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Chicago Panther Lawyer Jailed For Not Producing Door Panel

By JOHN KIFNER

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CHICAGO, Jan. 16—An attorney for the Black Panthers was jailed today for refusing to produce a missing door panel from a raided apartment in which two Panthers died and for refusing to testify before a Cook County grand jury.

The attorney, Francis E. Andrew, was taken to jail for an indefinite period until he produces the panel, and to begin a 30-day contempt sentence for refusing to testify.

The panel is the upper section of the living room entrance door of a five-room apartment at 2337 West Madison Street, which was raided by the police attached to the State's Attorney's office on the morning of Dec. 4.

During the raid, Fred Hampton, the Illinois leader of the Black Panther party and Mark Clark, another Panther, were killed.

The police say that they were slain during a 10-minute gun battle that broke out after someone in the apartment fired at the police with a shotgun. The Panthers say that the police came in shooting.

Panel Held 'in Trust'

The panel contains a round, smooth-edged hole about an inch in diameter that the police say was made by a shotgun shell fired at them. It also contains a smaller hole with ragged splinters projecting from the inside surface.

Mr. Andrew has said that he is holding the door panel and other material that was in the apartment "in trust" for the seven Panthers in the apartment who survived the raid because it is "vital to their defense."

The State's Attorney's office is seeking attempted-murder indictments against the seven Panthers from the county grand jury.

The survivors have refused to testify before a coroner's inquest into the deaths of the two Panthers, and their lawyers have sought to have quashed several subpoenas from the county grand jury and from a Federal grand jury that is also investigating the incident.

The subpoenas were for three doctors who performed an independent autopsy on Mr. Hampton's body; a ballistics expert, and a photographer, who filmed the apartment. The lawyers fighting the subpoenas said they were afraid of disclosing their defense plans to the prosecution.

Yesterday, Mr. Andrew, the Panther attorney, was served with a subpoena from the county grand jury and an order from Special Deputy Coroner Martin S. Gerber, directing him to produce the door panel this morning. The Federal grand jury had also asked to see the door panel.

Mr. Andrew told Mr. Gerber that he had "sole possession" of the door. He said that he would turn it over only after all policemen involved in the raid had finished testifying.

Applying for Citation

Mr. Andrew did not have the door panel with him this morning and asked Mr. Gerber to give him time to consult with another lawyer, R. Eugene Pincham, who is out of town.

Mr. Gerber, the deputy coroner, warned him that, if he did not bring in the door panel by 1:15 this afternoon, he would ask Joseph A. Power, the presiding judge of the Criminal Court, to enforce the subpoena.

Mr. Andrew then went to the grand jury hearing, where he refused to testify, and the State's Attorney's office applied to Judge Power for a contempt citation.

"We'll produce the door after they [the police] testify and we can let the entire world compare that evidence with their testimony," Mr. Andrew said later.

Judge Power ordered him "confined" until he delivered the door and "held in contempt" on a 30-day sentence for refusing to testify. Mr. Andrew asked if the judge would set bond pending an appeal. "Denied," said the judge. "Mr. Sheriff, place him in confinement."