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## How the Decision Was Reached

# No Juror Cast a Ballot of

By Rick Carroll

Not one of the 12 jurors in the Angela Davis trial ever voted for a guilty verdict, a member of the panel said yesterday.

Robert Seidel, 70, gave a guarded glimpse of what went on in the jury room, where "more than three" ballots were taken — he wouldn't say just how many.

But he said that after the first ballots, "ten jurors were for acquittal, but two more wanted more time to review the evidence. No one ever voted for guilty. . . .

"Two of them sat on one side of the jury room — it was a big room, you know — and looked at the evidence while the rest of us waited. Some of us even played cards, you know. After a while, they decided to go along. But there was no pressure."

"From the very start, we considered it a very doubtful case," Seidel said.

"It was all circumstantial," he said, "and we just couldn't forge a link" (Between Miss Davis and the August, 1970, shootings at the Marin Civic Center).

Seidel, the oldest member

of the jury, sat sipping draft beer in the Safari Room, a San Jose cocktail lounge where Miss Davis' supporters were gathering early last evening for a victory party.

"I thought I would come out and maybe give her a few words of advice — to be more careful," Seidel told a Chronicle reporter.

Seidel said Miss Davis had told him, "Come to the victory party," as she embraced him — and each of the other jurors — following the verdict.

He didn't go into details of the jury's 13 hours of deliberations, saying, "We agreed we'd only answer

some questions" so as to avoid prejudicing "the Magee case."

Ruchell Magee, a San Quentin convict, still faces trial in the Marin shootings.

Seidel said, however, there was "surprisingly little dispute" in the jury room.

He said Miss Davis' race was never mentioned during the deliberations, nor was her Communist party membership because "she was not charged with being a Communist."

"We were not swayed by the closing arguments, not at all," Seidel said. ". . . What we were interested in was the evidence.

"Some of it looked kind of bad, like the gun she bought two days before it happened. But the judge's instructions made it clear we must be convinced beyond any reasonable doubt that she was guilty. . . ."

As Seidel talked with the reporter, friends of Miss Davis kept approaching him with comments like: "Thank you for being honest."

"I did my duty," he responded to one of them.

Asked if he feared the verdict might turn community sentiment against him, he said:

"You can't let that stand in the way. You have to do

## Guilt

your duty. I don't think any of us worried about that."

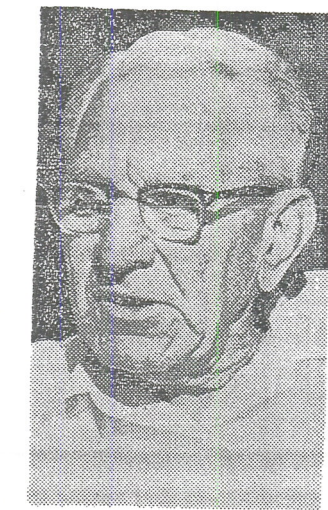
Seidel was lavish in his praise of defense attorney Leo Branton Jr.

"He's a brilliant lawyer," Seidel said. "If I ever get into trouble — I hope not — I would want him."

The white-haired, bespectacled Seidel also praised Mary A. Timothy, the jury's forewoman, as "very capable."

He said he had recommended that Mrs. Timothy preside over the deliberations: "I thought this was proper because there was a woman on trial."

In general, Seidel said, he found the trial "very inter-



UPI photo

ROBERT SEIDEL  
'Very doubtful case'

esting. However, it got a bit boring."

He left the party before Miss Davis arrived, and never got to give her any of his advice.