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Trial in Conspiracy Case

BY LARRY McCARTEN
P-I Staff

TACOMA — Maximum measures have been taken to assure a fair trial for seven persons charged with conspiracy to incite violence at the Feb. 17 U.S. Courthouse demonstration in Seattle, Federal Judge George H. Boldt said yesterday.

The trial will open in Judge Boldt's court here on Nov. 9.

In a pre-trial conference with the press yesterday, Judge Boldt said he anticipates no major incidents or courtroom theatrics, such as occurred during the Chicago conspiracy trials.

He indicated delays, unless for legitimate cause, will not be tolerated — that the order of the day will be "to get on with the business at hand."

He doesn't plan to sequester the jury, Judge Boldt said, unless it becomes necessary. But measures to "immunize" the jury from anyone connected with the trial will be taken, he added.

He pointed out that tampering with jurors is a criminal offense and commented: "I assume that no one will try it."

No cameras or recorders will be allowed in court or on the third floor of the Post Office-Federal Bldg., where the courtroom is located, Judge Boldt said.

Sketching of trial figures will be allowed, as long as it doesn't distract anyone.

There is room for about 120 spectators in the courtroom and seats will be on a first-come, first-served basis.

Court traffic will be segregated from Post Office, Customs and other federal business through the use of different entrances, the judge said.

Glass in doors of various offices along third-floor corridors has been covered



GEORGE H. BOLDT

Conspiracy trial judge

with plywood to keep spectators from peering into the offices

Many windows in the building have been criss-

crossed with tape, apparently to prevent injury from flying glass in case windows are smashed during demonstrations.

Judge Boldt estimated the trial will take about five weeks and that a jury will be selected and seated promptly, perhaps the first day.

Defense attorneys have filed a writ with the 9th U.S. Circuit Court of Appeals, attempting to get the trial moved to Seattle. A ruling is expected shortly.

Judge Boldt set the cases for Tacoma because he judged the defendants' chances for a fair trial were greater there than in Seattle, he said.

Judge Boldt said that while he will not issue a mandate on it, He feels the news media "should not" report any activity in court that transpires when the jury is absent.

This could be prejudicial to the defendants because information of such activity might come to jurors' attention, the judge explained.

Defense motions in the Seattle conspiracy cases will be heard at 1:30 p.m. Friday by Judge Boldt.

Eight persons were indicted in the case by a federal Grand Jury last April 16. One, Michael Justesen, 29, has not been taken into custody and another, Roger Lippman, 22, is in jail in Berkeley on other charges.

Other defendants, all free on bond:

Michael Lerner, 27, former acting philosophy professor at the university of Washington; Charles (Chip) Marshall III, 24; Jeffrey Dowd, 20; Joseph Kelly, 24; Michael Abeles, 29 and Susan Stern, 27.

Lerner and Marshall have informed Judge Boldt that they will defend themselves.

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