

McLucas Convicted Of Murder Plot

By Stan Simon

Special to The Washington Post

NEW HAVEN, Conn., Aug. 31—Black Panther Lonnie McLucas was convicted today of conspiracy to murder Alex Rackley, but was acquitted of three other charges which carry heavier penalties.

The verdicts, reported by a jury of 10 whites and two blacks after an extraordinary 33 hours of deliberations over

six days, obviously pleased the defendant, delighted the judge, made both the defense and prosecuting attorneys happy and encouraged lawyers for the seven other Panthers who still face trial on similar charges.

McLucas, the 24-year old Panther lieutenant who now faces a 15-year sentence plus first-degree murder and attempted jail break charges in other counties, smiled and raised a clenched fist as he left the courtroom where he had been on trial for 11 weeks.

Superior Court Judge Harold M. Mulvey, whose sole responsibility in the past eight months has been the Black Panther case, beamed a wide smile as he thanked the jury:

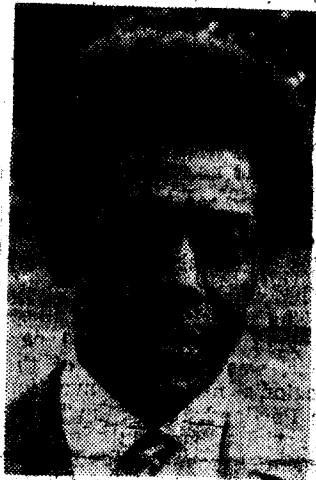
"The time you spent deliberating in this case shows to the whole wide world the effort you extended. . . I'm delighted with the work and time you spent on this case. You don't know how delighted I am to say: 'Adjourn court, sheriff' "

Defense Attorney Theodore I. Koskoff, who said he will move to dismiss the pending murder charge and appeal today's verdict, received a kiss from a woman attorney representing two other Black Panthers and left the courthouse with Michael Koskoff, his son and co-counsel. The elder Koskoff praised the judge and jury.

"Anybody in a minority group can get a fair trial in this state," Koskoff told a news conference.

Last spring, Yale University President Kingman Brewster Jr. said he doubted that a black revolutionary could get a fair trial anywhere in the country.

See McLUCAS, A8, Col. 4



LONNIE McLUCAS
... pleased at verdict

Brewster, reached by telephone in Montreal, Canada, had no comment on today's verdict.

State's attorney Arnold Marle had been obviously worried that the unusual length of deliberations would lead to a hung jury and a repeat of a trial that has already cost the state more than \$1 million.

He continued today his long-standing policy of no public comment, but allowed his staff to close the office early for a "victory" party.

McLucas, who admitted in a tape-recorded confession played for the jury that he had fired a second shot into Rackley in a Middlefield swamp 15 months ago, was acquitted of kidnaping resulting in death, a capital charge, although the state had indicated it would not have asked for the death penalty.

He was also acquitted on charges of conspiracy to kidnap, which carries a 30-year maximum sentence, and binding with intent to commit a crime, a seldom-used charge with a 25-year maximum penalty.

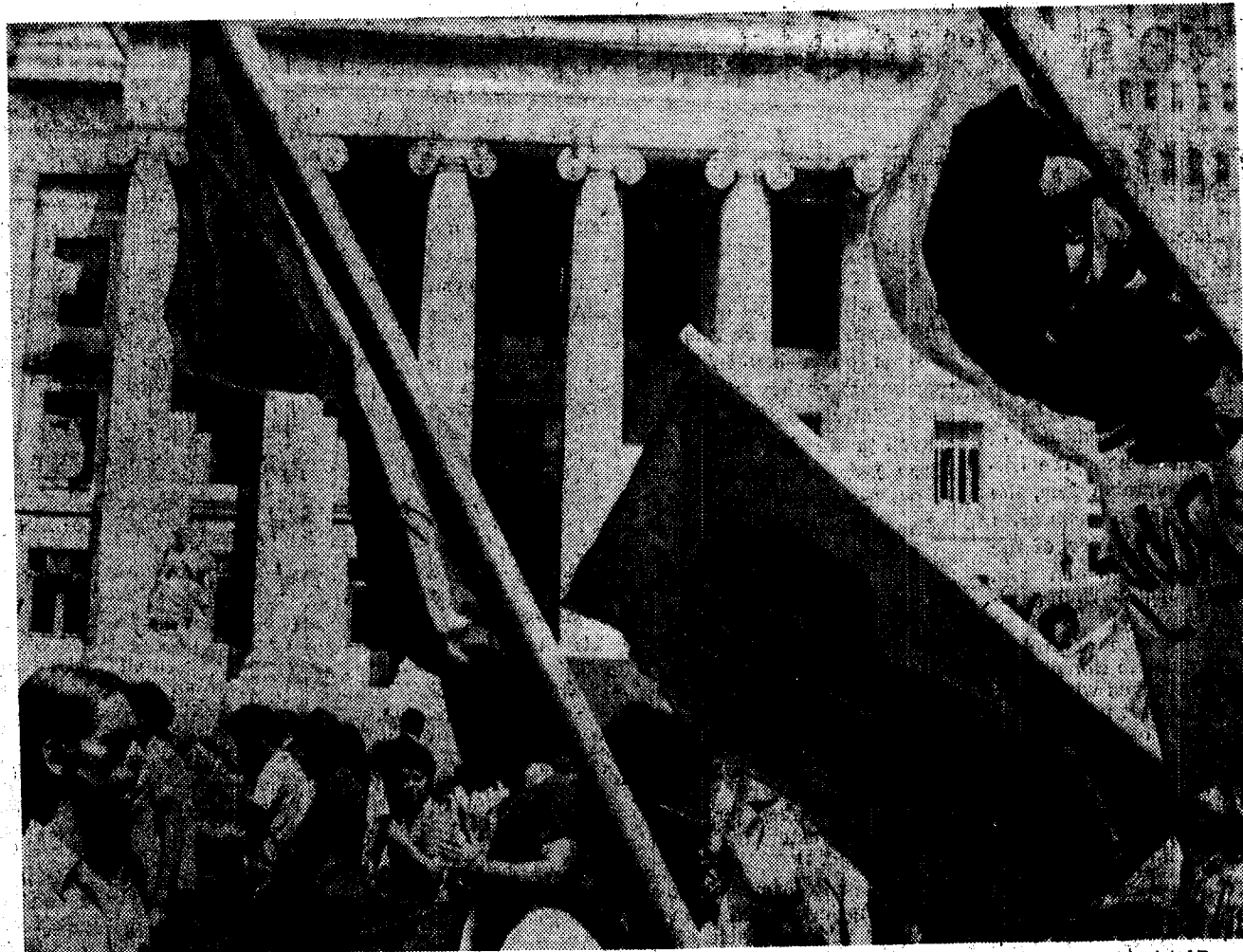
After the verdicts were read to a courtroom packed with some 30 spectators, an equal number of women and nearly 20 other officials, Judge Mulvey set \$10,000 appeal bond, a seven gesture since McLucas is still under indictment for a capital crime in neighboring Middlesex County where Rackley was killed.

McLucas has not requested bail since he was arrested in Salt Lake City, Utah, two weeks after the crime. Middlesex County.

Middlesex County state's attorney Vincent Scamporino said he has not yet made up his mind about whether to press the murder charge, which is expected to be attacked on grounds of double jeopardy.

McLucas, in handcuffs, was taken virtually unnoticed out of the courthouse and back to the State Correctional Center in Litchfield, where he faces charges of attempting to escape stemming from an incident which occurred the day before the selection of jurors for his trial started last June 16.

The state's case against the other Panther defendants, including National Party Chairman Bobby C. Seale, presumably will involve the same set



Associated Press

Black Panther supporters protect conviction of Panther Lonnie McLucas on charge of conspiracy to commit murder.

McLucas Convicted of Lesser Charge

McLUCAS, From A1

of witnesses who convinced this jury that there was a conspiracy to kill Rackley, a New York City Panther.

The case against McLucas was considered the state's strongest, largely because of the defendant's own confessions.

In a tape-recorded confession to police made shortly after his arrest and played for the jury, McLucas said Seale was told that a Panther brother was being questioned at local party headquarters.

The party chairman responded by saying "George or whoever's in charge will take

care of that." Seale said he wouldn't have "related" to anything like that.

Confessed Murderer

The "George" mentioned in McLucas's tape-recorded statement apparently referred to George Sams Jr., confessed murderer who so far is the only prosecution witness to testify that Seale gave the order for Rackley's death.

Warren Kimbro, the third man who, with Sams and McLucas, took Rackley into the swamp where he was killed, failed to corroborate Sams' testimony that Seale ordered the death. Kimbro admitted

firing the first shot into the back of Rackley's head.

In spite of the conflicting testimony, the six men and six women who returned verdicts today obviously believed there was a conspiracy to kill Rackley and that at least McLucas took part.

But, as one attorney in the case pointed, out the next trial, for which the date and the defendants have yet to be named, will involve 12 other jurors.

"It'll be a whole new ballgame," the attorney said. McLucas will be back Sept. 18 for sentencing.