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## Rape victim innocent of murder

SALINAS, Calif. (AP) — Inez Garcia, acquitted after 15 months in prison for killing a man she said helped rape her, says now she plans to spend more time with her son and go to work for women prisoners.

"I promised a lot of women in prison I would do what I could for them," Mrs. Garcia said late Friday, moments after a 10-man, two-woman jury declared her innocent in her second trial for second-degree murder.

Spectators in the tiny, packed Monterey County courtroom burst into cheers and tears when the verdict was announced.

Mrs. Garcia had been convicted in 1974 of killing Miguel Jimenez, a 300-pound man she said stood guard while another man raped her. Her conviction was overturned in December 1975 on a legal technicality and she was released on \$5,000 bail.

Her case, like that of Joan Little in North Carolina, became a rallying point for feminists and made her a symbol of a woman's right to defend herself. Miss Little, who was in jail on armed robbery charges, killed her guard and escaped when, she said, he tried to rape her. She was acquitted of the slaying last year.

"I thought I wasn't political, but I found out I am," Mrs. Garcia said outside court Friday. "I always believe the truth comes out. I want to thank the jury for believing in me."

Mrs. Garcia, who is separated, lives in Berkeley with her son, John, 13. The youth cried when the verdict was announced.

"He cried because I'm free," she said as she hugged him.

Prosecutor Arthur Braudrick, who argued that no rape occurred and that the shooting stemmed from a dispute over drugs, said he "assumed the jury believed she was telling the truth."

He complained about large-scale publicity during Mrs. Garcia's first trial. "This case was tried in the press the first time," he said. "As far as I can recall, every one of the jurors on this case read previous accounts."

However, jury foreman Herman Champlin said that most jurors were not familiar with news accounts of the



INEZ GARCIA

first trial and were careful not to read them during the second.

"I don't think the verdict had anything to do with the news media," he said. "We didn't feel that the prosecutor proved practically anything beyond a reasonable doubt."

Braudrick had called witnesses who testified that after the shooting, Mrs. Garcia had asked to be roughed up so it would appear that she had been sexually assaulted.

Defense attorney Susan Jordan said she thought Mrs. Garcia's 4½ hours of testimony in her own defense won the case.

"A woman who gets raped will no longer be looked upon as a prostitute but as a victim," the San Francisco lawyer predicted.

Mrs. Garcia, 32, testified that Jimenez helped Louis Castillo rape her. Castillo was never charged in the case.

She said she was filled with shame and anger, loaded a .22-caliber rifle and found Jimenez within a half-hour of the alleged rape. He was shot five times on March 21, 1974, in Soledad, about 100 miles south of San Francisco.