

# Panther inquest

By Thomas J. Dolan

A blue-ribbon coroner's jury returned verdicts Wednesday of justifiable homicide in the deaths of two Black Panther leaders, Fred Hampton and Mark Clark.

Testimony was completed shortly after 11 a.m., and the six-man jury delivered the verdicts after approximately five hours of deliberation.

Hampton and Clark were shot to death in the predawn hours Dec. 4 when 14 state's attorney's policemen raided an apartment at 2337 W. Monroe.

The Hampton family and Panther party members have insisted that the police deliberately murdered Hampton and Clark.

The disagreement about what happened forced appointment of the special coroner's jury.

There was a separate verdict for each death. The verdicts were handed to Coroner Andrew J. Toman, who read them aloud.

Both verdicts stated: "Certain City of Chicago policemen . . . in the execution of a search warrant . . . did then and there use firearms which they reasonably believed to be necessary to prevent death or grave bodily injury to themselves."

One verdict said: "The death of Clark was

justified." In finding that Hampton's death was justified, the jury added that its judgment was "based solely and exclusively on the evidence presented to this inquisition."

Hampton's mother, Mrs. Iberia Hampton, told newsmen: "I want to say that I don't think we've been treated fair. We didn't get a fair deal."

James Montgomery, an attorney representing the Hampton and Clark families, termed the inquest "a well-rehearsed theatrical performance designed to vindicate the police officers."

He expressed disappointment that the verdicts did not include "at least a condemnation of excessive police firing—some comment on the incredible police testimony." He said there were plans to file a civil action against the policemen.

State's Attorney Edward V. Hanrahan released a statement that said: "The coroner's jury verdict speaks for itself; it is recognition — by an independent, objective agency — of the truthfulness of our police officers' account of the events of Dec. 4."

The verdicts contained no recommendations. The jurors refused to comment to reporters.

Toman did not participate in the inquest, which was conducted by a special deputy coroner, Martin S. Gerber.

Hampton, 21, was chairman of the Illinois Black Panther Party. Clark, 22, was a Downstate organizer for the Panthers.

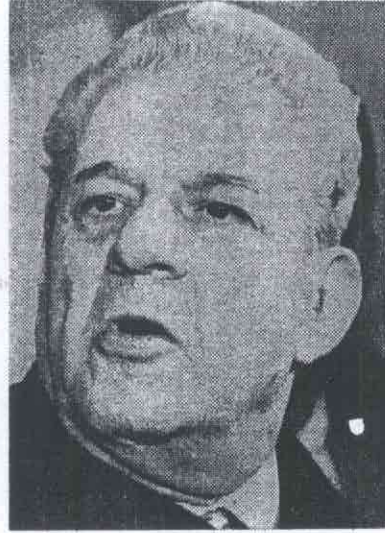
The jury began its deliberations shortly after noon Wednesday.

The inquest began Jan. 6. The jurors were Dr. Theodore K. Lawless, a noted dermatologist; Dr. James T. Hicks, chief pathologist and director of laboratories at Oak Park Hospital; Julian B. Wilkins, an attorney who serves as general counsel and director of the Seaway National Bank; Philip H. Corboy, a Loop attorney who specializes in medical and forensic law; Benedict Mayers, chairman of the social sciences department at the Amundsen-Mayfair Campus of Chicago City College, and William B. Singleton, a member of the original coroner's jury that was sworn in Dec. 4.

Gerber, a Loop attorney, was appointed special deputy coroner to head the inquest.

# backs police

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LEFT: James Montgomery, attorney for the families of Fred Hampton and Mark Clark, terms the inquest "a well rehearsed theatrical performance designed to vindicate the police officers." RIGHT: Special Deputy Coroner Martin S. Gerber conducted the inquest that began Jan. 6. (Sun-Times Photos by Jim Klepitsch)

after Toman withdrew from the probe at the suggestion of the Chicago Bar Assn. and other groups.

Lawless, Wilkins and Singleton are black.

The seven Panthers who survived the raid declined to testify at the inquest. Lawyers for the Hampton and Clark families did not introduce any witnesses during the proceeding.

The recommendation of the coroner's jury will have no legal effect on two other investigations still in progress — one by a county grand jury and the other by a federal grand jury.

The county grand jury is considering the possibility of indicting the surviving Panthers for attempted murder of the policemen who conducted the raid.

The federal grand jury is investigating the possibility that the raid violated the civil rights of Hampton and Clark.

Another less formal investigation is under way by the U.S. Commission on Civil Rights, partly in conjunction with a 28-member panel,

the National Commission on Inquiry. The commission is headed by Arthur J. Goldberg, a former Supreme Court justice and U.S. ambassador to the United Nations.