

Judge in Davis Trial

Richard Earle Arnason

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SAN JOSE, Calif., March 27—Just about 10 months ago in a bright and roomy courtroom in Marin County, Judge Richard E. Arnason became involved in the trial of Angela Davis. His appointment then was to preside only over the pre-trial proceedings. But when the state made its opening arguments here today in the cramped little courtroom where the trial is being

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held, Judge Arnason was still in charge.

Much has changed since he took control of this controversial case. But perhaps none of those changes is more evident than the change in the attitude toward Judge Arnason himself.

His appointment was greeted with something of an outcry. He was called a country judge. Some said that he did not measure up and just 10 minutes after he took the bench, he was challenged for cause.

Judge Arnason not only survived that challenge but also in the months that followed he succeeded where five judges who preceded him in the case had become stymied.

He untangled the legal mess that had brought the pre-trial proceedings to a virtual standstill. He forced the Federal courts to act on the hand scrawl motions of Ruchell Magee, a black inmate from San Quentin prison who was then a co-defendant in the case.

And once the Federal courts firmly established the state's jurisdiction, Judge Arnason was instrumental in having the case of Magee severed from that of Miss Davis.

Decision Called Liberal

Eventually he granted a change of venue and after the California Supreme Court banned the death penalty he freed Miss Davis on bail.

In his rulings on various pretrial motions, Judge Arnason delivered what some persons believe are among the most liberal decisions ever made on the right of defendants to see information that the prosecution will use in



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says that that is the way it should be.

"The thing you have to do," he said, "is not allow the pressures to become such that they affect you."

He believes, though, that pressure is not necessarily a detriment. "Sometimes," he said, "we do our best work when we have pressures."

The original complaints about Judge Arnason — that he was a country judge not acquainted with the problems of blacks and of the cities — appeared on the surface to have some legitimacy. He comes from Contra Costa white suburban county in the northeastern section of the San Francisco Bay area. He had practiced law there for 15 years before he was appointed to the bench by Gov. Edmund C. Brown, a Democrat, in 1963.

He is a solid, stockily built man, 50 year old, who grew up on a farm in Grand Forks, N. D. "There were nine of us," he said, including triplet sisters who are "10 year-younger than I am." He remembers the day the girls were born.

Richard Earle Arnason, the farm boy, grew up a Lutheran. He was graduated from Boalt Hall School of Law at the University of California at Berkeley. His career as a lawyer began in Antioch, where he practiced until his appointment to the Superior Court.

Judge Arnason married a home town girl he met on a blind date soon after his graduation from law school. They live now in Martinez, Calif., in Contra Costa County. They have four children — Christine, 21, Ricky, 18, Gary, 16, and David, 13.

its case.

The attention this trial has aroused has been both national and international and Judge Arnason's every move has been subjected to the most rigid scrutiny. He concedes that all this has placed great pressure on him but he Oakland but he soon moved