

Of Cointel and the '69 Chicago Incident

To the Editor:

Your May 12 editorial "F.B.I.'s Deadly Game" properly denounces the F.B.I.'s Cointel program. However, by omitting key facts, it creates false inferences, adverse to the police officers involved and myself, regarding the Dec. 4, 1969, search of the Black Panther apartment in Chicago:

- Following a Federal grand-jury investigation which returned no indictments, an eighteen-month investigation of the matter was directed by a Special Cook County State's Attorney. He proposed charges of murder, manslaughter, aggravated battery and armed violence, but the special grand jury rejected each of those charges. However (I believe because of the unlawful urging of the Special State's Attorney), those grand jurors did charge me and the police officers involved with a misdemeanor.

- During trial on that charge, the evidence showed that search of the Black Panther apartment was made pursuant to a court order. The application for the search warrant recited that information from sources, reliable in the past, indicated that *illegal* weapons were in that apartment. (Illegal weapons were recovered there by the search.)

- During his testimony, the prosecution's principal ballistics witness (while enumerating shell marks from shots allegedly fired by police officers) admitted he could not tell what shots fired by Black Panthers may have exited through front and back doors

and windows of the apartment without leaving shell marks he could find.

- At the trial there were admitted into evidence written statements by several of the Black Panthers, made to their attorneys in December of 1969 shortly after the search but "discovered" by the Special State's Attorney only after the misdemeanor indictment was returned and the trial was begun. In those statements the *Black Panthers admitted they had fired shots at the police*—just as the officers had always said they did.

- After seventeen weeks of trial, during which the Special State's Attorney presented his evidence, including testimony by all the surviving Black Panthers, the trial judge found there was not sufficient evidence to support even the misdemeanor charge, so the case was dismissed.

That the F.B.I. succeeded in its policy of keeping its Cointel program from being known outside the bureau is shown by the fact that (probably like every other U.S. Attorney and most U.S. Attorneys General) I did not learn of Cointel until 1975. Surely, then, neither I nor the Chicago police officers involved can be accountable for whatever claims the Chicago F.B.I. office made to its Washington headquarters regarding the Black Panther apartment search in a 1969 Cointel memorandum. EDWARD V. HANRAHAN

Chicago, May 13, 1976

The writer is former State's Attorney for Cook County.

Letter in reply, signed
by Roy Wilkins, Ramsey
Clark and Kenneth B.
Clark, NYT 4 Jun 76.