



# JUSTICE

IN SAN FRANCISCO CIVIL RIGHTS TRIALS

VOLUME I

NUMBER i

## PROTEST MOUNTS OVER TRIALS

Dr. Nathaniel Burbidge, chairman of the San Francisco chapter of the NAACP, has been sentenced to nine months in jail for sitting-in at the Cadillac Motor Agency to protest discriminatory hiring.

"There is an apparent attempt to mete out harsher sentences to the leaders of the demonstrations," James Farmer, director of the Congress of Racial Equality,

said of the sentence. "If that is conspiracy then that is what it is."

While imposing the maximum sentence on three counts of misdemeanor, Municipal Judge David French, brought up from Orange County for the current trials, warned Dr. Burbidge not to indoctrinate his students at the University of California, where he is a professor of pharmacology.



Cadillac sit-ins resulted in hundreds of arrests.

### worse than south

The comparison between San Francisco and Southern courts now being made by observers of the current civil rights trials is not favorable to San Francisco. James Farmer, executive director of the Congress of Racial Equality, declared at a news conference on July 13 that "as far as the civil rights sentences are concerned, San Francisco is the worst city in the country." cont. on p. 2 col. 2

### FARMER, LEWIS URGE PARDON

The same day, July 13, a committee made up of James Farmer, John Lewis, chairman of the Student Non-Violent Coordinating Committee, Dr. Burbidge and William Bradley, chairman of San Francisco CORE, met with Mayor Shelley to urge that he use his influence to stop the city's harassment of civil rights defendants.

After the meeting, the committee said only that the mayor had listened. Whether or not he will act remains to be seen. But referring to the latest and most blatant instance of judicial injustice, Bradley told newsmen, "the crucifixion of Dr. Burbidge will only increase the commitment of those who follow him."

The day before Burbidge's sentencing Farmer had told a crowd of 50,000 demonstrators at the Human Rights Rally that injustice in the rights trials has been highlighted by "the way people have been harassed, the way juries have been instructed, and the fact that Negroes have been systematically excluded from juries."

"The hundreds of you in this audience cont. on p. 2 col. 1

RALLY FOR CIVIL RIGHTS  
Where does the San Francisco civil rights movement go from here? Come to the rally, Monday July 27, to discuss immediate plans and long-term goals.  
TIME: 7:30 p.m. PLACE: Third Baptist Church, 1399 MacAllister  
This public meeting is being called by the United Freedom Movement which includes such organizations as the Ad Hoc Committee, CORE, and the NAACP.

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#### PROTEST...

who demonstrated, "Farmer said, are now receiving "exorbitant sentences." Charges against demonstrators in current and pending trials must be dropped immediately, as well as fines and sentences imposed in past trials. And in the future, he urged, demonstrators must be treated as "responsible citizens dedicated to democratic ideals."

These are the three demands made in a citizen's petition to Mayor Shelley and District Attorney Thomas Lynch now being circulated and which Farmer endorsed in his speech.

#### PROTEST OVER TRIALS GROWS

William Chester, regional director of the International Longshoremen's Union, John Lewis, and Dr. Burbridge joined Farmer at the Rally in strongly condemning the trials.

"Negroes now hold jobs in San Francisco they did not have before, because of the demonstrators," said Chester. Yet they are being punished for their efforts by biased courts.

He announced the formation of a civil rights committee of prominent church, labor and civil rights leaders to meet with the Shelley administration; "we want these demonstrators set free."

Defense committees are becoming increasingly active. A Speaker's Bureau is now sending defendants to labor, civic and church groups to publicize the unfair handling of the trials and to urge such groups to actively protest to the city administration.

The Committee for Justice in Civil Rights Cases is investigating, publishing, and publicizing the conduct of the trials, and meeting with local and national figures to gain support for the growing protest.

Another committee, Funds for Justice, is raising money for fines, appeals, bonds, bail and court costs. The defense lawyers,

who have already contributed a quarter of a million dollars in time and services, are continuing their attempts to gain justice in the civil rights cases.



Collecting bail money on the picket line in front of Cadillac

Funds are needed to publish this newsletter and other fact-sheets, to file petitions and appeals, and to organize the protest against the way the trials have been conducted.

Please send contributions to Committee for Justice in Civil Rights Cases, 2890 Telegraph Avenue, Berkeley.

#### S.F. & THE SOUTH...

Referring to the nine months sentence imposed on Dr. Burbridge, he said "it couldn't have happened anywhere else in the United States--not even in Mississippi."

Attorney Malcolm Burnstein, one of the lawyers defending demonstrators arrested at the Sheraton-Palace Hotel and at the Cadillac Motor Agency, has expressed his belief that although in the South harsh sentences are handed down to civil rights leaders, "the average demonstrators are generally released with much milder sentences in Southern cases than we have received here."

Art Hoppe, San Francisco Chronicle columnist, wrote angrily about the inconsistencies among the 50 trials, "never have the injustices of our courts been more flagrantly obvious." The entire conduct of the trials is cause for indignation.

#### COURTS HARASS DEFENDANTS

Beginning with an early attempt by Municipal Judge Clayton Horn to raise bail to excessively high levels, the courts have

clearly sided with the prosecution and carried on punitive action against the defendants.

Defendants are ordered to be present during all stages of the trials. Daily attendance in court has caused many of the demonstrators to lose their jobs. For the student majority it has meant absence from classes and examinations, and it has forced many to fail courses or to drop out of school.

In this as in other aspects of the trials, the courts have acted against precedent and outside the requirements of the law; the California penal code explicitly does not require daily court attendance in misdemeanor trials. (All the cases involved are only misdemeanor charges.)

The ordering of second and even third trials for misdemeanors in the case of hung juries similarly violates precedent, especially in California where second retrials are unheard of and first retrials are very rare.

The harsh sentences and fines that have been imposed on convicted demonstrators expose the same pattern of harassment. Civil rights defendants have been given several times the sentences normally imposed in misdemeanor cases.

(The Committee for Justice in Civil Rights Cases has prepared a fact sheet which documents these charges. The fact sheet also discusses prejudicial behavior of the judges, exclusion of Negroes from juries and other aspects of the trials. It is available on request from the committee.)

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\* For down-and-out defendants: Free dinners at 1502 McAllister, apt. 4. Since this is a communal project bring a quarter or food or help with cooking and cleaning if you can.

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\* For unemployed defendants: general clerical or nurses' aide work may be available at hospitals at hours you can work. The St. Francis, Mt. Zion and University of California hospitals for example do not require civil service examinations.

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## CRUEL BUT NOT UNUSUAL

In response to the flood of protests over his sentence, Dr. Burbridge called a news conference July 16 to remind his new supporters that his was not the only civil rights case in which there has been injustice.

Expressing his gratitude for the support of Mayor Shelley, Assistant State Attorney General Howard Jewel, Episcopal Bishop James Pike, Rabbi Alvin Fine and a number of civic and religious organizations, Dr. Burbridge emphasized nevertheless that he hoped his "particular case of harsh punishment will not obscure the fact that there has been a lot of injustice to a lot of other people too."



Demonstrators jamming the lobby of the Sheraton-Palace shortly before arrests were made.

### PROTEST TO BROWN, SHELLEY

Telephone or send a telegram to Governor Edmund G. Brown, State Capitol, Sacramento. Phone: 612-4711.

Ask him to grant a full pardon to convicted civil rights demonstrators and to use his influence to get all civil rights prosecutions stopped.

And to: Mayor John F. Shelley, 200 City Hall, San Francisco.

And to: District Attorney Thomas C. Lynch, 880 Bryant St., San Francisco.

Urge them to stop further prosecution of civil rights defendants and not to contest the appeals which will be made on their convictions.

# entire rights movement challenged

A systematic campaign is being waged by the Shelley administration to destroy San Francisco's militant and successful civil rights movement: this is the significance of the current trials.

No one has questioned the justice of the demonstrators' demands or the widespread practice of job discrimination by employers involved in the demonstrations. The agreements signed with the Hotel Owners' Association, with the Cadillac Motor Agency and with the Mel's Drive-Ins implicitly admit discriminatory employment patterns which they all pledge to change.

The courts, then, are punishing the demonstrators for having successfully forced this reform when they were unable to bring it about otherwise. The judges and the Shelley administration are thereby aligning themselves with those who would maintain discriminatory hiring practices in San Francisco.

Harassment of civil rights defendants is in effect a promise by the city to protect employers who will not comply with the Freedom movement's demand that they halt unfair hiring practices.

Instead of recognizing demonstrations as the legitimate tool of a legitimate movement, in the same way that strikes are the accepted weapons of labor unions, city officials have decided to use all the means at their command to destroy the movement.

Mayor Shelley and other city and state officials, notably Governor Brown, have created a climate of opinion, through widely reported public statements hostile to the demonstrators, which made it virtually impossible to secure unbiased juries and fair trials.

Dick Gregory said recently: "For 18 months I was able to see no hope at all, anywhere, until I hit San Francisco last March. I think the answer to the Negro problem lies here -- in the San Francisco formula. Seventy-four per cent of the civil rights demonstrators are white... There can't be any race riots here or bloodshed because there are too many whites who work with us."

But continued reluctance by San Francisco business leaders to purge their hiring practices of racial bias, lack of active support for demonstrators by the white liberal community and harassment by the courts threaten the integrated movement which Dick Gregory finds so encouraging. And its failure would give rise to the frustration, anger and serious racial tension which already characterize so many communities throughout the country.



Arresting officer presses on nerve centers under the jaw of a demonstrator.

## POSTCARD OF ARRESTS ON SALE

A postcard showing a city detective applying pressure to the jaw of a demonstrator at the Sheraton-Palace Hotel, has been issued by the Ad Hoc Committee to End Discrimination which organized the Sheraton-Palace demonstrations, and is available from the Ad Hoc Committee.

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