

ANGELA DAVIS

Marin County Jail
San Rafael, California
November, 1971

Dear Friend:

I am writing to you from a cell in the Marin County jail.

As my trial approaches, the need to insure judicial fairness and bail in order that I may better prepare my defense becomes increasingly urgent. Even if we disagree on some things, we are surely united in our affirmation of principles of due process and equality before the law.

I am charged with three capital offenses -- murder, kidnapping and conspiracy. My life is at stake, but as I have repeatedly said, not simply the life of a lone individual, but a life which belongs to Black people and all who are tired of poverty and racism and the unjust imprisonment of tens of thousands.

To have an opportunity to repel what may be a legal lynching I need your support. In the final analysis, it is not so much I who am on trial as America itself. I am less afraid for myself than for millions of present and potential victims. Having been singled out myself, my defense must be directed against the arbitrary, ruthless use of legal procedures to perpetuate injustice. Willingly I accept the risks; hopefully I will illuminate the issues as I advance understanding.

Millions of people throughout the world -- of all political persuasions and national and racial origin have voiced their concern over my trial. The national convention of the NAACP and the National Board of the YWCA have called for a fair trial and bail. The Reverend Ralph Abernathy has called for my immediate release and recently visited with me. Mrs. Martin Luther King, in a statement issued last June, said: "It is difficult to reject the conclusion that the conduct toward her is a consequence of triple bigotry. Angela Davis is Black, she is a woman militant and finally an acknowledged Communist." Her statement concludes by reminding us that "this situation has carried us a long way back to the agonizing inquisitions of the early fifties."

Intent on maintaining and intensifying the racist hysteria which I believe is inherent in the prosecution itself, the authorities have created an atmosphere of military occupation in the Marin Civic Center. Ruchell Magee, before and after the separation of our trials, has been brought into court, his hands chained to his waist and his feet shackled together. His chair is bolted to the floor and his torso and legs chained to the chair. In such an atmosphere it is inconceivable that either of us could receive a fair trial. George Jackson, who would have played an important role in my defense, has been killed. The Marin County Board of Supervisors is entertaining a proposal to erect a plexiglass barrier between the spectators and participants in the courtroom.

continued

Recently we hired an investigator to examine the cell where I meet with attorneys, for electronic listening devices. He discovered an operable two-way inter-com system, sensitive enough to have picked up all conversations which took place in that cell!

We have long considered my release on bail as a basic condition of judicial fairness. It represents the difference between a "Criminal in custody" and a "citizen awaiting trial." As the Executive Council of the California Federation of Teachers recently pointed out: "It is the grossest kind of denial of equal protection of the law when Miss Davis is held under punitive conditions of detention...and William Calley, a felon convicted of pre-meditated murder, is released to his quarters while appealing."

An ironic but welcome climax to the huge list of organizations and individuals expressing their concern is the Marin County Probation Department. After a searching study, ordered by the judge, it strongly recommended that bail be granted. (There are numerous California cases in which bail has been granted in capital cases.) However, the same judge continues to deny me bail, relying on arbitrary legal contrivances. Clearly the real reason for my continued detention is political in nature.

Nearly fifty years ago America, in the grip of hysteria toward the foreign-born, permitted the execution of Sacco and Vanzetti. Their blood still stains the nation's conscience. If all those who want to end what Bartolomeo Vanzetti called the days "When man is wolf to man," will treat this case not as mine but as theirs, a democratic victory is possible.

Your contribution is urgently needed for my legal defense. We have exhausted our funds and many bills remain unpaid. We must conduct extensive research into the backgrounds of Marin County judges to challenge the composition of the grand jury and we must anticipate numerous complicated and expensive motions and procedures which can become a staggering financial burden.

I urge you to send a check today, payable to Gloria Steinem, Treas. Miss Steinem has volunteered to serve as Treasurer of this Emergency Appeal. Please contribute as generously as you can to insure the defense adequate resources to conduct what promises to be one of the longer and most fateful trials in the history of our country.

With warmest regards,

Very sincerely,

Angela Y. Davis

ANGELA Y. DAVIS