

Magee Trial-- Million-Dollar Deadlock

The trial of Ruchell Magee could become — when all the bills are in — the most expensive criminal proceeding in California history, topping \$1 million.

(It cost \$960,000 for the trial of Sirhan B. Sirhan, convicted of assassinating Senator Robert F. Kennedy and \$935,000 to try Charles Manson for the Tate-LaBianca murders. The Angela Davis trial cost \$730,000.)

In pre-trial activities, Marin county spent \$600,000, including funds for security measures at the Civic Center.

When the trial moved to San Francisco, costs escalated: \$70,500 for police on special security assign-

ments; \$100,000 for 20 sheriff's deputies acting as bailiffs; 24-hour security for the jury, \$150,000.

Hotel, meals and laundry for the jurors cost \$40,000; a helicopter to take Magee daily between San Quentin and the Hall of Justice: \$35,000.

A bulletproof glass shield in the courtroom cost \$15,000, transcripts cost \$14,200, and court reporter fees \$4400.

Untabulated so far are witness fees or the fees of two court-appointed attorneys who defended Magee. These bills will be sent to the court in the near future.

The Magee case had its genesis on Aug. 7, 1970 on a sunny day at the Marin Civic Center in the courtroom

of Superior Court Judge Harold Haley.

Magee—who has spent all but six months since his 16th birthday behind bars—was in the court as a defense witness for a fellow San Quentin inmate, James David McLain, charged with stabbing a guard.

At 10:45 a.m., a young man entered the courtroom. He pulled a pistol and said "this is it, gentlemen."

Within 45 minutes, Judge Haley, McLain, and another prisoner, William Arthur Christmas, had been shot dead, as had Jonathan Peter Jackson, 18, who police said had brought the guns into the courtroom.

Magee had been shot in the chest.

Communist Angela Davis



RUCHELL MAGEE
Long trial over

was later charged, with Magee, of kidnaping and murder. She was also charged with conspiracy. After a four-month trial, she was acquitted on June 3, 1972.

During Magee's eleven-week trial at the San Francisco Hall of Justice, he insisted that he had not killed Judge Haley.

Former Attorney General Ramsey Clark joined the case in its later stages, acting as a defense counsel for Magee.

He argued that Magee's state of mind at the time of the shootout was such that he could not have formulated any plans for murder.

"He simply wanted freedom," Clark said.

Deputy Attorney General Albert Harris, the prosecu-

tor, disputed the defense claim.

"For 45 minutes, everything pointed to the death of Judge Haley. If anything went wrong—and something did when the roof fell in and the shooting started—these men did what they planned to do all along," he told the jurors.

Harris' case relied heavily on the testimony of Gary Thomas, Marin county Deputy District Attorney at the time of the shootout. He was shot and paralyzed from the waist down. Thomas is now a Municipal Court judge.

Thomas testified — as, indeed, he did at the Angela Davis trial — that it was Magee who pulled the trigger of a sawed-off shotgun which blew away half of

Judge Haley's head.

"Gary Thomas saw what happened and he told you what happened, and I suppose it will be just as vivid in his mind 20 years from now," Harris said.

"Thomas saw the wound inflicted by Magee."

During the trial Magee was taken from the courtroom more than 30 times for disrupting the proceedings.

Just minutes before Judge Colvin finished his final instructions to the jury Magee gave vent to a final outburst.

As the judge was explaining the various possible verdicts on the kidnaping charge, Magee yelled:

"You're the kidnapers! You're holding me in slavery!"

As he was being taken out of the courtroom, Magee pulled up his shirt to bare the scar of the gunshot wound he received during the shootout.

The third-floor courtroom at the Hall of Justice was placed under the tightest security measures ever, with barricades, body searches, and bulletproof glass separating the principals from the spectators.

Magee, 34, was sentenced from 5 years to life imprisonment in 1963 for a \$10 kidnap-robbery. He came to San Quentin in 1965.

He had previously served six years in a Louisiana penitentiary for a rape conviction.