

'No Seale Link to Murder'

Examiner News Services

NEW HAVEN (Conn.) — The former police chief of New Haven says there was no solid evidence to link Black Panther Party National Chairman Bobby Seale to the murder of Panther Alex Rackley here three years ago.

Nonetheless, a local prosecutor sought and received Seale's indictment as the person who ordered Rackley

executed and Seale stood trial. The charges were dropped after a jury decided it could not reach a verdict.

Former Police Chief James F. Ahern says he was astonished when prosecutor Arnold Markle sought to indict Seale.

"We 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, nor did we expect that Markle would ask for one," Ahern says.

Markle was not available for comment.

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 there. The state contended Rackley was a suspected police informer.

Ahern is now director of the Insurance Crime Prevention Institute. In his book, "Police in Trouble: Our Frightening Crisis in Law Enforcement," Ahern writes that his men knew Rackley was being held by Panthers and had started a search for a Panther car believed to be carrying Rackley from the Panther head-

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Police Chief Exonerates Seale

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quarters the night he was killed.

Ahern refers to 12 other arrests in the case as "our subsequent arrests." But he says Markle — not the police — was responsible for the arrest of Seale.

Mistrial

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.

Ahern writes that when Markle asked for the indictment "and Seale's name was added to the list of defendants, the trial was provided with all the notoriety that had accompanied the

Chicago conspiracy trial."

The others indicted were either local figures or lower-level figures from other Panther chapters.

The basic allegation in the indictment against Seale was that during a speaking visit to Yale he had stopped off at a local Panther headquarters while Rackley was there and had given the underlings an order to kill him.

Ahern writes that police "had evidence that Seale had visited the Orchard Street apartment while Rackley was there," but adds:

"Despite my personal feelings about the case, it was a fact that there was not sufficient hard evidence against Seale."

Witness

Ahern would not comment beyond what was in the

book.

At the trial, only one witness — George Sams Jr. — testified that Seale gave the executive order.

Sams had turned state's evidence and admitted he had been in direct charge of the actual killing and another witness testified Sams had a grudge against Seale.

Of the other Panthers arrested in the case, another also turned state's evidence

and, like Sams, was sentenced after pleading guilty of second-degree murder. But of the Panthers who didn't turn state's evidence, only one was found guilty of

a crime — conspiracy to murder — after trial.