that while it would be difficult it would be possible.

Eligible under recent changes in laws relating to the rights of 18- to 20-year-olds, she is perhaps the youngest primary juror ever to serve in California in a trial for murder.

The 19 year old alternate — last of the four to be chosen — is a student at West Valley College who said he had transferred his classes to a night schedule when he learned he might be called for jury duty.

He works as a part-time service station attendant and lives in Los Gatos with his family. The only problem he foresaw in connection with jury duty was that he might be called to testify in the case of a man who had assaulted him.

The other three alternates include a retired engineer who emigrated here from Denmark in 1924, a 26 year old secretary and divorcee, and a young man who works as a mechanical designer for Ampex, where his wife is also employed.

Assistant Attorney General Albert Harris Jr. hailed

the jury as one that does not favor either side, and said that its selection in such a relatively short period of time — three weeks — vindicated his and Judge Arnason's judgment that Santa Clara County is a "reasonable place" for the trial to be held.

Howard Moore Jr., Miss Davis' chief counsel, was more restrained.

"It's unlikely," he said, "that we could get a better jury in this county."

Flurry of Removals

The defense, in a flurry of removals without a statement of cause, had exercised six of its eight peremptory challenges in winnowing out prospects from the alternate panel.

Moore confirmed that it did so with full knowledge of those prospects who were still waiting to be called.

Of the original panel of 120 talesmen, only 10 were left when the four alternates were agreed upon. Fifty-one had been excused after questioning in court, 43 upon written request, and 16 went into the jury box.

Judge Arnason explained that postponement of start of trial until a week from Monday was ordered because the jury had been selected more quickly than expected.

New Subpenas

Subpenas for witnesses, sent out when the process was expected to take a months to six weeks would

have to be substituted for new dates, he explained.

Immediately after the jury was completed, prosecution and defense attorneys held a brief conference in Judge Arnason's chambers on the subject of Miss Davis' bail.

Harris had been informed in court of the new State Su-

preme Court ruling that bail need not be granted when there is a sufficient presumption of guilt — even though "capital crimes" as such no longer exist since abolition of the death penalty.

Bail Dispute

Moore argued that the ruling should not affect Miss Davis, since she has been al-

ready admitted to bail. Harris said he would have to consult with his superiors and read the Supreme Court decision.

"My client is on bail," Moore told reporters afterward. "I'm really not concerned about it. I don't see any way she could be denied bail."

Harris said that when the

trial resumes his opening statement to the jury, outlining the case against Miss Davis, would take at least half a day.

She is charged with providing the guns used in the shootout, in which a Marin viding the guns used in the three other persons died