

# CHICAGO SUN-TIMES

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## AT HAMPTON APARTMENT

By Joseph Reilly

Nail heads and not bullet holes were shown in a police picture of a West Side flat where two Black Panthers were fatally shot by police, the Cook County state's attorney's office acknowledged Thursday.

# Those 'bullet holes' aren't

The picture was one of four released solely to the Chicago Tribune by State's Atty. Edward V. Hanrahan's office and which were published in the newspaper's late editions on Thursday.

A caption under the picture, in which two

nails in a kitchen door frame were circled, said that the marks in the frame were bullet holes fired by Panthers at state's attorney's police in a pre-dawn raid on Dec. 4.

Sun-Times newsmen toured the apartment at 2337 W. Monroe on Thursday and found

that the marks circled in the photograph were broad-headed nails, not bullet holes.

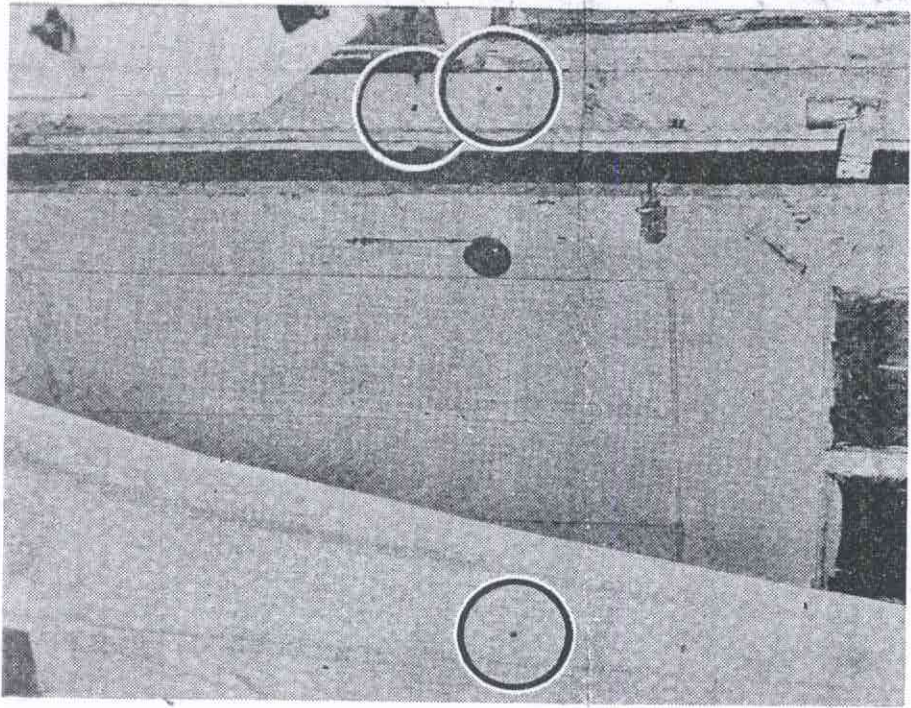
A short time later, Hanrahan said at a press conference that he had not said the marks were bullet holes.

"I have made no evaluation of the pictures other than to say that they portrayed the scene accurately," Hanrahan said. "We have made no characterization of the pictures other than to release them and to say they portrayed the apartment."

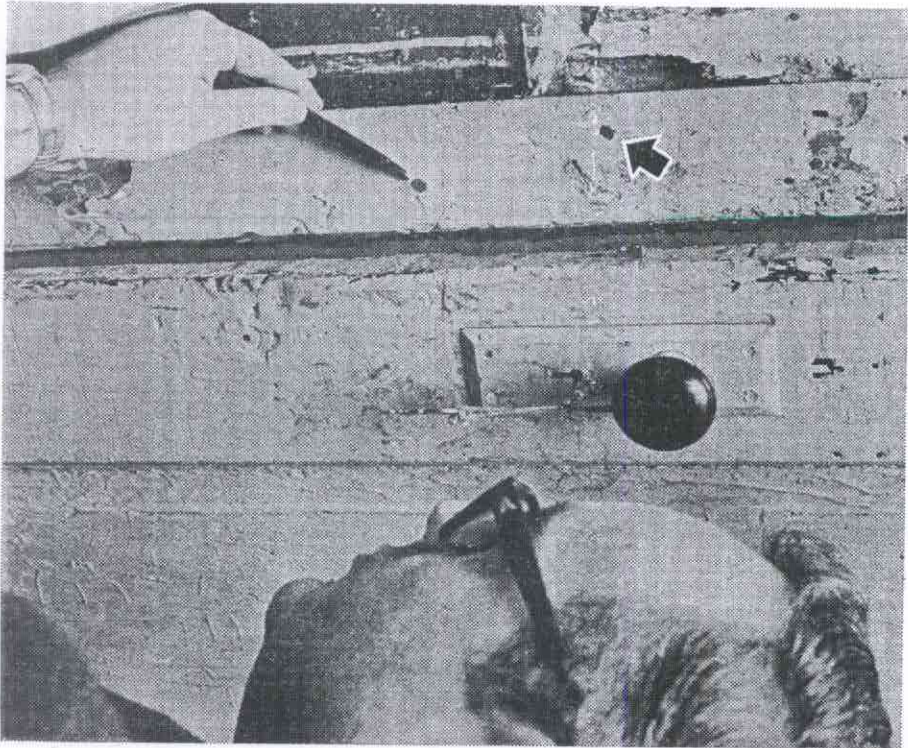
He was asked:

"You are not responsible for the captions or

Turn to Page 4



LEFT: This picture of kitchen door frame in flat where Black Panthers were slain was released exclusively to the Chicago Tribune Wednesday by State's Atty. Edward V. Hanrahan. Caption asserted that Panthers fired at police from inside and that bullet holes are circled. RIGHT: Sun-Times reporter Joseph Reilly finds that the "bullet holes" (pointed to by arrow and pencil) are actually nail heads. A Hanrahan aide later admitted they were nail heads and said his office asked the Tribune to correct its identification of the marks.



# Hanrahan's photo of 'bullet holes' is nailed as mistake

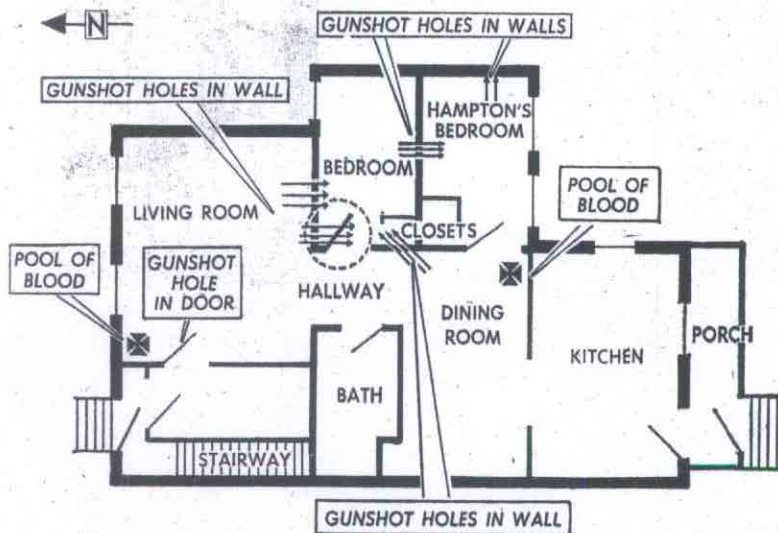
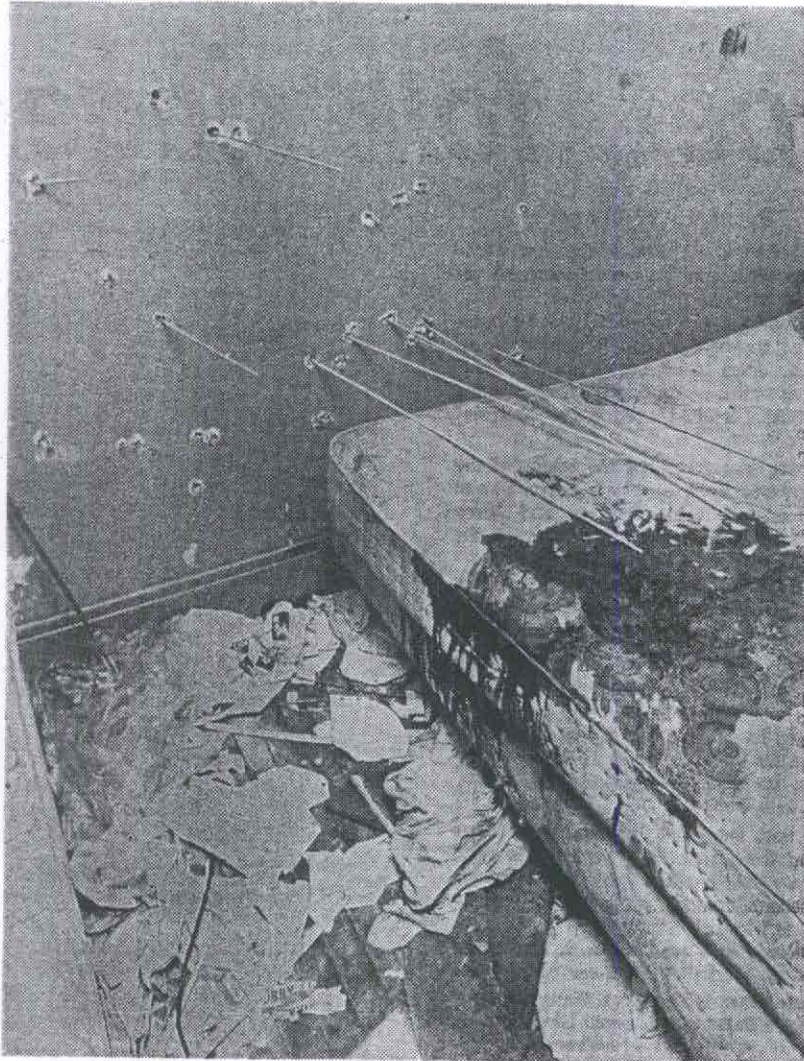
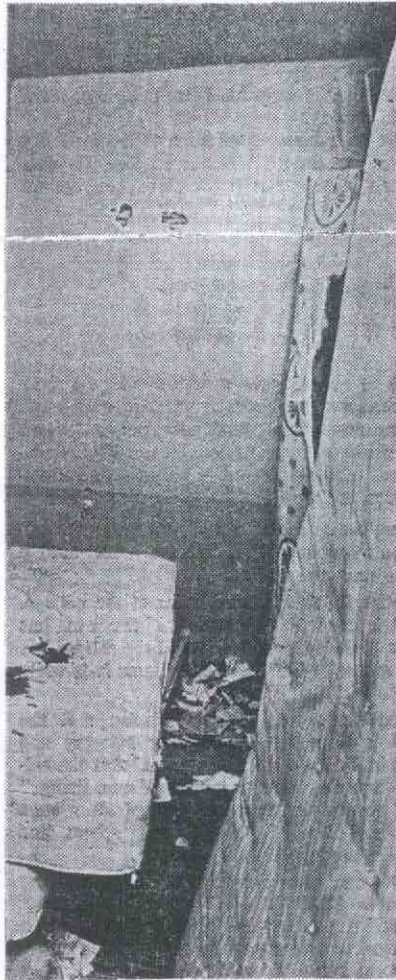


Diagram of Hampton apartment at 2337 W. Monroe shows directions in which some shots were fired. Under one of the pictures the state's attorney released to Chicago Tribune Wednesday the caption identified it as inside of bathroom door through which a hail of lead was fired "from opposite bedroom." Actually the door pictured was in the front bedroom (circle) and because it was open it was riddled by bullets police fired through living room walls. (Diagram by Jack Ryan)



Bullet holes in north wall of Fred Hampton's bedroom were made by shots fired from the direction of the front bedroom. Ballistic rods show paths of bullets. State's attorney's police made no mention of firing from one bedroom to the other. (Sun-Times Photos by Bob Kotalik)



Two chips in plaster on east wall of Hampton's bedroom apparently were made by shots fired through open doorway. State's attorney's police said they fired into both bedrooms from positions in dining room.

Continued from Page 1

descriptive material?"

"No," he responded, "We are not editors." Hanrahan would neither confirm nor deny that the marks were nail heads.

Richard Jalovec, chief of Hanrahan's special prosecutions unit, said after the press conference, however, that they were nails and added that his office has asked the Tribune to correct its identification of the marks.

A third mark circled in the picture was said to be a bullet hole in a sheet hanging near the door. The Sun-Times newsmen found no mark on the walls or door to indicate that a bullet had passed through the sheet. There were several other rips and holes in the fabric.

Jalovec, however, insisted the mark in the sheet was caused by a bullet.

#### The Trib's revised version

The Tribune in its early editions for Friday reprinted the story and three of the four pictures. Missing from the photo of the door frame were the circles around the nails.

"The circles (in the Thursday editions) had in fact been mistakenly put over what appeared to be bullet holes by a Tribune employe acting on information supplied by policemen," the newspaper said in its Friday editions.

The story did not indicate that the door frame photo or the other photo, supposedly of the bathroom door, were inaccurately described. However, the caption under the Tribune's Friday version of the kitchen door frame photo noted:

"Some of the holes marked by the Tribune in yesterday's late editions as bullet holes may be other types of punctures, officials say."

The four pictures first appeared in the Tribune edition that is published about midnight.

Because of the hour, it was impossible for The Sun-Times to verify the pictures, and this

newspaper was faced with the decision whether to ignore a story of national significance — it was the first time police had given a full account of what they said happened during the raid—and the pictures used to support the story, or to reprint them. Attempts to reach Hanrahan failed and it was decided to reprint the kitchen door picture.

The tour by Sun - Times newsmen Thursday morning turned up another discrepancy with regard to the pictures published by the Tribune.

One of the four was said to be the inside of the bathroom door but actually showed the inside of a bedroom door. The Tribune caption said:

"Hail of lead tore thru bathroom door in fire from opposite bedroom, according to police. This is inside view of riddled door."

The part of the Tribune story the picture was used to support quoted Sgt. Daniel Groth, who led the raid, as saying:

"They (Panthers) were firing blind because they didn't know where we were, so the charge slammed into a bathroom door almost directly across the hall."

#### **Bathroom door unmarked**

Then the story added:

"Hanrahan also produced photographs of the inside of the bathroom door, showing how shotgun pellets had slammed thru the wood."

During their tour of the apartment, The Sun-Times newsmen found the bathroom and the door to be unmarked, but noted that the picture matched the inside of a bedroom door which, when fully open, touches the wall that separates the living room and bedroom.

Police fire went through the thin wall and then through the open bedroom door, a fact that is apparent when the holes in the wall are matched with the holes in the door. The police raiders have acknowledged they fired through that wall.

That picture was not reprinted by the Tribune in its Friday editions.

The other two pictures were of a front door, showing a large hole said to have been made by a Panther shotgun blast. The part of the door with the hole had been removed from the apartment.

Asked if one of the pictures released was of a bathroom door, Hanrahan replied, "There was a picture of the inside of the door to the bathroom."

Told of the discrepancy found by The Sun-Times, Hanrahan said only that the pictures portrayed the apartment and that he made no evaluation of them. He also said at his press conference that he had not personally visited the apartment, and that he did not know who had removed the door section.

Killed in the raid were Fred Hampton, 21, Illinois Black Panther Party chairman, and Black Panther Mark Clark, 22, of Peoria.

Hampton was fatally wounded in a rear bedroom and Clark in the living room. Four other Panthers and two policemen also were wounded.

# Hanrahan's lie-test proposal

Story on Page 5

## Hampton raid lie tests proposed by Hanrahan

By Ray Brennan

State's Atty. Edward V. Hanrahan said Thursday that 14 of his policemen will submit to lie tests about the Fred Hampton killing — if seven civilian defendants will do likewise.

He said the policemen who took part in the raid on the Hampton apartment a week ago have asked to be given polygraph tests to prove that the fatal shooting of the Illinois Black Panther Party chairman was "justifiable.

Permission has been withheld, Hanrahan said, pending consent to polygraph examinations by seven persons arrested in the apartment at 2337 W. Monroe. He added:

"We have no doubt at all about the truth of their (the policemen's) account of those events or the legality of their actions.

"We have denied their request for fear that granting it would suggest some doubt on our part."

Prosecutor Hanrahan said that submitting to lie tests could not endanger the seven defendants' legal position because polygraph results are not admissible as evidence in court.

### Survivors challenged

"We challenge the occupants of that apartment to be as forthright as our police officers," Hanrahan said at a press conference in the Civic Center. "If they will take a lie detector test, we will then grant our officers permission to do so."

For the first time since the killings of Hampton, 21, and Mark Clark, 22, a Black Panther leader from Peoria, Hanrahan said he would welcome a "fair and objective"

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Rep. Mikva asks U.S. Rights Commission probe of Chicago Panther case, Page 14.

Prosecutors attending conference of the Illinois State's Attorney's Assn. indicate public information customarily is given to all media without playing favorites. Page 56.

More readers' views on Panther shootout. Page 60.

List of the 14 state's attorney's policemen in Panther raid, Page 42.

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investigation of the controversy by an outside agency.

He repeated previous blasts of criticism against most Chicago newspapers and television and radio stations for what he called "outrageous and untruthful" accounts.

His release exclusively to the Chicago Tribune a few hours earlier of photographs of the apartment and accounts of the raid by Sgt. Daniel Groth and other raiders, was entirely proper and justified, Hanrahan said.

Much of that material was published in late editions of The Sun-Times.

### Tells his reasoning

Hanrahan said his preferential treatment of the Tribune was based on his opinion that it had been "fair, reasonable and objective" in its coverage of the controversy.

He charged that other press media had engaged in "an orgy of sensationalism," including publication of statements by civil rights leaders that the killing of Hampton, was "murder."

Hanrahan refused to discuss disclosures by

ine Sun-Times that certain markings within the apartment—identified in Tribune photographs as “bullet holes”—really were nailheads. He was not responsible for the descriptive material, the prosecutor declared. He added:

“We made no evaluation of the pictures other than to say they portrayed accurately the apartment. We made no characterization of the pictures. . . .”

Hanrahan went on to claim credit for an announcement by Police Supt. James B. Conlisk Jr. that the conduct of the 14 policemen on the Black Panther mission would be subject to a departmental investigation.

“I called Supt. Conlisk and asked him to do this,” Hanrahan said.

The inquiry will be made by the police Internal Inspections Division, created 10 years ago to investigate complaints against policemen and to make disciplinary recommendations in cases of proven misconduct.

#### Toman maps hearing

At the same time, Dr. Andrew J. Toman, Cook County coroner, said he will impanel a jury of experts and prominent citizens to hear testimony from both sides and to view evidence at a public inquest.

He will set the date and announce the names of the panel members later.

Hanrahan had been asked earlier why he



The 14 policemen in the raid on Fred Hampton's apartment have asked to be given lie tests, State's Atty. Edward V. Hanrahan says Thursday. (Sun-Times Photo)

had released to one newspaper the names of the 14 policemen after refusing to do so earlier on the ground that their lives might be placed in danger.

He decided the release of all such information was proper, the prosecutor said, after

Turn to Page 22



Continued from Page 5

defense attorneys made an effort to "try the case in the press" by making public certain information.

An expression of confidence in the integrity and courage of the 14 policemen came from Bernard Carey, assistant Illinois public safety director. However Carey criticized Hanrahan's tactical and legal planning:

**Evidence-faking charged**

A charge that Black Panthers "contaminated the crime scene" by faking evidence in the apartment after the police left came from Daniel Green, president of the Chicago Confederation of Patrolmen.

"They (the Black Panthers) are attempting to hoodwink the entire country," Green said.

Hanrahan said he was retaining a nationally known ballistics expert whose testimony would show that the Panthers fired on the policemen first and continued shooting.

Hanrahan appeared at the press conference after conferring in private with the 14 policemen.

Also present was one of Hanrahan's trial assistants, Richard Jalovec, assigned to prosecute the seven survivors of the raid, presumably on charges that will include attempted murder. Bundles of Chicago newspapers and a machinegun in a zipper bag were carried into the meeting by Hanrahan's assistants.

**14 police commended**

The prosecutor asked that the public refrain from making judgments in the controversy until after reading the Tribune story and looking at the pictures, in which the nail heads were described as bullet holes. He said:

"Any reading of that account clearly shows that the state's attorney's police did, in fact, carry out their duties with courage, restraint and professional discipline.

"The integrity and character of our officers

is further demonstrated by their request that they be permitted to take lie detector tests."

In his earlier release of the photographs, which are the property of Cook County, and in making the 14 policemen available for interviews at the request of one newspaper, Hanrahan had pointed out that the raiders carried a legal search warrant.

Sgt. Groth and Jalovec had received information that contraband firearms were stored in the Hampton apartment, Hanrahan said, and the warrant to search was based on that data. He pointed out that 18 guns and supplies of ammunition were confiscated from the apartment.

**Found Hampton on bed**

Regarding Hampton's death, policeman Edward Carmody said he dashed into a back bedroom and saw a man lying face down on a bed.

"His arms were hanging over the foot of the bed," Carmody said. "On the floor near his right hand was a .45-caliber automatic and at his left a shotgun.

"I could see he'd been hit, but I didn't know if he was alive or dead. All I knew was that the room was full of shotguns and rifles and ammo.

"So I grabbed him by a wrist and dragged him into the dining room, away from all those guns."

The Hanrahan version made no mention of a statement by defense attorneys that two Black Panthers were hiding behind a door of the bedroom after going there to awaken Hampton and a girl who reportedly was with him.

In the official version of the shooting, Sgt. Groth mentioned the names of Policemen James Davis, John Ciczewski, Raymond D. Broderick and other members of the raiding party.

**Sergeant's statement**

Groth related why the raid was conducted before dawn and why tear gas was not used

when the police ran into trouble:

"At first I thought we'd hit the place at 8 o'clock that night. But after talking it over we decided that would be a bad time, both for our safety and that of the residents of the area.

"It's a heavily populated neighborhood, so we feared first for the safety of people on the streets at that hour and secondly we feared such a raid might create an incident in the area, which we knew was the heart of Panther territory.

"Our object was to avoid an incident. . . . That wasn't the first time our squads had gone after dangerous individuals. And on the basis of the information we had it was clear that we might be running up against dangerous individuals. . . .

"We didn't take tear-gas because of the specific nature of our mission and the fact that we figured we'd have the element of surprise on our side. Under the law we had to enter that flat and serve the warrant for a search. We couldn't just lob tear gas in there and charge."

#### **Key moment in raid**

Groth described the key moment in the raid as the point when officers kicked in the apartment's front door, which led into an anteroom with another locked door leading to the living room. As the officers slammed through the first door, a bullet was fired through the door between the anteroom and living room, it was alleged. This was a shotgun blast from the living room that narrowly missed the policemen, Groth said.

In addition to the opening shot, Groth and other members of the raiding party claimed the following sequence of shots at them by persons in the apartment:

One shotgun blast from a woman in the living room.

#### **'Blast from bedroom'**

One shotgun blast from the back bedroom

toward the officers entering through the kitchen door.

One shotgun blast from the front bedroom directly down the hall from living room.

A revolver or automatic pistol shot from the rear bedroom at the kitchen.

Two shotgun flashes from the front bedroom. More gunfire directed at police from the front bedroom.

Repeated gunfire from the rear bedroom directed at police in the kitchen.

A slug fired through the wall from the front bedroom, which was reported to have wounded Ciczewski.

#### **Report of return fire**

Groth and other members of the raiding party related the following instances of return fire by the police:

Two revolvers shots by Groth at the woman in the living room.

One shot by Davis at the woman, later later identified as Brenda Harris, 18, of 184 S. Hamlin. She was wounded in the right thigh.

Two shots by Davis at a man in a chair with a shotgun, later identified as Mark Clark. He was fatally wounded.

Repeated police firing, after a cease-fire order from Groth was allegedly ignored by the Panthers.

Submachinegun fire by Def. Joseph Gorman after a second cease-fire order was allegedly ignored.

One shot from Carmody's .38-caliber revolver as he plunged past the rear bedroom, from which Hampton was dragged to a dining room, where he was found dead.

Gunfire from Broderick and Ciczewski into both bedrooms from the dining room.

Five shotgun rounds from Broderick into the front bedroom from the rear hallway.

# 3 more organizations demand impartial probe

By Thomas M. Gray

Three more groups Thursday demanded an impartial investigation of the death of Fred Hampton.

The Chicago Forum, an interracial organization of about 75 young Loop businessmen, called upon Mayor Daley and Gov. Ogilvie to appoint a blue-ribbon commission to investigate.

"Based on all the information available to the public and the individual investigation by Forum members, there is a clear and demonstrable need for such an investigatory commission," the Forum said.

The Cook County Bar Assn., made up mostly of Negro lawyers, appointed a special committee to propose action in the death of the Illinois Black Panther Party leader.

The committee's report was read at a press conference here by Lawrence E. Kennon, a director of the association. The report concluded that the predawn raid on Hampton's apartment was:

"Illegal in concept and in its execution." Moreover, the report said, "the search warrant was merely a subterfuge, and the mission of the police was to murder and maim."

Hampton, 21, and Mark Clark, 22, Peoria leader of the Panthers, were killed on Dec. 4 in a raid by Chicago police assigned to the state's attorney's office.

Four other party members were wounded by gunfire. They and three others were arrested on charges of attempted murder. The police said they discovered a large cache of weapons in the first-floor flat.

The Chicago Urban League sent telegrams to Daley and Ogilvie, also asking that a blue-ribbon committee be set up. It said the investigation could clear up the "fuzzy circumstances surrounding these killings."



## Appealing

Ben W. Heineman (left), chairman of Northwest Industries, Inc., and 1969 chairman of the United Settlement Appeal, turns over to Arthur M. Wood, president of Sears Roebuck & Co., a two-foot-long gavel, symbol of the chairmanship for the fundraising campaign. The 1970 campaign slogan is "1870-1970—100 years of Neighborhood Service." (Sun-Times Photo)