

# Hanrahan men violate 1/21/71 secrecy law

By Larry Green

State's Atty. Edward V. Hanrahan's assistants have been violating state law by attending secret deliberations and votes of county grand juries, The Daily News has learned.

Details of the infringement on grand jury secrecy by the county prosecutors are contained in more than 1,000 pages of court testimony in a case challenging the legality of the grand jury.

Former grand jurors testified — under oath — that assistant state's attorneys were present for some of the deliberations and votes of at least four different grand juries in 1969.

These were the February, June, September and November grand juries. The November jury investigated the October, 1969, Weatherman riots in the Loop and voted to indict several young radicals.

Members of three other 1969 grand juries could not recall if assistants remained with them for deliberations and votes.

ILLINOIS LAW says "only the grand jurors shall be present during the deliberations and vote of the grand jury."

The law apparently is designed to prevent the state's attorney's office from knowing how individual grand jurors vote or how they think about a matter during open discussion.

It also is designed to prevent the grand jury from being intimidated into accepting the view of the state's attorney's office on the evidence presented to the jury.

Each of the four grand juries said its votes were not affected by the presence of the state's attorney.

Sources familiar with the workings of county grand juries said the practice is not new to Hanrahan's administration but has occurred under virtually all previous county prosecutors.

Joseph A. Power said he was personally unaware that prosecutors were present during some grand jury deliberations.

"I expect the state's attorney's office to follow the law," Power said. "Starting today, I'm going to provide every grand juror with a copy of the law. And I'm telling officials of the state's attorney's staff that their men are to remain out of the grand jury room during deliberations."

THE FOUR former grand jurors testified in a lengthy criminal proceeding now pending before Criminal Court Judge George E. Dolezal.

In that case, attorneys for several persons indicted by various county grand juries are contending the indictments are illegal because of the way in which the grand jury operates and the system under which grand jurors are selected.

The defense attorneys contend that the system for selecting grand jurors discriminates against blacks, Spanish-speaking people and the poor by excluding them from sitting on grand juries.