

# The Angela Trial's Complex Background

The acquittal of Angela Davis yesterday brought to a conclusion one of the most widely publicized trials in this country's history.

To millions here and abroad, Miss Davis was the victim of a political cabal, "persecuted" by the State of California because she is black, an avowed Communist, an articulate spokesman for the oppressed, and an outspoken revolutionary demanding violent change in the United States.

This theory was totally rejected by the man charged with prosecuting Miss Davis.

Assistant Attorney General Albert Harris Jr. viewed the tall, lean Miss Davis not as a political activist, but as a woman, driven by unfulfilled passion to set in motion a bizarre plot, that he said, by its very ingenuity, almost succeeded.

## CHAIN

In his eight-week presentation to the jury, Harris called 95 witnesses and offered more than 200 exhibits to the jury in his attempt to enmesh Miss Davis in an unbreakable chain of evidence.

His thesis, bolstered by a parade of witnesses, was this:

In May of 1970 Miss Davis entered a Salinas courtroom to listen to pre-trial motions offered in behalf of three black Soledad prisoners, charged with the slaying of a white prison guard. The



## Angela's Image

Angela Davis' appearance changed during the period she was sought by the FBI as one of its ten most wanted fugitives and the time she was arrested.

The difference is illustrated by the photos on the "wanted" poster (above) and a photo taken on Oct. 13, 1970 (right) when she was taken into custody in New York City.



three, though unrelated, were known as the Soledad Brothers. Miss Davis had been devoting her time and energies in their behalf.

According to her own letters, seized by the FBI in her Los Angeles apartment, Miss Davis fell headlong in love with the most dynamic of the three, 28-year-old George Jackson.

## BROTHER

Thereafter, witnesses testified, she was seen almost constantly with Jackson's 17-year-old brother, Jonathan, a Pasadena high school student, and visited frequently with their mother, Georgia.

At this point, the state claimed, Miss Davis already owned two weapons, a Browning automatic pistol and a .30 caliber Plainfield carbine with a collapsible stock for which she had purchased several hundred rounds of ammunition.

After meeting Jackson, she bought more ammunition, and with her when the purchase was made were Jonathan and Mrs. Jackson.

There were more purchases of ammunition by a woman identified as Miss Davis, and visits to the Bay Area with the Jackson family. Early in July the Soledad Brothers were transferred to San Quentin. Later



that month Miss Davis sought and was denied court permission to act as an investigator for the elder Jackson, with privileges to visit him at San Quentin.

### CARBINE

On July 25, Miss Davis, accompanied by young Jackson, bought another carbine in Los Angeles, and hundreds more rounds of ammunition.

On the next three successive days young Jackson visited his brother at San Quentin; flew back to Los Angeles and on July 30, he and Miss Davis took an unexplained trip to Tijuana, in Mexico.

On August 2, 1970, young Jackson was back in San Francisco for the opening of Soledad House, headquarters for the group supporting the Soledad Brothers. The following day Miss Davis arrived.

On August 4 young Jackson borrowed a Volkswagen from Mabel Magers in San Jose and later in the day he signed in as a visitor at San Quentin, with a "Diane Robinson," a woman prison guard said was Miss Davis.

### VISIT

Witnesses said the two were back again on August 5, leaving the prison at 2:15 p.m. after the Jackson brothers had visited. At 5 o'clock that afternoon they arrived together at a San Francisco pawn shop where

Miss Davis bought a 12 gauge shotgun and a box of shells.

On August 6, young Jackson rented a yellow van from Hertz. Two and a half hours later, he appeared in a knee-length coat and carrying a plastic bag in the Marin courtroom of Superior Court Judge Harold Haley. There, a San Quentin inmate, James McClain, charged with assaulting a prison guard, was conducting his own trial.

Jackson left after a few

minutes, and, witnesses said, shortly afterward he and Miss Davis appeared at a Mobile service station across the street from the Marin Civic Center. Jackson asked help in starting the van, stalled in the parking lot at the Civic Center.

### ARGUING

There was another visit by young Jackson to San Quentin that morning and a witness said he saw the van leaving the prison parking lot and the two occupants

appeared to be arguing violently.

Twice again that afternoon Jackson visited Judge Haley's courtroom, the last time at 3 p.m. after court had been recessed unexpectedly early. That night young Jackson registered for two at the Holland Motel on Lombard street in San Francisco.

On August 7 at 10:45 a.m., Jackson again entered Judge Haley's courtroom. After a few moments, he pulled from under his coat the Browning automatic Miss Davis had purchased; then the carbine with the collapsible stock; and finally the shotgun bought two days earlier by Miss Davis. The shotgun had been sawed off.

He armed three San Quentin convicts, McClain, Ruchell Magee and William Christmas; they took five hostages: Judge Haley, around whose neck the shotgun was taped with adhesive brought in by Jackson; Assistant District Attorney Gary Thomas; and three women jurors.

### BATTLE

Seizing an arsenal from immobilized deputies, Jackson and the convicts marched the hostages to the waiting yellow van and in the ensuing gun battle, Judge Haley, McClain, Christmas and young Jackson were killed. Thomas was permanently crippled.

Later, authorities found in

Jackson's wallet a slip of paper bearing a telephone number subsequently traced to a public phone booth near the American Airlines ticket counter at San Francisco International Airport.

At 2 o'clock that afternoon Miss Davis hurriedly boarded a PSA plane for Los Angeles, paying for her ticket by check at a lower area counter at the boarding gate. A witness said she was without luggage.

A warrant for Miss Davis' arrest charging murder, kidnap and conspiracy was issued a week later. She was taken into custody on October 13, 1970, in New York, disguised and using an assumed name. She was returned to Marin county on December 22, 1970.

### DEFENSE

Miss Davis did not take the stand to rebut the parade of prosecution witnesses, and in its presentation

the defense called only 12 to testify in her behalf.

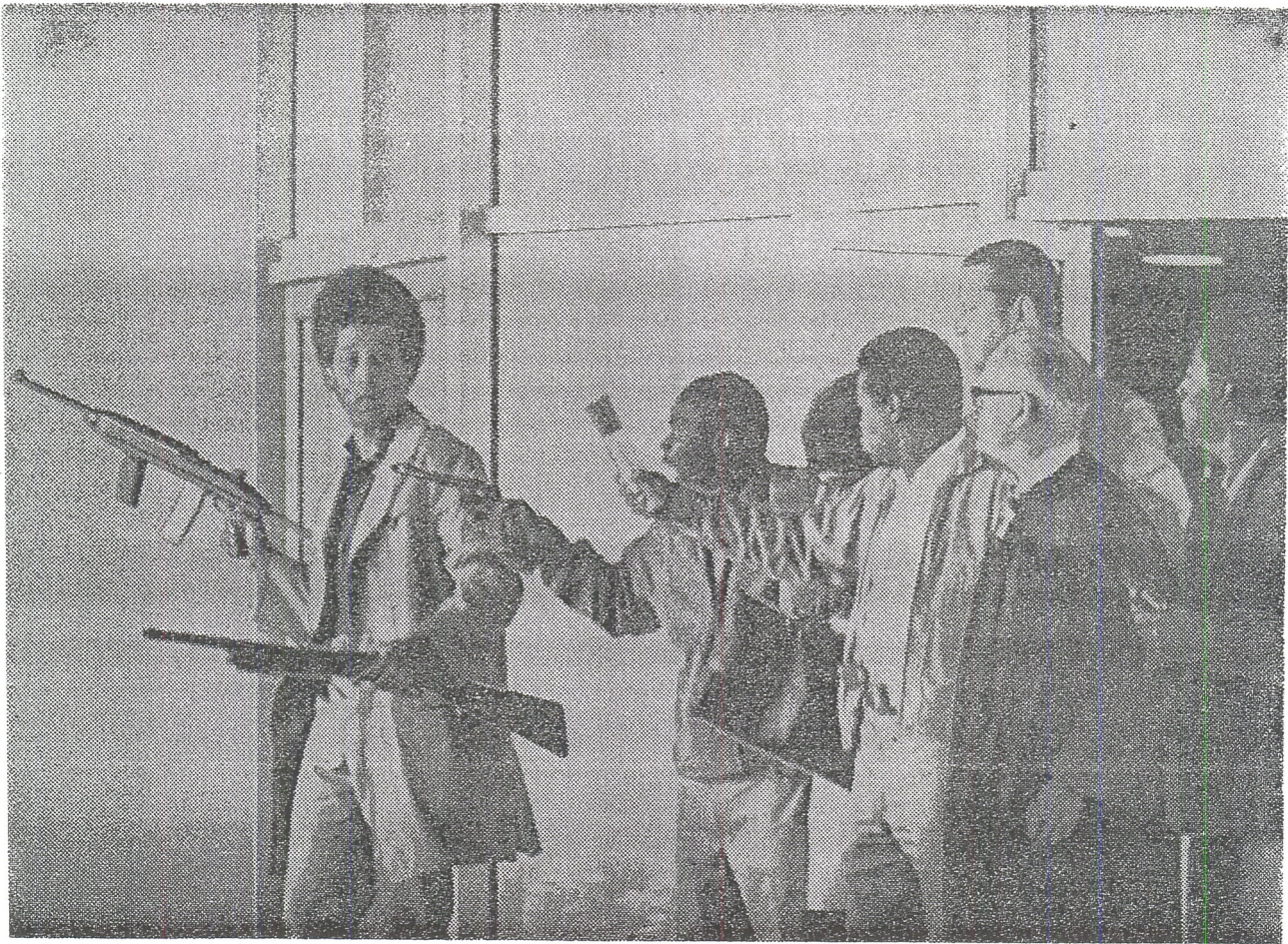
Of the 12, all but two were friends of Miss Davis, some of them fellow Communists. Several testified Miss Davis

was with them when prosecution witnesses said she was with Jonathan Jackson, at San Quentin waiting in the visitors room, or at the Mobile gas station.

A former roommate suggested Jonathan could have stolen the guns from her Los Angeles apartment two days before the shooting. Another friend said Miss Davis was taken totally by surprise when she learned late in the night of August 7 that there had been a bloody episode at Marin Civic Center and young Jackson killed.

A key witness for the defense was Fleeta Drumgo, one of the two surviving Soledad Brothers, who testified he knew nothing of any plot to free him, the elder Jack-





Guns bristled as Jonathan Jackson (left) and the convicts forced their hostages from the Marin courtroom



Convict James McClain held a pistol and a shotgun to the head of Judge Harold Haley.

successful exchange, when she learned the coup had failed. It was then, he said, that she hurried back to Los Angeles, and fled the state.

#### PASSION

"She was not trying to free political prisoners," Harris said, "but was trying to free the one person she loved. It was passion — simple, human passion."

At conclusion of the prosecution case, defense attorney Leo Branton Jr. sought a directed verdict and declared:

"You've proved a hell of a case against Jonathan Jackson. But against Angela Davis the only thing you have proved is that she is a warm, articulate human being who has love and compassion, yes, for George Jackson, but for humanity and especially the black people whom she represents so well."

son and John Clutchette.

#### DIED

George Jackson himself died in a violent disturbance last August at San Quentin and after his death, authorities found in his cell an 18-page love-diary from Miss Davis.

It was this passionate document, the prosecution claimed that provided the motive for the Marin escape attempt, even though written a year after the tragedy.

#### Milk for Sleep

London