

# Linking of Seale to Rackley Death Astonished Him, Police-Author Says

NEW HAVEN, Conn., April 3 (AP)—Former Police Chief James F. Ahern says he was astonished when a local prosecutor sought an indictment of Black Panther National Chairman Bobby G. Seale in the Alex Rackley murder case three years ago.

"We (the police) had no solid evidence to link him to Rackley's death," Ahern writes in a book about to be published.

"The New Haven Police Department never requested an indictment against him (Seale), nor did we expect that prosecutor Arnold Markle would ask for one," Ahern says.

Markle was not available for comment at once.

Ahern was New Haven police chief in May 1969 when the body of Rackley, a New York City Panther, was found in a swamp in Middlefield, about 20 miles northeast of here. The state contended Rackley was a suspected police informer.

Ahern now is director of the

Insurance Crime Prevention Institute, an investigative agency run by the insurance industry. While police chief here between 1968 and 1971 he was a member of the President's Commission on Campus Unrest, which probed the Kent State and Jackson State killings.

In his book, "Police in Trouble: Our Frightening Crises in Law Enforcement," Ahern refers to the other arrests in the case—there were eventually 13—as "our subsequent arrests." But he says Markle—not the police—was responsible for the arrest of Seale.

Seale was indicted in August 1969 and arrested in California. He spent the next two months in prison without bail on charges of aiding and abetting murder, kidnaping resulting in death, conspiracy to murder and conspiracy to kidnap.

The case attracted wide publicity and it took four months to pick a jury, which then couldn't decide on a verdict.

In May 1971 Seale was freed after a mistrial when Judge Harold Mulvey dismissed the charges, saying it would take superhuman efforts to find another impartial jury.