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Panther lawyers say FBI planned fatal '69 raid

By Rob Warden

Black Panther lawyers are trying to convince a federal jury there is good reason to doubt the official contention that the fatal 1969 Panther raid here was designed only to seize weapons and make arrests.

The FBI masterminded the raid, according to the Panther line of reasoning, and used weapons as a sinister subterfuge to mask the real purpose of the raid, which the lawyers say was to maim and kill.

Had the seizure of weapons truly been the purpose, the lawyers contend, the raid should have been conducted by federal authorities rather than a special detail of Chicago policemen assigned to State's Atty. Edward V. Hanrahan.

THE PANTHERS—now suing FBI officials, Hanrahan's men and others involved with the Dec. 4, 1969, raid for \$47.7 million—have presented circumstantial evidence to support their argument:

- An FBI internal memorandum prepared a week after the raid says the FBI knew before the raid that the Panthers had a sawed-off shotgun and stolen police riot gun in the raided apartment—apparent knowledge of federal law violations. This knowledge, the Panthers maintain, would have been justification enough for the FBI to conduct the raid.

- Six months to the day be-

fore the fatal raid, the Chicago Panthers had given up without resistance when the FBI, mistakenly believing the Panthers were harboring a fugitive, surrounded the West Side Panther headquarters and ordered them to surrender. In view of that experience, the Panthers contend, there is no reason to believe there would have been resistance if the December raid had been conducted similarly by the FBI.

- The FBI, which put Hanrahan's men up to the raid, knew or should have known that the local raiders would be out to avenge the killing of two Chicago policemen three weeks earlier in a shootout with Panthers on the South Side.

WHEN THESE bits of circumstantial evidence are taken together, in the Panther view, it may explain why the FBI failed during a 1970 federal grand jury investigation of the raid to acknowledge the extent of the FBI's role.

The head of the Chicago office of the FBI at the time, Marlin Johnson, testified before the grand jury that the FBI had passed information along to local authorities about possible state law violations, but said nothing to indicate there was any advance indication of federal law violations.

Nor did Johnson tell the grand jury the FBI had given Hanrahan's men a detailed diagram of the apartment, precisely locating major furniture including Fred Hampton's bed.

Hampton, one of two Illinois Panther leaders slain in the 3 a.m. raid, died in that bed of two bullets through his brain.

ON THE WITNESS stand Thursday in the current Panther civil case, Johnson admitted under questioning by Panther lawyer Jeffrey Haas that his grand jury testimony might have been less than complete.

The federal grand jury did not return indictments, although a special county grand jury later indicted Hanrahan and 13 others, all of whom were acquitted of criminal charges.