

# THE DAILY CALIFORNIAN

SERVING THE CAMPUS COMMUNITY SINCE 1871

TUESDAY, SEPTEMBER 24, 1985

BERKELEY, CALIFORNIA



Defendants and their attorney await word on the fate of their dismissal motion in court yesterday.

## Local leaders to DA: 'drop the charges'

By LAUREL STEINBERG  
STAFF WRITER

Alameda County Supervisor John George, Berkeley City Councilmember Nancy Skinner and ASUC President Pedro Noguera paid a surprise visit to Deputy District Attorney Jack Horner yesterday to demand that charges against the eight student leaders arrested inside President David P. Gardner's office in June be dropped.

Supervisor George said prosecution would be a waste of taxpayers' money.

According to county administrator Mel Hing's office, court costs for the first 18 defendants arrested during the anti-apartheid protests have been \$24,639.67.

This amount does not include expenses incurred by the sheriff's department, the district attorney's office, the public defender or the Berkeley Police Department.

"The district attorney ought to be spending money on more serious crimes," George said.

Jury selection for the trial is due to begin today.

The eight students, who represent six campus organizations, had gone to Gardner's office June 19 — the day before the UC Board of Regents voted not to divest UC funds from companies doing business in South Africa — to discover what position Gardner intended to take concerning divestment.

All eight protesters are charged with trespassing, and three are charged with resisting arrest. Two of the protesters are charged with batter against a secretary in the office.

George said he was especially disturbed by Horner's attempt to stifle student activism through unusual harsh legal measures.

"I think these students are engaging in free association and free speech. The district attorney is prosecuting them for prosecution's sake," George said.

"Little Jeff Horner is sitting in I corner trying to weave a web of pro-

## Trial

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the law whether or not they broke the law for political reasons.

"(George, Skinner, and Noguera) wanted me to create a group of citizens who were above the law," Horner said.

The district attorney dropped the charges against most of the hundreds of anti-apartheid protesters arrested outside University Hall last spring.

Monday the attorneys representing the defendants filed a motion in court to have the case thrown out because of selective prosecution.

The attorneys for the protesters maintained the defendants are receiving unduly severe treatment because they are the leaders of the anti-apartheid movement.

Alameda County Court Judge Carol Brosnahan refused a motion to have the case dismissed.

The attorneys raised the issue of the more than 600 people arrested at Uni-

versity Hall this year who were not prosecuted.

Skinner said she did not understand the difference between those cases and the cases involving the eight protesters arrested in Gardner's office.

"This is selective prosecution," said Linda Fulerton, attorney for several of the protesters.

"There is no question the university wants to teach us a lesson," said ASUC Sen. Ross Hammond, who is being charged with trespassing and resisting arrest.

Horner refused to allow members of the press to be present during the meeting between himself, George, Skinner and Noguera.

"I will not talk in a situation where everything I say will be recorded by the press," Horner said.

Horner also said he did not want to violate the protesters' right to a fair trial by saying something which might unfairly prejudice jurors.

Staff photo by Peter Delany

# Trial today for 8 arrested in office of UC president

By LAUREL STEINBERG  
STAFF WRITER

The trial of the eight students who were arrested in an attempt to meet with UC President David P. Gardner in June will begin today.

As the university enters its fifth week of the fall semester, the eight student protesters will not be able to attend classes during the two to three weeks the trial is expected to last.

"I don't believe they can convict me, but they certainly destroyed my ability to get an education. On the other hand, I'm getting a very good education on how the university deals with student input — they throw you in prison," said ASUC Sen. Ross Hammond, who is being charged with trespassing and resisting arrest.

The eight students, who represent six large campus organizations, had gone to Gardner's office on June 19, the day before the UC Board of Regents voted on the divestment issue, to discover what position Gardner intended to take concerning divestment.

"We felt he (Gardner) had not communicated with the student body at all," Hammond said.

Gardner reportedly left his office through the back door when the protesters entered.

All of the eight student protesters are charged with trespassing and three are charged with resisting arrest. Two of the protesters are charged with the battery of Vanna Freeberg, Gardner's secretary.

"Without identifying themselves, they proceeded to physically force their way past me to the office of the president," Freeberg said in a statement in June.

The protesters maintain the battery charges are false.

"She is claiming we battered her. That is completely false. She is treading a fine line between distortion and libel," Hammond said.

"He (Gardner) probably has no idea this movement is committed to non-violence," Hammond said.

Freeberg reported no injuries or bruises.

The protesters were taken to Santa Rita Jail after the arrests.

"That's Gardner's idea of free and open exchange of ideas," Hammond said, referring to the 10 hours he spent in jail.

Protesters and community leaders have been critical of what they perceive as the university's attempt to stifle protests through continuous arrests and inflated charges.

"What they are doing is essentially chilling people's First Amendment rights," said Stan Dewey, the attorney

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