

Text of Indictment by Grand Jury

Investigating Panther Raid

Following is the text of the indictment returned by the special county grand jury charging a conspiracy existed to cover up facts surrounding the police raid Dec. 4, 1969, on a Black Panther Party apartment in which two Black Panther leaders were slain:

The grand jurors of the December, 1970, special grand jury of the Circuit Court of Cook County, having been chosen, elected and sworn in and for the County of Cook in the State of Illinois pursuant to certain petitions filed by various individuals and civic groups averring that a certain report of the 1970 federal grand jury for the Northern District of Illinois, published May 15, 1970, raised critical and unresolved questions concerning violations of the Illinois Criminal Code by employees of the state's attorney's office and employees of the Chicago Police Department, as well as possible violations by members of the Black Panther Party and other persons involved in the execution of a search warrant at 2337 W. Monroe St., Chicago, and such other persons who, on Dec. 4, 1969, or thereafter, may have been involved in the execution of the Illinois Criminal Code, relating to events mentioned hereafter and related thereto and the Court, on the 2nd day of June, 1970, having found:

Interest of State's Attorney

[1] That the state's attorney of Cook County is interested in said matter which is, or may be, his duty to prosecute or defend and said matter is an appropriate cause or proceeding for the appointment of a competent attorney to prosecute such cause or proceeding with the same power and authority with relation thereto as the state's attorney would have had if present and attending to the same, all within the provisions of Section 6 of Chapter 14 of the Illinois Revised Statutes of 1969; and

[2] That the matters set forth in said petitions were of sufficient importance to confer jurisdiction upon the court to order a special venire to be issued for a grand jury and that public justice required it, all within the provisions of section 19 of chapter 73 of the Illinois Revised Statutes of 1969, thereupon and on said date ordered that Barnabas F. Sears, Esq., a member of the bar of this state, upon taking the proper oath required by law, be appointed a special state's attorney of Cook County, Ill., to prosecute any matters that may arise from these proceedings, with all the powers of a state's attorney, as aforesaid, and was directed to draft the necessary orders for the issuance of a special venire for a grand jury at the earliest opportunity after having examined the said federal grand jury report; and thereupon, the said Barnabas F. Sears having taken said oath, thereafter, pursuant to an order entered by this court on Nov. 4, 1970, on petition of said special state's attorney, a special venire was issued for a grand jury, returnable the first Monday in December, 1970, and the grand jurors having been duly impan-

elled, chosen, selected and sworn on Dec. 7, 1970; and the said grand jury having been duly extended for successive 30-day periods by orders entered by the court:

Jury Lists Those Indicted

Said grand jurors of the December, 1970, special grand jury chosen, selected and sworn, in and for the County of Cook in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about Dec. 4, 1969, and continuously thereafter, up to and including the filing of this indictment, at and with _____ State aforesaid, _____ Mahan, _____ Madunas, Daniel _____ Broderick, _____, John Ciszewski, _____ Corbett, James _____ Davis, Joseph Gorman, George Jones, Charles Kolu-rovic, John P. Meade and John Mulchrone, defendants herein, committed the offense of conspiracy, in that they did knowingly and wilfully, fraudulently and deceitfully conspire, combine, confederate and agree together and with each other, together with Harry Eryanian, Earl Holt, James Mektregger, Sheldon Sosofsky and James B. Corbisk Jr., named as co-conspirators but not as defendants herein, and with others to

the grand jury unknown, to commit an offense to wit, obstructing justice, in that with the intent to obstruct a criminal prosecution of [Daniel Groth], Raymond Broderick, Edward Carmody, John Ciszewski, William Corbett, James Davis, Joseph Gorman and George Jones, with respect to their acts and conduct in the execution of a search warrant on Dec. 4, 1969, at 2337 W. Monroe St., Chicago, and to obstruct the defense to criminal charges then pending against Blair Anderson, Harold Bell, Verlina Brewer, Brenda Harris, Deborah Johnson, Ronald Satchel and Louis Truelock, with respect to their acts and conduct at the said time and place of the execution of said search warrant, by unlawfully, wilfully and knowingly destroying, concealing and disguising physical evidence, by planting false evidence and by furnishing false information, and pursuant to said conspiracy, they did, among divers other acts and conduct, commit the following overt acts, to wit:

Searched Flat, Seized Weapons

1. On Dec. 4, 1969, [Daniel Groth], Raymond Broderick, Edward Carmody, John Ciszewski, William Corbett, James Davis, Joseph Gorman and others, conducted a search of the first floor apartment at 2337 W. Monroe St., Chicago, and collected certain weapons that were seized in said search, but did not tag them in order to specify the location where they were discovered, nor process them for fingerprints in order to determine who had handled them prior to their seizure, and they further caused said weapons to be taken to the State's Attorney's office for public display rather than to be processed by the Chicago Police Department crime labora-

ory as possible evidence of an alleged crime;

2. Immediately following the aforesaid events on Dec. 4, 1969, a mobile crime laboratory team of the Chicago Police Department, consisting of Charles Koludrovic, Earl A. Molt, and others, were summoned by Assistant Deputy Superintendent Merlin A. Nygren to go to, and they did go to, 2337 W. Monroe St., Chicago, to perform their duties, which were to photograph the scene, as they found it, draw a rough sketch thereof, search for and recover whatever evidence was available, mark said evidence and transport said evidence to the Chicago Police Department crime laboratory and make a report thereof. In executing these duties, said team intentionally focused on identifying shots allegedly fired at said police officers who conducted the said search, and said team knowingly conducted a totally inadequate and improper examination of the said scene, designed solely to establish the version of the officers who conducted said search, and said team further knowingly failed to search for and recover numerous material and relevant items of evidence relating to the events which occurred at the time and place aforesaid, which numerous relevant and material items of evidence were later recovered by others, including the Federal Bureau of Investigation.

Meeting of Raiding Party Told

3. On Dec. 4, 1969, Richard Jalovec, Daniel Groth, Raymond Broderick, Edward Carmody, John Ciszewski, William Corbett, James Davis, Joseph Gorman and George Jones met and had conversations at the state's attorney's office at 2600 S. California Av., Chicago, concerning the events that occurred at 2337 W. Monroe St., Chicago;

4. On Dec. 4, 1969, Richard Jalovec and Edward V. Hanrahan had a conversation, and thereafter Edward V. Hanrahan held a press conference with members of the news media at 2600 S. California Av., Chicago, concerning the events that occurred at 2337 W. Monroe St., Chicago, on Dec. 4, 1969;

5. On or about Dec. 11, 1969, and Dec. 16, 1969, Richard

on December 4, 1969, at 2337 W. Monroe St., Chicago, which re-enactment was shown on television that evening on Channel 2 in the City of Chicago.

6. On Dec. 4, 1969, Edward V. Hanrahan held a press conference with members of the news media in Chicago, Illinois, concerning the events that occurred at 2337 W. Monroe St., Chicago, on Dec. 4, 1969;

Answers to Questions Called Misleading

10. On or about Dec. 16, 1969, John P. Meade and John Mulchrone, at 1121 S. State St., Chicago, prepared a list of questions and answers which were to be shown to Sgt. Daniel Groth. The questions were conclusory in nature and designed to elicit exculpatory answers and which answers were excused and which questions and answers were designed to prevent a full disclosure of the true events occurring at 2337 W. Monroe St., Chicago, on Dec. 4, 1969;

11. On Dec. 16, 1969, John Mulchrone, John P. Meade, Richard Jalovec, John Scrosky, James Meltreger, Harry Ervanian and Daniel Groth met at 1121 S. State St., Chicago, and discussed the said questions and answers prepared by Meade and Mulchrone, agreed to same, and then had said questions and answers read before a court reporter, as if they were a contemporaneous statement given by Groth which was not the case, and which Sgt. Groth thereafter signed;

Agree to Uniform Format

12. Thereafter, on Dec. 16, 1969, at 1121 S. State St., Chicago, John Mulchrone, John P. Meade, Richard Jalovec, Sheldon Bernstein, James Meltreger, Harry Ervanian and Daniel Groth met to draft and use a uniform format for statements to be taken from the other state's attorney's police officers in the Dec. 4, 1969, incident, in which said other state's attorney's police officers were asked to affirm the statement which contained reference to matters of which they had no knowledge;

13. Thereafter, on Dec. 16, 1969, Richard Jalovec, Sheldon Bernstein and James Meltreger counseled and advised the other state's attorney's police officers of each question they were asked and advised them to so do,

Jalovec directed the... withheld fragments of the Internal... Department... state's attorney... certain... in the events of Dec. 4, 1969, at 2337 W. Monroe St., Chicago;

6. On Dec. 4, 1969, Edward V. Hanrahan held a press conference with members of the news media at 2600 S. California Av., Chicago, concerning the events that occurred at 2337 W. Monroe St., Chicago, on Dec. 4, 1969;

7. On Dec. 11, 1969, and Dec. 16, 1969, Richard Jalovec, Daniel Groth, Raymond Broderick, Edward Carmody, John Ciszewski, William Corbett, James Davis, Joseph Gorman and George Jones met and had conversations at the state's attorney's office at 2600 S. California Av., Chicago, concerning the events that occurred at 2337 W. Monroe St., Chicago, on Dec. 4, 1969, and the information contained in the newspaper articles published in the Chicago Tribune and Chicago Daily News by said paper concerning the events that occurred at 2337 W. Monroe St., Chicago, on Dec. 4, 1969, and the misleading nature of the said newspaper articles;

8. On Dec. 4, 1969, Richard Jalovec directed the... Raymond Broderick, Edward Carmody, John Ciszewski, William Corbett, James Davis, Joseph Gorman, and George Jones... called out for... on television an... of the events that occurred at 2337 W. Monroe St., Chicago, on Dec. 4, 1969;

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and each officer knowing the question he would be asked before he was examined gave a statement;

16. On or about Jan. 2, 1970, John Sadunas, Head of Cook County Department of Forensic Science, advised that he had examined two shot shells which were allegedly fired at the apartment at 2337 W. Monroe St., Chicago, on or about Jan. 2, 1970, and that he had identified them as being fired by a Remington-Union Metallic Cartridge Co. .38 Smith & Wesson caliber revolver.

17. On or about Jan. 2, 1970, John Sadunas advised that he had examined two shot shells which were allegedly fired at the apartment at 2337 W. Monroe St., Chicago, on or about Jan. 2, 1970, and that he had identified them as being fired by a Remington-Union Metallic Cartridge Co. .38 Smith & Wesson caliber revolver. He further advised that he had examined two shot shells which were allegedly fired at the apartment at 2337 W. Monroe St., Chicago, on or about Jan. 2, 1970, and that he had identified them as being fired by a Remington-Union Metallic Cartridge Co. .38 Smith & Wesson caliber revolver.

18. On or about Jan. 2, 1970, and Jan. 21, 1970, Raymond McElroy, Chief of Cook County Department of Forensic Science, advised that he had examined two shot shells which were allegedly fired at the apartment at 2337 W. Monroe St., Chicago, on or about Jan. 2, 1970, and that he had identified them as being fired by a Remington-Union Metallic Cartridge Co. .38 Smith & Wesson caliber revolver. He further advised that he had examined two shot shells which were allegedly fired at the apartment at 2337 W. Monroe St., Chicago, on or about Jan. 2, 1970, and that he had identified them as being fired by a Remington-Union Metallic Cartridge Co. .38 Smith & Wesson caliber revolver.

Testimony on Shots Called Untrue

19. On or about Jan. 2, 1970, and Jan. 21, 1970, Daniel Groth, James Davis, George Smith, James Shannon, Edward Carmody and John Harkness, falsely testified before the January 1970 Cook County Grand Jury regarding shots allegedly fired at them by occupants of the first floor apartment at 2337 W. Monroe St., Chicago.

20. On or about Jan. 2, 1970, Edward V. Harrahan caused to be presented before a Cook County Grand Jury evidence which he knew, or reasonably should have known, to be false and inflammatory in order to procure the indictment of Blair Anderson, Harold Bell, Verliam Bifwer, Brenda Harris, Deborah Johnson, Ronald Satchel and Louis Truelock, on erroneous and unprovable charges.

21. On Jan. 30, 1970, John Sadunas testified before the special deputy coroner of Cook County at an inquest into the deaths of Mark Clark and Fred Hampton with respect to his positive identification of the two shot shells aforesaid, which testimony he knew, or should have known, to be false, inaccurate and not based upon an adequate firearms examination;

22. On or about Jan. 20, 1970, John Sadunas had a long conversation with Thomas A. Hett, an assistant state's attorney of Cook County, as a result of which he knowingly and wrongfully permitted his said Dec. 17, 1969 report, which included a false identification of said two shot shells, to be used in evidence in a state Grand Jury proceeding then pending against the said persons against whom the said criminal charges were then pending, when he knew, or should have known, that his positive identification of the said two shot shells was false, inaccurate and not based upon an adequate firearms examination, in violation of Chapter 38, Section 8-2 of the Illinois Revised Statutes of 1969, contrary to the Statute and against the peace and dignity of the same People of the State of Illinois.

SIGNED: Richard F. Balla, Foreman
Barnabas F. Sears,
Special State's Attorney