

JAIL TIME, 1968

By Terence Cannon

1. THE BUST

On a July evening in 1968 I attended a riot in the Haight Ashbury district of San Francisco. I didn't know hippies rioted, but I knew they had good reason. The Summer of Love four years earlier had mutated into a summer of heroin, drug dealers, police brutality, and despair.

Some of my friends and I thought we'd stroll over, sort of like Grey Line tourists. We were told the cops had busted a couple of guys selling acid and then all golly-gee-whiz broke loose. What we found looked like a riot waiting for itself to happen. The street was empty. Hundreds of kids jammed the sidewalks, half of them yelling against the police, who had left, the other half yelling at the yellers to stop yelling, which confirmed my disdain for hippies. After all, I was *pub- lit'-ub-cul*.

A kid with a go-tee and fringed jacket ran into the intersection, set fire to a little piece of paper, ran back. A wine bottle smashed near the ashes. I stepped beneath a lamp post at the edge of the sidewalk, leaving my friends Karen Jo Koonan, Marilyn Buck, and the others behind me in the darkness. Seconds later a tan car swooped at an angle to the curb in front of me braked and the doors flew open.

A tan car meant plainclothes San Francisco Tac Squad goons. I use "goon" because their job description in situations like this was to use excessive force. Three of them jumped out, scanned the crowd. I took two steps back as a kid next to me waved his fist and yelled, "Motherfucking pigs!" Very unwise. The nearest goon got him by the neck and biceps, yanked him off his feet and onto the back of the car. Like a fool, I objected. "You can't do that," I said, as if I were some kind of a UN observer. Even more unwise. The second cop said "Ok, you too!".

I should have run. No cop in his right mind would risk chasing me out of the light into a dark crowd. I think I felt responsible for my friends. I didn't know where they were exactly. If I ran, I couldn't help them. The cop gripped me awkwardly by the right elbow, I yanked back and out of the darkness appeared Karen Jo who grabbed my other arm and screamed at the cop to let me go. Marilyn seized the cop's other arm. We almost won the tug of war when the third goon came running, body-slammed Marilyn across the sidewalk against a plate glass window, allowing the cop to get a proper hold on me, while his partner knocked Karen Jo to the sidewalk.

At the rear car door I called out to her, "Don't worry. I'll be fine."

I've never been so wrong.

The car pulled out, suddenly very quiet. Two cops in the front seat, two in the back by the doors, me and the other kid, whose name turned out to be Rick, sandwiched between them. The cop in the passenger seat turned to me with a professional, satisfied look and said, "You shouldn't have been in the Haight tonight, *Terry*."

I experienced that over-all sense called *This Is Bad*. Much later, I wondered, do these guys do flashcard drill each day? Flash. Name this enemy of the state. No not Jerry, Terry.

"You called me a motherfucker," he said to Rick and swung a perfect roundhouse past my head into Rick's face. The Park Precinct station lay due west, but the driver turned north. This was *Really Bad*. I felt the cop on my left move his hand to the base of my neck and squeeze, thumb and middle finger pressing on either side. Weirdly intimate, silent, and definitely not a massage. I rolled my shoulders, turned my neck subtly not to make it an open battle. His fingers crawled sideways, upwards. Then I knew. He'd been taught arterial pressure points, ways to render me unconscious without leaving marks. I tilted my head, shifted my position slightly, and wondered how long the cutoff of blood to the brain takes before brain damage occurs. Then the radio broke in, the driver made a u-turn toward the station, I shivered, throwing off the cop's last try at my consciousness, and thought, whew, now they don't even have time to beat me. I even looked forward to the comfort of a holding cell.

Even more wrong.

The car pulled into the Park Precinct Station, the cops yanked us out, the station doors opened.

And there were two lines of *police*, facing each other a yard apart, nightsticks in hand, a gauntlet 30 feet long from the front entrance to a smaller door in the far corner. A football roar went up. My only thought -- the kind that flashes

through you in a nanosecond--was, I'm 28, in good shape, I have to make it to that door conscious and standing. I ran crouched low with my hands on my head, the cops too excited and bunched too close to aim well, the blows landing mostly on my back and shoulders, I didn't breath until I surfaced in the small back office, supporting myself against a steel desk.

"They're gonna kill us they're gonna kill us," I heard Rick say.

"It's ok, man it's ok," I said.

Wrong again.

Two goons from the tan car entered the room, closed the doors to the main room and the holding cells on the other side, and pulled saps from their pockets, rubber-coated cables with leather thongs which they slipped around their wrists. Rick's cop ordered him to place his hands flat on top of the metal filing cabinet and slammed his blackjack on them again and again, while Rick screamed.

"Now you," my cop said and pushed me toward the cabinet. I didn't move. I didn't speak. I braced myself, bowed my head, clasped my hands over the back of my skull, elbows aimed at the floor, my instincts and nonviolent civil rights training kicking in.

I never said anything during the beating. My sense of self shrank to me, the cop, the furniture, the floor. I could hear Rick screaming and pleading, I felt the shockwave of each blow against my back and ribs, beneath my rib cage, aimed at my liver and kidneys. I had one purpose in life: not to fall, not to let my head hit the edge of anything.

The cops kept demanding that we say, "I'm a piece of shit." I couldn't or wouldn't, I don't know which. I think I knew if I said one word, others would follow, and my voice would break open into screams. My cop shifted his attack to my balls, grabbing my shoulders from the front, ramming his knee into my groin. Since I could only see downward, I saw each knee coming, so without moving my feet, I did The Twist, rotating my thighs to take the blows, each blow enough to knock me down were the cop not bracing himself by holding me up. Again, it seemed intimate, me in the embrace of a cop doing a little dance, feeling his knee ram deep in my thigh muscles, knowing only that I was still alive. There was some way I wasn't there, my mind dangled my body like a puppet, directing it to shift this way, move that way, preserve itself.

Then a voice at the door, a last suckerpunch at my kidneys and we were pushed into the holding cells behind the beating room. They didn't lock us in, where would we go? I sat on a bench and the pain arrived from everywhere.

For the next I don't know how long I went through it all again by proxy through the door, the screams, moans, begging, crashes, thuds, two more kids at a time thrown in the room with us. I tried to tell them the worst was over, they had a right to a phone call, the night must end, all without moving my body.

A cop appeared and called my name. I thought I was wrong again, the night *will* never end. The cop was black and something in his voice allowed me to rise. "I'm just taking you to be booked," he said and led me out to the main room. The gauntlet was gone -- no doubt to the streets -- the ten or fifteen cops left stood around laughing. The cop led me to the booking window near the front door. I steadied myself on the ledge in front of the window, wiped my face of what I thought was sweat but was blood.

And then one of the most amazing events in my life. I heard the guard at the front door say in a shocked voice, "You can't come in here, lady!" Lady? You could have heard a blackjack drop a mile away. The insult of it! A lady, invading their turf.

"Officer," she shouted, "We have reason to believe you are holding Terry Cannon." It was Karen Jo.

Please see me, KJ, I'm here, five yards in front of you. "Get out, lady. Now. Out," the guard ordered, but she had spotted me, our eyes met. She was the legal system embodied, the bang of a judge's gavel in a room of silenced outraged cops.

"There he is, officer," undeterred, "We see he's been injured. We demand his rights be protected under the law." Now the guard had to push her out or be shamed. "We are going to get a lawyer." The guard pulled the door closed against this outrage, this girl.

The black officer who escorted me leaned into my ear. "You got some heavy woman there," he said.

"I do," I said, "I sure do."

On the way back to the cells he said, "They won't mess with you anymore tonight."

And they didn't.

I spent the next three weeks in bed with a cracked rib.

The storm that was the late 60s and 70s drove Karen Jo and Marilyn on divergent paths.

Karen Jo became the first legal worker to serve as President of the National Lawyers Guild. Nationally known as an expert in jury selection and a highly respected defender of human rights inside and outside the legal system, she is the Senior Litigation Consultant for the National Jury Project.

Marilyn served 25 years in federal prison for her part in the 1981 Brinks robbery and the prison escape of Assata Shakur. She became an advocate for women prisoners, received a PEN American Center prize for poetry in 2001, and died of cancer a month after her release in 2010.

2. THE TRIAL

The trial was simple. I was accused of assaulting two policemen, disturbing the peace, resisting arrest, and using obscenity in the presence of a police officer. My defense lawyer, Dick Hodge, was a good man, a friend, and an excellent lawyer -- who as far as I know made only one miscalculation in his career. Why did it have to be me?

The jury, a statistical sample of middle aged white men and women residing in San Francisco, listened attentively as the prosecutor put two Tac Squad linebackers on the stand who testified that yes, the defendant had beaten them, resisted their lawful efforts to take him into custody, created a serious disturbance, and called one of them a motherfucker, apologies to the ladies in the jury.

At the end of his presentation, the prosecutor asked for a conference in judge's chambers, where he offered Dick a plea bargain: they would drop all the felony charges if I would plead to one misdemeanor count of obscenity. Dick agreed. Why?

From his point of view, we'd won. The prosecutor's entire felony case had caved. If we refused, those middle-class white folks would find me guilty of a major felony and put me away for years. I was not yet versed in legal matters by years of Law and Order episodes, so I didn't know that the *defense*, not the prosecution, usually asks for a plea bargain, and that it's almost unheard of for the prosecution to do so after they've put on their full case. I consented, let us say, more than skeptically.

"I'll prove it you", Dick told me. "When the jury leaves, we'll interview them." I stood at one exit door, he at the other.

Not one of those solid citizens believed a nice skinny kid like me could *ever* have beaten up those big strong professionals. "Those guys looked *mean*," said one lady in a flowered hat. I stared at Dick, who looked like he needed CPR, which I would *not* give him, and promised me it meant nothing, nothing. I had no prior convictions, obscenity was a silly misdemeanor, the judge would never give me more than a suspended sentence or 10 days probation. I kept staring.

Days later, back for sentencing. The judge declared that I was a well-known radical and troublemaker, that I had clearly come to the Haight for the purpose

of agitation and incitement, and sentenced me to the maximum penalty for obscenity -- three months in jail.

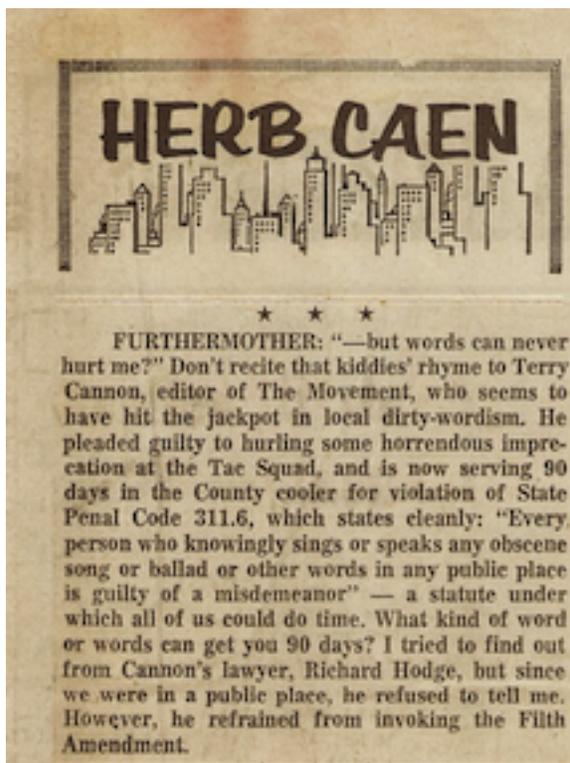
Karen Jo screamed, the bailiffs made a rush to pull us apart, Dick was on his feet yelling (and probably considering a career change), the room was in uproar, and I found myself, swish, click, in the silence of an elevator lifting me to the upper floors of the Hall of Justice: San Francisco City Jail.

Dick had been sucker-punched. Somehow between trial and sentencing word got to the judge that I was a well-known radical, the editor of *The Movement* newspaper, with notable prior arrests: a farm worker sit-in at the Di Giorgio grape grower headquarters, 90 counts of possessing deadly weapons (picket sign sticks for Stop the Draft Week), and felony conspiracy for being a leader of Stop the Draft Week, which resulted in the Oakland Seven trial, coming up soon.

I was sentenced for being me.

At any rate, I got a speedy trial.

In case you don't believe me, take it from legendary columnist Herb Caen:



Thank you, Herb.

Dick later defended me with wit and skill in the Oakland Seven trial. He served on the Superior Court of California, County of Alameda for 20 years, was named California Trial Judge of the Year in 1996, and retired in 2001.