

I have just read the pamphlet prepared by the Committee For Justice In Civil Rights Cases titled "The San Francisco Civil Rights Trials. I found it to be very interesting and informative. There is, however, one criticism that I would like to make. ~~You say that the~~ ~~the civil rights trials were an~~ ~~unprecedented and appalling~~ ~~injustice~~ This is your implication that the things that you describe are limited to S.F. This is not true. You say that "...in San Francisco, there has occurred a series of unprecedented and appalling injustices." It is true that the trials were an appalling injustice but this injustice was not unprecedented. Frankly the civil rights trials that took place in Los Angeles this year were worse than those in S.F.

In the past 12 months there have been 7 different arrests arising out of civil rights demonstrations in L.A. (this is not including the 300 arrests in Torrance last year), these 7 arrests involved 73 people.

Bail on most of these arrests was fixed at \$550. We felt this was especially unjust in the case of those persons who were already out on two other \$550 bails because the purpose of bail is to insure presence in court and those who are already out on other bail and who have had a perfect previous record of appearances should have a lower bail. Be that as it may most of the bail bonds were set at \$550, unlike S.F. there was no "...strong and general public protest," to force any change in this policy. We were, of course denied individual trials. Like you ~~XXXXXX~~ we were, in most cases, forced to be present during the trials, some of which lasted as long as 6 weeks.

Unlike S.F. in the entire history of the L.A. civil rights movement there has Never, Ever, been a Negro on a civil rights jury. The prosecution has always used its challenges to remove Negroes. In one of our cases the defendants vowed to use all of their 35 challenges to try to force the prosecutor to allow a Negro on the jury. The Voir Dire of that trial lasted 4 weeks. Over 300 prospective jurors were called, over 30 Negroes were removed by the prosecution. The defendants failed, they were tried by an All White jury. Prosecutors have informed some ~~xxx~~ of the defendants that if they allowed a Negro on a civil rights jury that they would be fired. In the record of many of the trials Defense Counsel has charged systematic exclusion of Negroes from the jury, the prosecution has never made any denial. Let me repeat, we have never had a Negro juror in Los Angeles county sit on a civil rights trial and this includes the 300 arrests in Torrance.

As if S.F. the prejudiced behavior by the courts was appalling. I will only chronicle one instance although there were many others. In one trial before Judge Holaday ~~xx~~ 6 of the defendants, although they were free on bail, were marched into court, in full view of 80 prospective jurors, handcuffed and chained together in a line. The court refused to declare a mistrial or give any instructions to the jury about the incident. The defendants had to sit through most of that day chained together while an ~~XXXXXX~~ "impartial" jury was being selected.

As if S.F. the judges in L.A. gave inconsistent and varied rulings to the juries. We also had different rulings on procedure and evidence by each judge, the majority of them bad I might add. We have not had your problem of retrials. We have never had a hung jury. We have never had an acquittal either. We have never had any verdict other than guilty.

Like S.F. the sentences that we have received have been varied. The lowest has been 3 days in jail. Many were given sentences of 4 months and a few of 6 months however. 30 sentences have been about average. As I understand it the two S.F. judges who gave out sentences of 6 months or over were both from Southern Calif. on loan to S.F. The sentences given to those who plead NOLO were also lower than those who plead innocent.

There has been a variety of charges placed against demonstrators here, disturbing the peace, two kinds of trespass (602-B, and 602-J), fire ordinance prohibiting standing in an

aisl, malicious mischief, false imprisonment, blocking a driveway, misdemeanor battery, and interfering with an officer.

(1990-1991)

The reason that I have written all of this is to show that what has been going on in S.F. is not unique, it is, in fact, going on all over the state. San Diego has had similar experiences in their trials.

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