

# Impossible For Joanne To Fire: Doc

By DANIEL HAYS

Joanne Chesimard could not have been firing at a trooper from a crouched position when she was wounded in the right shoulder, a surgeon testified at her murder trial in New Brunswick yesterday.

Dr. Arthur Davidson, an associate professor of surgery at Albert Einstein College of Medicine in the Bronx, testified as a witness for the reputed Black Liberation Army leader.

The surgeon said that his analysis of the bullet wound in her right shoulder showed she had been holding her arm pointed straight up on May 2, 1973, when she was wounded in a shootout on the New Jersey Turnpike.

Mrs. Chesimard, 29, is charged with killing State Trooper Werner Foerster and wounding Trooper James Harper in the gun battle. She contends she was shot twice by Harper as she sat in the front seat of a car after Harper told her to put her hands up where he could see them.

## The Stories Differ

The trooper's version is that she shot him first in the shoulder and that he wounded her after she climbed out of the car and blazed away from a crouched position.

Mrs. Chesimard's fellow passenger, James Costan, 25, of New York, died from wounds he suffered in that gun battle. The driver of the car, Clark Squire escaped uninjured.

He was tried in 1974 and is serving a life term in Trenton State Prison for Foerster's murder.

## There Was a Way

Mrs. Chesimard did not go to trial with Squire because she was pregnant.

Davidson, who was questioned by defense attorney Lewis Myers, conceded under cross-examination by Middlesex County First Assistant Prosecutor Edward Barone that the wound to Mrs. Chesimard's left arm could have been suffered if she had spun around from a crouched position.