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Hamrohan trial evidence barred for first time

Sears lists details of charges

By Edmund J. Rooney

The prosecution spelled out in detail for the first time Tuesday some of the evidence that led to the indictment of State's Atty. Edward V. Hanrahan and 13 others in the Black Panther raid case.

The details were contained in a bill of particulars prepared by Special Prosecutor Barnabas F. Sears and were to be turned over to Hanrahan and other defendants at a hearing later Monday before Criminal Court Judge Philip H. Romiti.

THE BILL of particulars said that:

Several of the defendants, who were among 14 state's attorney's policemen who took part in the 1969 raid, "concealed true facts with regard to the volume of gunfire" by police and the Panther occupants of a West Side apartment.

● Hanrahan gave false information at a press conference the day of the raid, Dec. 4, 1969, by stating that "the occupants continued firing at our policemen from several rooms in the apartment."

● Hanrahan said that one of the 19 weapons confiscated from the Panther apartment was identified by him at the Dec. 4 press conference as "the revolver used by Hampton."

● Hanrahan at a press conference Dec. 8 furnished false information to the public by saying that "police were fired on by some or all of the nine occupants" of the Panther apartment.

● A Panther attorney, Francis E. Andrew, on Dec. 4 removed 96 separate pieces of evidence from the Panther flat, in-

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cluding expended shells and bullets, that police should have recovered before leaving the scene.

● Hanrahan and some of the raiders made "false statements" to the Chicago Tribune in an exclusive account of the raid Dec. 10, 1969, and in a so-called "re-enactment" staged by the raiders on WBBM-TV (Channel 2).

● Hanrahan told a special county grand jury that investigated the raid, that he had "full knowledge" of the work of the January, 1970, county grand jury that indicted seven Panthers who survived the raid on criminal charges. Hanrahan later dismissed the charges during a public uproar after the raid.

● Hanrahan conspired to obstruct criminal charges against the raiders from the day of the raid until he was indicted by the special county grand jury.

HANRAHAN and the others were charged by the grand jury with conspiracy to obstruct justice for their roles in a followup investigation that found the raiders blameless.

The bill of particulars was particularly harsh on police Capt. John F. Mulchrone, who was the highest ranking policeman indicted by the jury and who was demoted afterward.

Mulchrone was deputy police Bureau of Inspectional Superintendent in charge of the vices at the time of the raid and as such oversaw the work

of the old police Internal Investigations Division.

The bill of particulars said that Mulchrone filed a report Dec. 19, 1969, on an investigation made by the IID and added:

"In doing so, he concealed evidence that the IID investigation had not been completed. He concealed evidence that the IID investigation did not include an inspection of the premises or interviews with neighbors or others.

"He concealed the fact that no ballistics examination of police weapons had been made at that date, and he concealed the fact that statements given by police to the IID on Dec. 16 were not based on questions

aimed at getting all the acts, but were based on prepared questions and prepared answers submitted to the state's attorney's police on that date."

THE BILL OF particulars said that the leader of the raid, Sgt. Daniel Groth of the state's attorney's police, threw away two .38 caliber discharged shells from his weapon.

The document added that another raider, Edward Carmody, threw away five .38 caliber special discharged shells from his revolver. Both Groth and Carmody were among 9 of the 14 raiders indicted by the grand jury.

The bill of particulars also

said that five of the raiders and other persons from the Chicago Police Department and state's attorney's office, who have not been fully identified, "destroyed possible fingerprints on the 19 seized weapons" from the Panther flat.

The five raiders were named as Groth, Carmody, John Ciszewski, Joseph Gorman and James Davis, all of whom were indicted.

HANRAHAN also told Romiti Tuesday that he intends to file more motions attacking the validity of the indictment against the 14. This is expected to delay their trial again.

The trial had been tentatively set for June 12.

"We have no desire to delay this matter," Hanrahan told Romiti. "We want to resolve it according to law. We had to wait 20 days to get basic particulars (from the prosecution) to prepare our motions."

ROMITI SAID he hoped that Hanrahan would file his new motions before June 7. Sears said he would need time to reply to the defense motions.

Romiti at a hearing May 9 had ordered Sears to prepare a bill of particulars for Hanrahan and his 13 co-defendants. Romiti said then the indictment against the 14 was "vague" and "certainly warrants some clarification."