

Cloudy

Tonight — Partly cloudy and colder, low in the middle 20s.
Thursday—Partly cloudy and colder, high in the upper 30s.
Chances of rain or snow: 20 per cent tonight, 10 per cent Thursday. See Page 57.

CHICAGO

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Attorneys reveal details Panther story

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**Red
Flash**

of killings

'Police burst in, began firing without warning'

By Edmund J. Rooney
and Henry De Zutter

Defense attorneys for the seven members of the Black Panther Party who survived last week's raid by state's attorney's police compiled for The Daily News this Panther eyewitness account of the raid in which two died:

There was a knock on the front door of the apartment at 4:40 a.m. Thursday. The occupants asked, "Who is it?" They received a brief reply. The occupants again asked, "Who?"

After a short delay, Mark Clark, 22, of Peoria, a Downstate Panther leader, went to the door just as the plainclothes policemen forced their way in the Panthers said.

Without warning, the detectives began firing toward mattresses near the southeast corner of the living room of the apartment the eyewitnesses said. Clark was killed in the volley.

There was no return fire and no shotgun blast at police from any of the Panthers before the police began shooting, the Panthers said.

TWO OF the apartment's occupants were in a back bedroom trying to awaken Fred Hampton, 21, Illinois Black Panther Party chairman. Just then another team of police raiders barged through the rear (kitchen) door defense attorneys said they were told.

The police came through the kitchen and into the dining area leading to Hampton's bedroom. The two Panthers in Hampton's room said they



Fred Hampton
Was he "murdered"?



State's Atty. Hanrahan
Gives his version of gun battle

Hanrahan's answer

State's Atty. Edward V. Hanrahan Wednesday made this comment on the Black Panthers' version of the shootout with state's attorney's police:

"This is an obvious effort by the counsel of the Black Panthers to try their case in the press. It is outrageous. It is slanderous of our police.

"It is self serving and an affront to decency and society. I deplore such statements and similar statements made by others in our community.

"I deplore the publicity they have been given and I wonder what has happened to responsibility in the communications media and press. And I wonder if anybody is thinking about libel laws."

"I appreciate the Daily News calling me. I know you are trying to report the story as it happens. But there are a lot of irresponsible statements being made by people who do not know the facts."

Readers react to Panther case. See letters on Page 16.

Funeral services for Fred Hampton. Page 14.

leaped into a corner where police could not see them.

They were in the room when police fired the shots that apparently killed Hampton while he was still on his bed the Panthers told defense attorneys.

THE NINE defense attorneys for the Panthers said they would not release specifics or more detailed statements from the seven survivors so as not to compromise their case before it comes to trial.

The attorneys said they hope not only to win acquittal for the seven arrested Panthers, but to file civil and criminal charges against the police raiders.

HANRAHAN and the 14 policemen from his office who took part in the raid gave a sharply different version of how the gun battle occurred.

Hanrahan said his men — all Chicago policemen on special assignment to his office — knocked on the front door of Hampton's apartment and announced that they were police.

The detectives said that when they received no response, they pushed open the front door and were fired upon by a woman holding a shotgun, touching off the battle.

DEPUTY Police Supt. Merlin Nygren later identified the woman with the shotgun as Brenda Harris, 18, of 1848 S.

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Hamlin, who was shot in the right leg and left hand.

She and three other surviv-

ing Panthers were wounded in the gun battle. Three more Panthers also were seized in the apartment after the raid. A policeman was shot and

slightly wounded in one leg and his partner suffered hand cuts from flying glass.

The seven surviving Panthers have been charged with attempted murder. They are scheduled to appear Dec. 19 before Violence Court Judge John F. Hechinger.

THE DEFENSE plan was put together by nine attorneys: Kermit Coleman, James D. Montgomery, Jeffery Haas, Francis Andrews, Dennis Cunningham, Donald Stang, Mark Kadish and Warren and Joanne Wolfson.

It was learned Wednesday that the defense will concentrate on three key points:

- Testimony by a nationally respected ballistics expert hired by the defense. The expert will testify that the pattern of shots in the apartment shows cool and calculated fire by police and no return fire by the Panthers.

- Testimony by the surviving

Panthers that police burst into the apartment as the Panthers were sleeping and carried out a plan to kill Hampton and Clark.

- The conflict between findings of an independent autopsy and the official findings of Coroner Andrew J. Toman.

Much of the hard-fact evidence relies heavily on testimony from the ballistics expert, a criminologist who has been called upon by Chicago police on important cases in the past, the defense lawyers said.

The expert had access to 200 photos and two hours of color movie film showing every nook and cranny of Hampton's apartment.

MEANWHILE, Capt. Harry Ervastian, director of the police department's Internal Investigations Division, said the IID would make no investigation into the raid.

He said that while the raiding party was composed of Chicago policemen assigned to Hanrahan's office, the IID has no jurisdiction.

Ervastian said any investigation would have to be done by Hanrahan's office.

Hanrahan said, "I think they (IID) should change their policy. I don't want our men treated any differently from other Chicago policemen."

Capt. Ervastian had no reply

to Hanrahan's comment.

NINE Democratic congressmen, including Abner Mikva of Chicago, called on President Nixon to have the National Commission on the Causes and Prevention of Violence investigate the two slayings.

The congressmen asked the President to extend the life of the commission, scheduled to expire Wednesday. A commission spokesman said the extension probably would not be granted.

The Chicago branch of the National Assn. for the Advancement of Colored People asked Atty. Gen. John N. Mitchell to convene a special federal grand jury to investi-

gate the raid.

Jack B. Schmetterer, first assistant U.S. attorney in Chicago, said his office was "following the case," but he would not comment further.

A RESOLUTION by Ald. A.A. (Sammy) Rayner Jr. (6th) asking for investigations by several state and federal agencies was buried Tuesday in the City Council's Rules Committee.

A milder resolution by five other black aldermen, led by Ald. Wilson Frost (21st), asking for an investigation by the Chicago Commission on Human Relations, was sent to the Council's Police Committee.

The board of the Chicago

Conference on Religion and Race called for establishment of a blue-ribbon investigating commission that would include representatives of the Chicago Bar Assn., the Cook County Bar Assn. and groups such as Operation Breadbasket.

Also calling for a special investigation was the 500-member Chicago Council of Lawyers, headed by Judson H. Miner.

Gary Mayor Richard G. Hatcher charged at a press conference Tuesday that Hampton was "murdered." Hatcher said the slaying was "part of a systematic effort on the part of federal and local law enforcement agencies to liquidate the Black Panther Party."

SEVEN members of the Afro-American Patrolmen's League board met Tuesday with John T. Kelly, chief of the Chicago police patrol division, and asked that Bobby Rush, Panther defense minister and next in line to succeed Hampton, be provided with a police guard composed of league members.

Kelly replied that if Rush's attorneys asked for a guard, police would provide one.

The league's delegation also asked that the department investigate threatening telephone calls that Patrolman Renault Robinson, league president, said he had received from white policemen.



Mark Clark

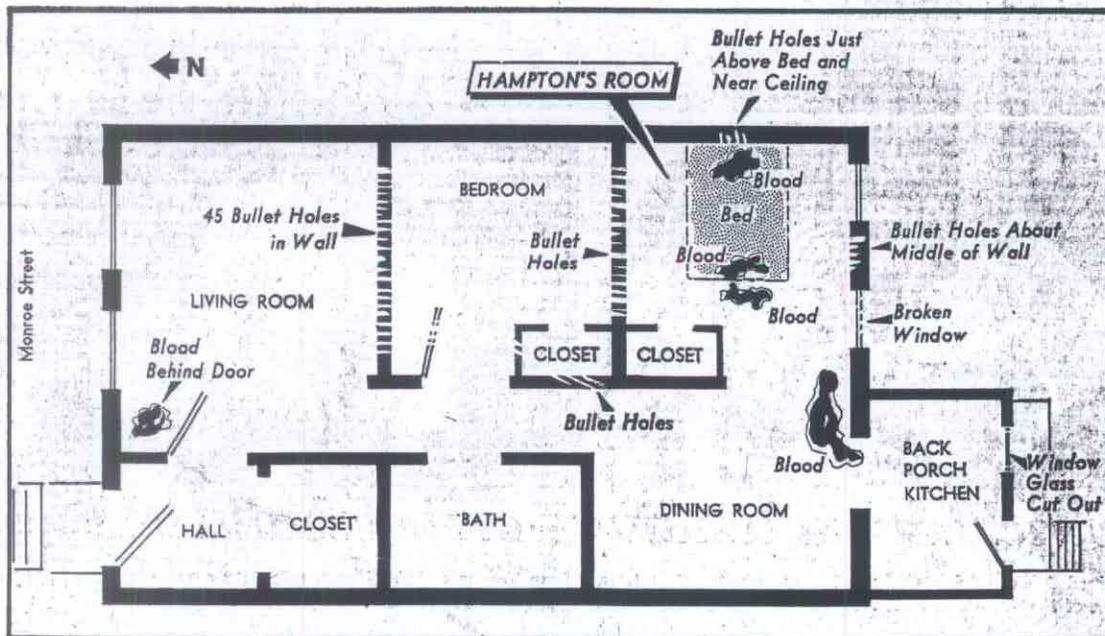


Diagram of apartment in which Black Panther leaders Fred Hampton and Mark Clark were slain. Hampton was slain in his bed. Clark was fatally wounded in the living room where blood is indicated behind door. (Drawing by John Kroegel)