

Post 9/1/71 Daley Ally Refuses to Enter Plea

CHICAGO, Aug. 31 (AP)—State's Attorney Edward V. Hanrahan refused today to plead to charges of obstructing justice following a 1969 police raid in which two Black Panther Party members were killed.

Hanrahan, representing himself, and four attorneys acting for 13 codefendants entered no pleas on arraignment before Judge Joseph A. Power, chief of the Criminal Division of Circuit Court.

"I do not recognize this as a valid indictment, and I make no plea to this indictment at this time," Hanrahan said. He and two other defense attorneys sought to enter motions with Judge Power aimed at quashing prosecution.

Hanrahan, a political protege of Mayor Richard J. Daley, was elected in 1968 to the top prosecutor's spot in Cook County—Chicago—with a majority of nearly 300,000 votes.

Motions Refused

Judge Power, also a longtime ally of Daley, refused the motions and assigned the case to Judge Philip Romiti, former dean of DePaul University Law School.

Judge Romiti set another hearing for Friday.

The defense attorneys and the staff of Barnabas F. Sears, special prosecutor for the grand jury that handed down the indictments in April, then returned to Power's courtroom.

Power denied a request by Sears to extend the life of the grand jury until Oct. 2, and he said attorneys for the defendants may question any of the jurors about the secret proceedings.

Hanrahan, an assistant and 12 members of the Police Department were named in the indictments opened a week ago after the defense lost in the Illinois Supreme Court a four-month battle to invalidate them.

The indictments charged the defendants with conspiracy to obstruct justice by attempting to prevent the prosecution of eight policemen who con-

ducted the Dec. 4, 1969, raid in which the two Black Panthers were killed.

They also charged that the defendants tried to obstruct the defense of seven Panther Party members seized in the raid.

Hanrahan charged them with attempted murder during the raid, but the charges were later dropped.

The motions the defense filed with Judge Romiti sought to prove allegations that Sears improperly influenced the jurors in returning the indictments, hence making them invalid.

The motions asked that the defense be permitted to examine transcripts of the grand jury proceedings and to interview the jurors.

Romiti did not act on the motions, but Power later ruled that the jurors may be questioned by attorneys on all matters pertaining to the proceedings except those concerning their deliberations or votes.

Defense Motion Granted

Powers also granted a defense motion ordering the release of four no bills returned by the jurors. They cleared Hanrahan, Richard S. Jalovec, his assistant, and seven members of the police raiding party of charges ranging from voluntary manslaughter to aggravated assault.

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

All those named in the no bills made public today were among those charged with conspiracy to obstruct justice.

Hanrahan has told newsmen since the indictments were returned that the charges of obstructing justice were invalid since the grand jurors found insufficient evidence to try the officials on any other criminal charges.

He has maintained that Sears cajoled the jurors to return "any indictment" and that he is innocent of all charges.