

Minnesota



TRIAL NEWS



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COMMITTEE TO DEFEND THE EIGHT

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D.A. RENNER WILL BEGIN THE PROSECUTION TODAY IN DEVITT'S COURTROOM AT 10:00 A.M. HE IS EXPECTED TO CALL 12 WITNESSES LOCAL PIGS FROM ALEXANDRIA, SELECTIVE SERVICE OFFICERS, AND FEDERAL AGENTS.

STREET ACTIONS

Demonstration of support for the Minnesota 8 began Monday morning at a rally on the steps of the Capitol Building in St. Paul. Approximately 100 brothers and sisters gathered to hear a short, enlivening rap from Jim Sweeney. He related the fact that following the man's rules angers one but is necessary to provide an avenue for demonstrating our solidarity with the 8 at this stage of the struggle. We are optimistic that we will advance to a more militant level soon.

At 10:00, in a very spirited manner, the people began to march from the steps, down the Cedar Avenue, chanting "Power to the People, Free the 8"! This intense enthusiasm was maintained throughout the march, which terminated at the Federal Building. Next, a guerilla theater troupe dramatized the role of the individual as a murdering puppet of the state who eventually awakens and rises up in rebellion.

Projecting these same convictions, Neela Yount and Pete Simmons explained the impossibility of receiving a fair trial in this country for such actions. These injustices can be generalized to our daily actions as dissenters, experiencing such repression perpetually.

In the interim between the rally and the court session, various tactics were implemented to communicate our purpose in being there. The majority of the group picketed, circling the building for about half an hour chanting slogans of dissent. Others leafleted the downtown area. One brave sister even approached the construction workers across the street from the Federal Building. It was a long cold wet wait which resulted in few people being allowed to enter the courtroom to view the proceedings.

IN THE COURTROOM:

Judge Devitt's courtroom on the 7th floor holds 120 people. A panel of 80 jurors was present along with 20 other spectators (parents, the 8, marine and navy recruiters, straight strangers, and a few supporters, and the ever present marshalls), and 20 empty seats. The supporters who were able to go to the trial were hand picked by the marshalls outside. How public is this trial?

After court was called to order, Chief Federal District Attorney Renner announced that one of the defendants, Cliff Ulen, had with his lawyers signed an agreement to plead guilty. His sentencing will take place following a presentence investigation.

Tilsen then presented a brief requesting to know whether a co-defendant was an informer. His brief, which was an extensive argument, was based on the 1st, 4th, 5th, and 6th amendments. The first amendment guarantees (?) free debate and exchange of political ideas. This would also include use of government surveillance and government intrusion. The fourth amendment which deals with illegal search and seizure and the sixth amendment which is the right to counsel and private conversation would be violated if there were an informer on the defense. The fifth amendment guarantees the right to due process. Renner tried standing on his previous arguments to earlier motions by Tilsen about informers and government electronic surveillance. He stated that the government argument was already on the record. Ken told the judge that Renner was not answering the question but was alluding to previous motions. Renner had no comment and the Judge perceived Renner's predicament and denied the motion.

The next procedure was the empaneling of the jury. Devitt explained that he would ask the voir dire questions, this is a common procedure in Devitt's court though other judges allow the lawyers to question prospective jurors. Telsen asked for ten pre-emptive challenges for himself and Bill, who is pro-se. Devitt only granted six pre-emptives to Telsen, Bill, and Renner.

Devitt then questioned Telsen on how the court should respond to Cliff's plea of guilty. Ken asked that nothing at all be said to the jury. (Since Cliff's plea was reported by the media, we wonder if this will make any difference).

Ken then informed the judge that Chuch had done some research into the media's coverage of the 8 and found that there had been 44 articles in the Minneapolis-St. Paul papers since the bust.

Next, a panel of 80 prospective jurors were brought into the courtroom. Devitt asked that any prospective jurors who had grounds for dismissal to come forward to the bench. Fifteen per cent of the jurors came forward and all but one were excused. The clerk then drew 30 names for the jury and four for the alternates. Bill and Ken were able to submit questions to the judge for voir dire questions. These questions tried to raise the political implications of the trial. Devitt again used his power and chose two questions with only surface significance. The jurors were asked if they would be prejudiced against a person with long hair or one who was a socialist, revolutionary, radical, or anarchist. Of the 34 possible jurors, 5 had heard of the case (2-3 had seen TRIAL NEWS that morning). The judge then asked if all would follow his instructions and reminded them that they were under oath. He surprisingly (to avoid irreversible error) stated that the defendants were innocent until proven guilty.

Three jurors were excused for cause by Devitt. The first 6 jurors chosen by the defense were challenged by Renner; four of the six were the only ones under age 26 (trial by peers?) The jury ended up being nine women and three men, and the alternates a man and a woman.

During Devitt's questioning he often intimidated the jurors by asking leading questions and almost dictating the answers. He directed their responses by demanding that they fill his criteria of what a good citizen should be. The only hole in the systematic complicity between Devitt and Renner could be the jury; during Monday's selection Devitt tried awfully fucking hard to fill that hole.

ADMITTANCE REFUSED ILLEGALLY

Several people were specifically singled out and denied entrance to the Federal Building (on Devitt's command) because they had previously been ejected from the courtroom on Oct. 26. This action is rendered unlawful in two ways: 1) none of those ejected was arrested or cited for contempt; 2) the marshalls are not authorized to discriminately refuse entrance to particular individuals.

continued

Upon consulting Ken Telsen, we learned that he will confront Judge Devitt with the legality of this decision. We are certain that more people will be allowed in the courtroom on Tuesday. Please attend the trial; the 8 brothers need your support.

HOUSING:

If you can provide housing for people from out of town during the trial, please call 338-1313.

HELP WANTED

The "8" Committee needs your help:
office staff
distribution of TRIAL NEWS
writing and printing of TRIAL NEWS
fundraising, etc.

CALL OR STOP IN

HELP NEEDED

Beginning Tuesday, The TRIAL NEWS will be composed and mimeographed in the Defense Office at 6th and Cedar Ave. at about 7:00 P.M. daily. We would appreciate assistance from anyone interested. In addition, the paper will be distributed each morning at 7:30 A.M. preceding the trial, which begins at 10:00 A.M. daily. We urgently need your help on writing and leafletting.

COMMENTS? ADDITIONS? QUESTIONS?
Call 338-1313 or write us at the Committee Office.



"Of course, I may be wrong — but that's my privilege."