

NOV 5 1973

Nov. 1, 1973
Oakland, Cal.

SWP, P.C.
New York City

Dear comrades,

I just realized that I forgot to include in my appeal a copy of a letter of protest to the Oakland-Berkeley branch concerning my trial. I refer to this statement on page two (2) paragraph B of my appeal. I'm sorry for the delay.

Comradely,

Gerald Clark
Gerald Clark

August 27, 1973

STATEMENT OF PROTEST TO THE OAKLAND-BERKELEY BRANCH OF THE SOCIALIST WORKERS PARTY CONCERNING CHARGES BROUGHT AGAINST ME FOR COLLABORATION WITH THE SPARTACIST LEAGUE.

Comrades,

The vague and flimsy nature of these charges do not in my opinion warrant a trial against me. Unless comrade Boehm is prepared tonight to specify on what date, time, and manner I collaborated with the Spartacist League, I would suggest the branch dismiss these charges as spurious and uncomradely. But in the event you decide in favor of a trial, I make the following four requests:

1. I protest the bureaucratic nature of the proposed trial proceedings being organized to expel me from the SWP. I was informed of the charges by comrade Boehm, branch organizer, at 1pm today and was told that the Executive Committee was proposing my trial date be set for 7:30pm tomorrow night.

That gives me about 30 hours to prepare my defense. Comrades, that's simply not enough time to prepare an adequate defense. I request at least a 5 day delay in my trial to allow time to gather evidence in my defense. In addition, this would allow time for comrade Celia S. to return from her leave of absence and participate in the trial proceedings.

2. I protest the fact that I will not be given an opportunity to face my accusers, comrades Kelley and Buemer. The statutes of the FI specifically grant under Section IX, num. (43), that the accused be allowed "except where geographically impossible, to confront their accusers in the body having jurisdiction in

the case." I demand this right and also the right to cross-examine these witnesses face-to-face. This right was granted to comrades Milan and Gorgosz in Detroit before they were expelled from the party last night on the same charges.

3. Because of the identical nature of the charges brought against me and the other two members of the R.I.T. in Detroit, I further request of the branch that the tapes of the testimony in the Detroit trial be submitted as evidence in my trial. Such evidence will, in my opinion, have a direct bearing on the outcome of my trial. Furthermore, I request that my trial be taped and be made available to the entire branch as evidence in helping it make up its mind as to my guilt or innocence.
4. Lastly, I request that the trial body be the branch itself, the highest body of which I am a member.

It is my opinion that unless these democratic procedures are carried out prior to my trial, there can be no fair trial in this branch.

Comradely yours,

Gerald Clark
Gerald Clark
Oak-Berk RIT

~~cc: N.C. SWB~~
H. Sec.

The above motions failed to pass at the August 27, 1973 branch meeting.